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APPLICANTS GUIDE

New Jersey
State
Law
Enforcement
Planning
Agency



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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 the Crime Control Act of 1973 (P.L. 93-83, 87 Stat. 197).

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.

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.

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

Law Enforcement—It is used to describe the entire criminal justice system (police, courts, corrections, prosecution and defense). 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 environmental 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-half 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.

State of New Jersey

BRENDAN T. BYRNE

Governor

STATE LAW ENFORCEMENT PLANNING AGENCY

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Executive Director

(The 1974 Plan for Criminal Justice and this Guide were prepared entirely by the SLEPA staff. It contains procedures for applying for a grant, the action programs which comprise Section C of the 1974 Plan for Criminal Justice, SLEPA forms in use and an appendix which contains valuable references for the administration of funds under the Crime Control Act. Special acknowledgement is extended to all officials, institutions and agencies who willingly provided statistical data and guidance for program development. Thanks also is extended to private social service agencies and all others who shared information for the preparation of this Plan. This document is published and disseminated under U.S. Department of Justice Grant No. 74-PF-02-0434 in accordance with the ongoing dissemination responsibility assigned to SLEPA by Public Law 93-83, 87 Stat. 197).

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ORGANIZATION AND FUNCTION OF THE STATE LAW ENFORCEMENT PLANNING AGENCY

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

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

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

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

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

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

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

GENERAL INFORMATION FOR APPLICANTS

I. TYPES OF GRANTS:

A. Grants administered directly by SLEPA

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

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

1. Legislation—This category includes activities which relate primarily to the legislative process.
2. Planning and Evaluation—This category includes those activities related to the general process of program development and system "overhead".
3. Research and Information Systems—Activities which are basically of a research nature are included in this functional category, as well as those activities relating to general information systems and data collection.
4. Prevention—Included within this category are those efforts aimed at crime prevention used in its broad context, whether undertaken by criminal justice or non-criminal justice agencies.
5. Detection, Deterrence, Apprehension—Included in this category are those activities involving direct law enforcement functions.

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

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

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

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

B. Other LEAA Programs

1. Law Enforcement Education Program (LEEP).
2. Law Enforcement Assistance Administration Discretionary Grants.
3. National Institute for Law Enforcement and Criminal Justice Research Grants.

II. CRITERIA:

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

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

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

III. ELIGIBILITY:

Planning: The eligibility for planning grants is based on the State Law Enforcement Planning Agency's determination of local eligibility for each calendar year based on a weighted system of criteria which includes population 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:

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

total project cost will be supplied by the applicant.

IV. APPLICATION PREPARATION INSTRUCTIONS

The Omnibus Crime Control and Safe Streets Act has been amended to require that State Planning Agencies complete their review process of applications within a 90-day period from the time an application is received. For purposes of this requirement, the 90-day review period will commence only when the application in question is in compliance with LEAA and SLEPA guidelines as set forth in the 1974 *Applicants Guide*.

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

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

Attachment One: Description of Project

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

A. Statement of Problem

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

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

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

c. Organizational

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

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

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

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

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

B. Goals

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

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

For example:

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

C. Objectives

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

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

D. Project Activities

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

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

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

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

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

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

E. Project Management

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

F. Personnel

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

G. Brief Personnel Biographies or Job Specifications

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

H. Participating Agencies

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

I. Project Evaluation

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

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

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

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

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

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

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

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

J. Alternative Methods

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

K. Assumption of Costs

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

L. Civil Rights Compliance

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

Attachment Two: Budget Detail/ Budget Explanation

Estimated cost details of the project's budget should be itemized on Attachment Two. Additional pages should be used to provide narrative justification for all budget items. Costs should be broken down as indicated within the column headings appearing on Attachment Two. All projects funded with Fiscal Year 1974 LEAA funds will adhere to the following matching formula: 90% federal funds and 10% cash match. Note that particular items of cost may appear as 100% federal, while others may be funded with a combination of federal, State and/or local money.

CASH MATCH:

The 1973 amendments to the Act include two important fiscal conditions affecting subgrantee matching funds. These amendments became effective with FY 1974 funds.

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

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

Thus, beginning with the FY 1974 block grant appropriation, the entire subgrantee matching share must consist of cash. In-kind goods and services will no longer be acceptable as a matching contribution.

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

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

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

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

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

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

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

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

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

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

ALLOWABLE COSTS

The allowability of charges made to funds granted under the Act shall be determined in accordance with the general principles of allowability and standards for selected cost items set forth in 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 Finan-

cial Guide. (Circulars A-87 and A-102 appear in the Appendix).

Costs allowable only with specific prior approval of LEAA include:

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

UNALLOWABLE COSTS

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

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

BUDGET CATEGORIES

Budget categories appearing on the application

form are listed and explained below. Note that applicants should use only whole dollars when itemizing costs.

A. Salaries and Wages.

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

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

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

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

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 1973. If the project is continued during 1974 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 1973 plus 50% of the increase of \$2,000).

B. Purchase of Services.

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

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

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

be included in the application.

A detailed cost estimate should be shown in the Budget Explanation, including the scope of services to be performed, professional qualifications, and the basis for calculating fees including the estimated number of man days required, rate travel, overhead, profit charges etc. Prior to obtaining the services of any organization, a copy of the proposed contract must be submitted to the State Law Enforcement Planning Agency for review and approval. The proposed contract will 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.

3. Instructional Costs for Training Seminars. Provide details that show the basis for the amount requested.
4. Other costs for professional services i.e., psychological/social services. Show rates and method for calculating budget request.

C. Travel, Transportation, Subsistence.

Show travel costs by estimating the number of trips, multiplied by the estimated cost per trip. 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 \$11.00 per day for three meals, maximum of \$24.00 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, Utilities, Equipment Rental.

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

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

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

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

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

2. The costs are true rearrangement or renovation costs as distinguished from new construction or expansion of an existing building,
3. Total costs do not exceed 25% of the current value of the building.

Any project or component thereof which involves the erection, acquisition, expansion or repair of new or existing buildings or other facilities is deemed a construction project subject to a special matching ratio of 50/50 (Part C funds) rather than 90/10. Refer to the LEAA Financial Guide, Chapter 4, Paragraph 5 for a complete description of the identification of construction costs.

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.

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

1. Equipment should be requested only after determination by responsible officials that no other identical or similar equipment owned by the applicant is available for project use.
2. SLEPA funds will not be authorized to provide reimbursement for the purchase price of equipment already owned by the applicant.
3. If equipment purchased is used commonly for two or more Federal grant programs or for a Federal grant program and a non-federally supported State or local government activity, appropriate proration of cost to each activity involved must be effected.

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

Applicants should become familiar with OMB Circular A-102, Attachment N, Property Management Standards. This guideline outlines subgrantee responsibilities in developing and maintaining adequate property records, internal control systems and periodic physical inventory checks.

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

G. Indirect Costs.

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

Application Authorization.

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

CIVIL RIGHTS COMPLIANCE.

Effective December 31, 1973 it will be necessary for applicants to comply with the Equal Employment Opportunity guidelines issued by LEAA in 28 C.F.R. 42.301 et seq., Subpart E (text reprinted in Appendix). Compliance with these guidelines is required only by applicants meeting the following criteria:

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

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

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

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

Mexican, Puerto Rican or Spanish origin.

Equal Employment Opportunity Programs should include as a minimum:

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

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

CERTIFICATION OF EQUAL EMPLOYMENT OPPORTUNITY PROGRAM

I, _____ (Mayor, Freeholder-Director, State Department Head) certify that the _____ (criminal justice agency) has formulated an equal employment opportunity program in accordance with 28 CFR 42.301, et seq., subpart E, and that it is on file in the office of _____ (name),

_____, (address),
_____, (title), for
review or audit by officials of the cognizant state
planning agency or the Law Enforcement Assistance
Administration, as required by relevant laws and
regulations.

(signed)

(Title)

A-95 CLEARINGHOUSE REVIEW.

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

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

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

Avenue, Toms River, New Jersey 08753 — Ocean County.

4. Sussex County Planning Board, Administration Building, 39 High Street, Newton, New Jersey 07860 — Sussex County.
5. Warren County Planning Board, Oxford and Hardwick Streets, Belvidere, New Jersey 07823 — Warren County.

The responsibilities of these clearinghouses are:

- a. to receive from prospective applicants within their jurisdiction all notices of intent to apply for federal aid under programs covered by OMB Circular A-95;
- b. to determine the State, regional or local interests in the project in light of the comprehensive development plans and policies of the agencies represented by the clearinghouse;
- c. to arrange conferences between the applicant and the appropriate agencies to identify and resolve conflicts pursuant to the application;
- d. to prepare evaluative comments to be submitted with the final applications; and
- e. to issue letters of clearance attesting that the applicant has complied with the provisions of the A-95 Project Notification and Review System.

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

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

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

V. STAFF SCREENING:

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

B. A formal application consists of the following:

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

C. The Omnibus Crime Control and Safe Streets Act has been amended to require that State Planning Agencies complete their review process of applications within a 90-day period from the time an application is received. For purposes of this requirement, the 90-day review period will commence only when the application in question is in compliance with LEAA and SLEPA guidelines as set forth in the *1974 Applicants Guide*.

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

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

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

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

G. A technically correct application is then forwarded to the Application Review Committee composed of the Executive Director, the Assistant

Director-Planning, the Assistant Director-Operations, and the Assistant Director-Administration. The Committee meets for the final review of the application to determine the staff recommendations to the SLEPA Governing Board.

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

VI. APPLICATION REVIEW AND AWARD:

A. Applications for projects specifically outlined in the 1974 Plan will be reviewed and acted upon by the Application Review Committee, and will not require Governing Board approval.

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

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

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

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

VII. APPEAL PROCEDURES:

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

The Board Chairman of SLEPA or any authorized

officer thereof, will convene the Governing Board to hold a hearing at the next regularly scheduled Board meeting providing at least thirty (30) days have elapsed after the SLEPA Form 104 has been returned to the SLEPA offices. Such hearings or investigations will be held at such times and places as designated following appropriate written notice to such applicant or subgrantee.

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

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

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

VIII. SUSPENSION OR TERMINATION OF GRANT:

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

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

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

IX. REPORTING PROCEDURES:

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

and October 1-December 31) for all subgrants.

If a subgrant begins less than one month before termination of a calendar quarter, a narrative report is not due for that quarter. Activities for this shortened period should be accounted for in the subsequent quarterly report. (e.g. Contract date is March 2, 1973, quarterly narrative due June 30, 1974, covering all activities from March 2 to June 30).

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

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

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

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

X. TIMING OF STATE AND/OR LOCAL CONTRIBUTIONS:

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

event later than the date at which the complete federal award has been expended.

XI. SUBGRANTEE FISCAL RESPONSIBILITY:

The subgrantee shall be responsible to federal and State regulations for maintaining a bookkeeping system, records and files to account for all grant monies spent and all matching funds contributed to the project.

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

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

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

1. Fiscal Control and Fund Accounting. Procedures will be established which assure proper disbursement of, and accounting for, grant funds and required non-federal expenditures 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.

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

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

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

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

2. All such grants shall be designated in the budget as follows:

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

APPROPRIATION: Unclassified:

State Law Enforcement
Planning Agency Grant
—Subgrant No.

3. The appropriation shall be a separate line item without a designation as to "Salaries and Wages" and "Other Expenses" and shall not be made a part of any existing appropriation.
4. The revenue when anticipated at the time that the budget of the local unit is introduced, shall be a "Special Item of Revenue with Prior Written Consent of the Director of Local Government Services."
5. Commencing with the 1974 budget, all SLEPA grants will require a 5% "hard cash match." This 5% cash requirement of the local unit cannot be taken from any other appropriation but must be "new" money.
- It is hereby recommended to all local units of government considering submission of applications to the State Law Enforcement Planning Agency for a 1974 grant to provide an appropriation entitled, "Matching Funds for Grants" in the 1974 budget under the classification of "Unclassified."

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

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

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

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

Section 1

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

Section 2

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

State Law Enforcement Planning Agency Subgrant No.

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

Section 3

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

Section 3a

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

Adopted this ____ day of _____ 19 ____
and certified as a true copy of an original.

Clerk

Approved _____, 19 ____

DIRECTOR, DIVISION OF LOCAL GOVERNMENT SERVICES

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

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

The following memorandum issued by the Director, Bureau of the Budget, should be adhered to when budgeting funds received through grant awards from SLEPA.

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

1. The State Law Enforcement Planning Agency (SLEPA) will prepare the Annual Plan in accordance with and at times required by directives issued by the Law Enforcement Assistance Administration (LEAA). The completed Plan along with a Budget Bureau Form BB-4 (Application for Non-State Funds) will be submitted to the SLEPA Governing Board for review and approval.
2. The Plan and Form BB-4 as approved by the Governing Board will be forwarded to the Budget Bureau for review and approval.
3. The Budget Bureau will return a copy of the approved Form BB-4 to SLEPA with an authorization for SLEPA to submit the Plan to the Federal Government for approval.
4. After notice of Plan approval is received from the Federal Government, SLEPA is thereby

authorized to administer the Plan, not to exceed the limitations set forth in the approved Plan and Form BB-4.

5. Each Sub-grantee agency shall submit to the Budget Bureau for approval a Grant Application (SLEPA Form #101 with Attachments One and Two) for each sub-grant request. The Budget Bureau will review and forward approved Grant Applications to SLEPA.
6. After review and approval of individual sub-grant requests by SLEPA and its Governing Board, the applicant agency will be notified of such approval by SLEPA.
7. Upon receipt of notification of approval of a sub-grant, the recipient agency shall:
 - (a) Submit to Division of Budget and Accounting, Accounting Bureau, a written request to establish two separate accounts for each sub-grant which involves both Federal and State funds. If only Federal funds are involved, one account will be requested for each sub-grant. The account structure shall be as follows:

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

- (b) Upon receipt of account number(s), transmit the following to SLEPA for the Federal share of the grant: a Request for Transfer of Appropriation, Form AA-5 ("Transfer from" section left blank) and a SLEPA Form #107 (Detailed Cost Statement, Cash Report/Cash Request Form) prepared in accordance with SLEPA instructions.
 - (c) If all or a portion of matching funds for the sub-grantee Agency are to be provided from the State funds appropriated in account 190-1XX-000, prepare a Request for Transfer of Appropriation to cover the amount required for either the grant period or fiscal year, whichever is less. The sub-grantee will forward the Request for Transfer of Appropriation (unsigned) to SLEPA.
8. Upon receipt of the Request(s) for Transfer of Appropriation, SLEPA shall:
 - (a) Complete the "Transfer from" section and approve the Request for Transfer of Appropriation involving Federal funds for the grant request.
 - (b) When required, review and approve a Request for Transfer of Appropriation if all or a portion of matching funds for the recipient agency are to be provided from State funds appropriated in account 190-1XX-000.
 - (c) Forward documents covered in (a) and (b) above to the Budget Bureau.
 9. The Budget Bureau shall review and process all documents received, obtain necessary approvals and provide approved copies of related documents to the affected organizations—in accordance with established procedures.
 10. Each sub-grantee agency, upon receipt of SLEPA Funds, should administer those funds in accordance with Circular Letter #74-4, "Administration of Projects Funded by State and Non-State Fund Sources."
 11. Upon receipt of Federal funds, SLEPA will prepare a Transmittal of Income Form and forward it to the Department of the Treasury; thus reducing the account receivable on the appropriation ledger sheets.
 12. Unexpended or unencumbered State matching funds at the end of the fiscal year will be transferred back to account 190-1XX-000 by the recipient agency. Any continuation of a project into the new fiscal year will necessitate the re-establishment of funds in the project account as outlined in steps 7 and 8.

XIV. GUIDELINES FOR APPLICANTS REQUESTING RADIO COMMUNICATIONS EQUIPMENT

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

Certain minimal requirements for any radio communications system have been set by the Police Program Unit. Based upon the operational experience of funded programs these items have proved exceedingly beneficial to an orderly systemized approach.

No project will be considered without the components listed below.

A. Citizen Access

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

B. Data Capture

1. Response time must be measured by use of a stamped key tab card. The times required to be kept are as follows:
 - a. Time telephone or desk complaint was taken.
 - b. Time patrol was dispatched.
 - c. Time patrol arrived at scene.
 - d. Time patrol completed/back in service.
2. Information recorded on the card relevant to the incident must be data captured. This will allow for a dispatch analysis system in the following method:
 - a. A software program is developed to allow different configurations of print-outs from the material contained on the key-tab cards. Some of the reports available are as follows:
 - 1) UCR
 - 2) Officer Profile
 - 3) Daily Log
 - 4) Response Times

- b. Computer time rental arrangements (where applicable) are made.
- c. Cards are key-punched on a per/card cost basis.

C. Hardware

- 1. Base stations—no duplexing or back-up equipment is allowable.
- 2. Consoles—only that portion associated with the dispatch function will be allowed. Administrative areas are excluded from funding.
 - a. The number of dispatching positions must be supported by verifiable statistics.
 - b. Costs associated with alarms are excluded from funding.
- 3. Mobile/Portable Radios
 - a. Where possible in/out radio systems will be utilized. The number of units fundable will not exceed the total amount of vehicles utilized for the *PATROL FUNCTION* in the department.

- 4. Equipment excluded:
 - a. Status maps.
 - b. Internal and external security equipment, i.e.:
 - 1) Closed circuit television.
 - 2) Electric door.
 - 3) Jail monitoring equipment.

D. Recording Equipment

- 1. Track (Channel) recorder must be part of the system. Number of channels will be based upon documented need.
 - 2. Instant recall capability must be provided at the dispatch position.
 - 3. Portable relay units are excluded.
- Requirements are subject to change based upon evaluation of existing systems. Jurisdictions should contact the Police Programs Office before preparing an application.

THE ANNUAL ACTION PROGRAMS

Responsibility for some of the Agency's 39 program areas has been shifted within the Operations Unit, most notably in the Courts area which now also has jurisdiction over projects involving ancillary services. Applicants having specific questions about programs or seeking guidance in the preparation of applications are advised to address their queries to the appropriate operations desk as listed below.

Program No.	Program Title	Operations Desk	Program No.	Program Title	Operations Desk
2-1	Support of the Police Administrative Services Bureau	Police	5-7	Establishment and Expansion of State and Local Narcotic and Dangerous Drug Law Enforcement Units	Police
3-1	Statewide Communications and Information System	Courts	5-8	Improvement in the Recruitment and Selection of Criminal Justice Personnel	Courts
3-2	Refinement of the Correctional Information System	Courts	5-9	Expanded Investigation of Organized Crime	Police
4-1	Residential Shelters for Juveniles Without Suitable Domicile	Prevention	5-10	Increased Crime Laboratory Service	Police
4-2	Community Involvement in Local Juvenile Delinquency Prevention Programs	Prevention	6-1	Improvement of Police Services to Juveniles	Prevention
4-3	Treatment and Rehabilitation of Drug Dependent Individuals	Prevention	6-2	Youth Service Bureaus	Prevention
5-1	Increase Police Patrol Effectiveness Through More Efficient Allocations of Police Resources	Police	6-3	Diversion of Drug Dependent and Alcoholic Offenders	Corrections
5-2	Increase Apprehension and Deterrence Effectiveness Through Reduction of Police Response Time	Police	7-1	Municipal Court Management and Improvement Program	Courts
5-3	Prevention of Crime Through "Hardening" of Crime Targets and Establishment of Structured Crime Prevention Efforts	Police	7-2	Expand and Improve Probation Intake Screening and Diagnostic Services Available to the Juvenile Court	Corrections
5-4	Establishment and Expansion of Police-Community Relations Program	Police	7-3	Expanded County Prosecution of Organized Crime	Police
5-5	Educational and Professional Development for Criminal Justice Personnel	Courts	7-4	Expand the Centralized, Prosecutorial Handling of Criminal Appeals to Union and Essex Counties	Courts
5-6	Coordinated State and Countywide Police Legal Advisory Units	Police	7-5	Improvement of Probation Services	Corrections
			7-6	Development of Judicial Management Information System	Courts
			7-7	Trial Court Activities Improvement	Courts

Program No.	Program Title	Operations Desk
7-8	Specialized Training of Court Professionals and Supporting Judiciary Personnel	Courts
7-9	Support of Public Defender Services	Courts
8-1	Improvement of Local Correctional Facility Programs	Corrections
8-2	Improvement of Juvenile Detention Practices	Prevention
8-3	Development of Correctional Training Center Programs	Corrections
8-4	Vocational Preparation of Confined Offenders	Corrections

Program No.	Program Title	Operations Desk
8-5	Improvement of Academic Education in State Correctional Institutions	Corrections
8-6	Treatment of Special Offender Types in State Correctional Institutions	Corrections
9-1	Community Treatment Facilities for Juvenile Delinquents	Prevention
9-2	Non-Institutional Programs for Adult Offenders	Corrections
9-3	Community-Based Correctional Center Programs	Corrections
9-4	Improvement of Parole Practices	Corrections
9-5	Correctional Advisory and Consultative Services	Corrections

2. PLANNING AND EVALUATION

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

Objectives:

To continue the support services of the Police Administrative Services Bureau which assist local police administrators to evaluate the management needs and priorities of their departments. It is anticipated that this program will provide the capability to respond to an additional 15 requests over and above the average workload of the regularly budgeted staff, reducing the backlog by at least six months.

Implementation:

This program area was first introduced into the Comprehensive Plan in 1973. The 1973 project has been operational since May, 1973, and will be continued as a second year project in May, 1974.

The New Jersey Police Training Commission of the Department of Law and Public Safety provides a management consultant service to local police departments. The demands for services far surpass the capability of the Commission to respond. These services include management counseling, general surveys, operational surveys, administrative and service functions and assistance in the preparation of law and administrative manuals.

The 1973 Plan noted a backlog of close to two

years represented by requests on hand at that time. As the 1973 funds are used, this should be substantially reduced so that by the end of the 1974 project year, the backlog for service should be under a year. This is predicated upon the level of demand for services.

It is anticipated that this program will either be substantially reduced or eliminated in 1975 when the need catches up with demand or State funds are utilized. The funds will pay for two professional staff persons, secretarial support and related operational expenses.

Subgrant Data:

The Police Training Commission, Department of Law and Public Safety, will be the sole applicant. The granting of these funds will be dependent upon the effective use of the 1973 funds recently awarded.

Budget:

	LEAA	State, Local or Other	Percentage of State or Local Match
Total Part C			
Block Support	\$50,000	\$5,556	10%

3. RESEARCH AND INFORMATION SYSTEMS

Program 3-1: Statewide Communications and Information System

Objectives:

The objective of this program is the expansion of the SCIS as developed under Phase I and Phase II.

During Phase III of this program, the regional network will be expanded from eight to 14 terminal locations. The municipal network expansion will continue with a goal of 40 terminals becoming operational during 1974.

The major application areas of intelligence, firearms control, forensic science and internal records will also be developed during this phase.

Implementation:

This program first appeared in the 1970 Comprehensive Plan. It provided a schematic for development of a criminal justice computer-based information system known as the Statewide Communications and Information System. The project was initially assigned to the Division of State Police for implementation. It was anticipated in the 1970 Comprehensive Plan that the physical computer site and administrative control would be at State Police Division Headquarters in West Trenton.

Under the control of the State Police, initial sys-

tems preparations including computer hardware specifications were generated. Delivery of the system was anticipated for July or August, 1971. The overall plan developed at these early stages of the project envisaged a continuum of activity and a system to serve all criminal justice components.

In the 1971 Comprehensive Plan a more detailed explanation was provided, showing the methodology to be pursued in development of the system.

Two phases were projected. Phase I included development of the central computer complex, installation of four regional terminal sites and construction of the communications means between portions of the State and the central complex.

Phase II involved expansion of the system and included eight or more additional regional terminals and six or more municipal terminal sites. Mention was also made of microwave as the data transmission vehicle.

In March, 1971, the Division of Systems and Communications was created under the Department of Law and Public Safety and charged with the development of the Statewide Communications and Information System.

Under the new Division, the physical site for the central computer complex was changed to the facilities of the Division of Motor Vehicles in Trenton. Microwave as a transmission means was abandoned and voice grade lines were adopted.

By October, 1972, a communications network was established which included five regional terminals that could query and receive NCIC information. This information plus more specific data was duplicated in the State files. Motor vehicle information including license and registration look-up and driver record data also became available at that time. Message switching capability was the final portion concluded during Phase I.

During Phase II that followed, the communications network was expanded to allow for greater coverage in the State. In addition to providing more regional terminals, municipal terminals were linked into the system. A master name index and automated fingerprint searching file was also created. The court disposition reporting system was also automated.

Phase III of the SCIS is being initiated in this year's Comprehensive Plan. It is anticipated that the communications engineering study will be completed during this phase. Results of this study are expected to reveal vital information in regard to communications media, terminal placement, equipment selection and more efficient utilization of all available communications networks that will provide patrol car-to-terminal links via direct radio contact, a necessity to an ultimate information system.

During this phase of the project, the regional network will be expanded from eight to 14 regional terminal locations. Because of the present system usage and anticipated volume increases, this ex-

pansion is necessary to afford ready access to the data bank for all system users who do not have terminal access. In addition to expanding the regional network, many municipalities will acquire their own terminals, and the court and correctional areas will receive benefit of the system through terminal access in the comprehensive data system. All of the terminals in the network will be strategically located so that enough flexibility exists to provide for either modifications, consolidation or additional terminals to provide the best possible service to all users.

Intelligence information, which has greatly enhanced criminal investigation efforts, will be studied during this phase. The intelligence area has need for development of automated procedures that address telephone toll matching, real estate and corporation involvement, criminal history and name/associate/organized crime relationship searches. By creating a central repository of information, all of this vital data will become available to authorized individuals and assist them in their efforts to combat organized crime.

Another large manual system which will be studied during Phase III is the State firearms control file. This file contains thousands of records of information on firearm registration and permits, which have not yet been utilized to the fullest potential.

A study will also be conducted in the Forensic Science Laboratory Section to determine the feasibility of automating some of the functions of this area. There is a high volume of evidence processed through this section. The recent surge of narcotics arrests and organized crime investigations has added tremendously to an already heavy workload. The study in this area will be directed to automating the workflow through the various processes, thus relieving to a great degree, the congestion and backlog which now exists.

Internal records automation will be developed toward capturing investigatory and statistical information from investigation and event reports. Development of this area will rely heavily upon the prototype furnished by Project SEARCH, (System for Electronic Analysis and Retrieval of Criminal Histories) to insure compatibility and thereby satisfy management and administration needs.

Offender Based Tracking System and Computerized Criminal Histories (OBTS/CCH) will be incorporated into this system. Phase III will assist in and be compatible with the Offender Based Tracking System and Computerized Criminal Histories developed in the Comprehensive Data System and the development and operation of those applications in Phase I, II and III will assist in this regard.

Phase III efforts will be directed with great emphasis toward the compatibility required among all applications which are part of the total criminal justice system. This phase will deal with interfaces with other Statewide criminal justice computers lo-

cated in areas such as Newark, Atlantic City and Bergen County. Systems such as those in New York, Pennsylvania and New York City are among those systems with which computer interfaces are planned.

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. The grant will cover the period of January 1 to June 30, 1974.

Budget:

	LEAA	State, Local or Other	Percentage of State or Local Match
Total Part C Block Support	\$900,000	\$100,000	10%

Program 3-2: Refinement of the Correctional Information System

Objectives:

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

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

Implementation:

The correctional information system was originally funded from the 1970 Plan and was provided continuation grants in 1971 and 1973. Present operational activities include the development, preparation and distribution of a variety of analyses for use in management and policy development. Population reports, a 1982 population projection and reports of admissions, departures and paroles have been provided for calendar year 1972.

Offender correctional profiles for each of 54 institutional, age and racial subgroups have been developed and are among the basic input data for Round I of the offender correctional profiles to be produced in late 1973. These profiles will include the correctional, personal, educational, employment and

treatment histories. Also included will be offense and age data for those presently incarcerated, newly admitted and those departing the institution.

Round II of the profiles will include statistical descriptions of offender subgroups such as their readmission status, length of stay, post-release success in the community, educational potential at admission, use of drugs and area of residence in New Jersey. This capability, along with the Statewide Offender Based Tracking System, will respond to the LEAA correctional monitoring requirement.

Collection and preparation of additional data as required to research and update the proposed master plan for correctional administration will be an ancillary service provided in the 1974 project.

Subgrant Data:

The Division of Correction and Parole, Department of Institutions and Agencies, will be provided funds to continue a 12 month project.

Budget:

	LEAA	State, Local or Other	Percentage of State or Local Match
Total Part E Block Support	\$135,000	\$15,000	10%

4. PREVENTION

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

Objectives:

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.

It is anticipated that this funding year will culminate in as many as 15 group homes fully operational and serving 180 youngsters.

Implementation:

There has been a continuous problem in New Jersey concerning suitable placements for juveniles who for various reasons cannot remain in their natural homes. This program is designed to prevent delinquency by providing both short-term and long-term residential care for these youngsters. During the past year a network of 13 group homes which can serve 156 juveniles has been established in the State through cooperation between the State Law Enforcement Planning Agency and the Division of Youth and Family Services. While this has been a major step towards providing the needed residential facilities, it is anticipated that efforts to expand the availability of residential placements will continue to be needed in 1974. 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.

This program area will provide for new and innovative approaches to care for those juveniles in the "Juveniles In Need of Supervision" category in the new juvenile code. Long-term care may be needed for those juveniles who do not have a suitable home in the community but who should not be sent to a juvenile institution.

It is expected that one focus of the effort will be to fund additional group homes as the need is established. They will accommodate up to 12 children each and meet the guidelines established by the Division of Youth and Family Services. Under these arrangements, the youngsters will attend schools in the community and will lead, in many respects, a life that is normal for a child living with his parents. Agency funds will be used for operating costs. The applicant will provide the facility with assistance in certain cases from the Division of Youth and Family Services.

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 who should not be placed in detention facilities. Assistance may be requested provided that the applicant demonstrates a commitment of local resources; the number of children served is small enough to give them individual attention and to generate a home-like atmosphere; and that there are arrangements with agencies to secure long-term domiciliary placement.

Subgrant Data:

The 13 existing group care homes previously funded will be eligible for grants of up to \$15,000 depending upon the numbers of clients being served. Funds beyond these commitments will be used to begin new group homes.

Budget:

	LEAA	State, Local or Other	Percentage Of State or Local Match
Total Part C			
Block Support	\$310,000	\$34,445	10%

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

Objectives:

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

It is expected that up to nine projects will be operational, directly serving in excess of 10,000 juveniles.

Implementation:

This program area was established to fund innovative concepts for local communities to provide help, guidance and counseling to their youth in a community setting. The need for viable community programs was underscored by the National Advisory Commission on Criminal Justice Standards and Goals. The programs are usually demonstration type projects that provide a springboard for the development of new program areas in future Plans. For instance,

several projects were funded under Community Involvement in Local Juvenile Delinquency Prevention Programs in the 1972 Plan. They proved to be of such value that two new program areas were established in the 1973 Plan. These were Youth Service Bureaus and Community Treatment Facilities for Juveniles. Alternate school programs, funded on an experimental basis for the past three years, will not be considered for funding under this present Plan.

In 1973, eight municipalities implemented a variety of programs to reduce delinquency. The Newark Mayor's Education Task Force was a response to the disruption of the past several years in the Newark school system. In this program area grants have also been made for two years to Rutgers University Graduate School of Social Work to encourage students to prepare for professional careers in the field of juvenile delinquency prevention.

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.

Current research in delinquency causation calls attention to three basic factors: agency structures created to deal with delinquency generally function only after the individual has become delinquent; many of these agencies are not responsive to neighborhood-level community processes and, therefore, are unable to deal effectively with them; and within these community processes may lie the very important causal factors of delinquency. Thus, if specific processes within the community are key components in generating delinquent behavior, they must be addressed in community-based programs of prevention and control.

This program encourages applications from municipal units of government including suburban areas

with identifiable delinquency problems, 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 projects. Projects qualifying under this program must be broadly based; include the support of community leaders, parents, teachers and clergy; and the participation of interested lay citizens and community organizations. The projects must demonstrate that they will become an integrated part of the community's system of providing service to troubled youth and not an isolated agency program which would be discontinued when federal funding is no longer available.

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

Subgrant Data:

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

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

Budget:

	LEAA	State, Local or Other	Percentage of State or Local Match
Total Part C Block Support	\$600,000	\$66,667	10%

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

Objectives:

To assist State and local units of government in reducing crime related to drug abuse by placing drug addicts in methadone maintenance programs or in

drug free communities.

To measure the effectiveness of various drug treatment approaches in terms of crime reduction and drug abuse.

Implementation:

Substantial State Law Enforcement Planning Agency funds have been allocated in the areas of drug prevention, education and treatment in previous Plans. This was the result of recognition of the existence of a severe drug abuse problem, the direct relationship between drug abuse and crime and a general lack of prevention and treatment facilities in the State at the time of the Agency's inception. The Agency has cooperated in the funding of drug programs with the Division of Narcotic and Drug Abuse Control of the New Jersey Department of Health, created by the Legislature in 1969 and designated as the primary authority in the State to conduct drug abuse prevention activities. Recognizing the need for close agency coordination, the State Law Enforcement Planning Agency and the Division of Narcotic and Drug Abuse Control entered into a memorandum of agreement dated February 3, 1971. The memorandum assigns one member of the division's staff to the Agency on a full-time basis. It also states that no funding decisions will be made prior to review and comment by the division.

In the 1973 Plan, \$2,600,000 was designated for the treatment and rehabilitation of drug dependent individuals. Emphasized was treatment of hard core addicts to comply with the Agency's mandate to reduce crime. Eighteen drug abuse treatment projects were funded which included a variety of program approaches. The largest proportion of Agency funds were allocated to methadone maintenance projects. These included the Division of Narcotic and Drug Abuse Control network of methadone maintenance clinics located throughout the State and three other clinics.

The largest methadone clinic, Patrick House, located in Hudson County, serves over 600 clients. In all, some 3,000 former heroin addicts are being maintained on methadone through Agency-funded

projects. Other projects funded include multi-modality drug treatment projects, such as the Mercer County Daytop project and PUADA in Paterson; drug free residential communities, such as DARE in Orange and Concept House in Camden; and day care and outreach projects, such as Escape in Perth Amboy, Junction in Cape May County, Salyaid in Salem County and Labyrinth in Sussex County.

Subgrant Data:

During the fall of 1973, final arrangements were completed for several National Institute on Drug Abuse contracts, going through the Division of Narcotic and Drug Abuse Control, for multi-modality drug programs in New Jersey communities.

As a result of this substantial increase in federal funding for drug treatment in New Jersey, and a leveling off of clients being treated in existing programs, no Agency funds for new drug treatment projects are anticipated in this Plan. Refunding of existing projects will be considered based on the project's effectiveness and the need for Agency funds.

In the spring of 1972, a Drug Abuse Treatment Information Project was funded through the Division of Narcotic and Drug Abuse Control. The project has produced an extensive evaluation of all of the agency-funded drug treatment projects. Funds in the amount of \$100,000 will be available for the refunding of this project in 1974. The results of the first phase of the study were released in January.

Budget:

	LEAA	State, Local or Other	Percentage of State or Local Match
Total Part C Block Support	\$2,501,000	\$277,889	10%

5. DETECTION, DETERRENCE, APPREHENSION

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

Objectives:

To provide a measurable reduction in street crimes accompanied by an increased clearance rate and

improved deterrence factor through utilization of an efficient means for allocating increased police resources to the patrol function.

Numerous studies have demonstrated that a proper level of police presence is a deterrent to crime. To achieve the maximum benefit of those resources available in a police department for the patrol function, attention must be focused on the method of resource allocation.

The problems involved in police patrol allocation include: examination of the present level of demand for services; prediction of future demand for services; establishment of an allocation criterion; pre-positioning and re-positioning of forces in response to real time need and tactical emergencies.

By carefully analyzing the time and place of expected demands, and by reallocating police patrol resources to meet these demands, a measurable reduction of street crimes should be realized by those jurisdictions making application under this program.

Implementation:

This program area was introduced in the 1970 Comprehensive Plan. Since its initiation, 38 projects have been undertaken by local police departments.

Of the 14 projects funded in 1971, three were in major cities with populations in excess of 100,000, three in cities with populations between 50,000 and 100,000 and the remaining eight in cities under 50,000 in population. In 1972 and 1973, 25 projects were initiated, five of which are located in cities of 100,000 or more, four in jurisdictions of 50,000 to 100,000 and 16 in municipalities under 50,000. The six major cities within the State have received funds for projects under this program area. Data processing capabilities have been provided to three of the major cities (Camden, Jersey City, Paterson) as a result of this effort.

Projects initiated under this program area have fallen into two general categories: those making use of electronic data processing capabilities and those utilizing other means (e.g., field dictating systems). Evaluations of these latter efforts have shown time savings that have been translated into increases of ten percent or more in the strength of some departments.

New projects in this program area will be operated in two phases. The first phase will include collection of data (where appropriate this will necessitate consideration of geocoding; location, time and frequency of crime occurrence; inspectional services demand; etc.), study of existing patrol patterns and development of resource allocation model for maximizing coverage in areas of need.

The second phase will include the necessary re-scheduling and reassignments of both manpower and equipment in accordance with the plan developed under phase one.

The use of electronic data processing systems will

be given priority in any application seeking to develop a resource allocation model for a local police department.

In all cases where utilization of computer based systems is anticipated, it is required that contact be established with the State Law Enforcement Planning Agency prior to submission of an application. A number of significant projects initiated by grant funds are available which may provide suitable software programs and/or total system approaches at a considerably reduced cost.

Computation of man-hours spent in report writing should be based upon at least a 20% random sample of all police reports. An average time count should determine the total hours consumed in report preparation. This factor should then be translated into typing norms for the purposes of establishing clerical need.

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

Activities under this program may include innovative methods of patrol such as beat policing by police officers who establish residences in the area, team policing, assignment of civilian personnel to non-enforcement functions to release officers to the street, systems which address the police reporting function and subsequent solutions to decrease the time consumed by the police in this activity. In 1974, it is anticipated that cities which institute projects under this program will significantly increase the resources assigned to the patrol function, resulting in increased clearance rates of index offenses.

Subgrant Data:

Two to six subgrants of between \$50,000 and \$100,000 will 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 \$150,000 and \$200,000 will be utilized for continuation of projects funded in 1973. Special consideration will be given to those cities and counties that regionalize projects or consolidate under a single police department.

Budget:

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

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

Objectives:

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

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

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

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

Police apprehend criminals primarily by making "on view" arrests of offenders at the scene of a crime or by interception of the perpetrator after a report of an incident is received. Response time can be reduced by more effective patrolling techniques which give quicker access to a crime scene, and by improved methods of communicating reports of crimes from citizens to the police and among police officers.

Implementation:

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

Several communication projects in the northeast urban area of the State were funded under the 1970 Comprehensive Plan. In 1971 and 1972, a total of 43 projects received funding under this program area. Four cities with populations in excess of 100,000 instituted projects for the purpose of reducing response time, among which was a "911" system (Jersey City). Five projects were funded in cities of between 50,000 and 100,000 and 34 in municipalities with populations below 50,000. While the majority of efforts dealt with the problem of

response time through improvement of communication systems, there were several notable exceptions. These included a project which provided additional juvenile hearing facilities geographically remote from the county seat, thereby requiring less police time spent away from the community. Another project provided for the conversion of unused police and fire call boxes into free public access telephones.

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

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

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

The program provides financial support to 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 include, 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.

Specific minimum requirements based upon extensive research and experience have been formulated for radio communications proposals submitted under this program area. Those requirements are set forth in the 1974 *Applicants Guide*. The total systems requirement contains consideration of the following modules:

1. Citizen access.
2. Data capture.
3. Hardware systems requirements.
4. Recording capability.

Present response time can be computed by maintaining a log on calls for service and entering the time that a vehicle is dispatched and its time of arrival at the scene. This minimal process will permit an arithmetical average for estimation purposes. ALL APPLICATIONS WILL PROVIDE PRESENT RESPONSE TIME, the anticipated response time as a result of project activities and the difference stated in minutes and percentages. DUE TO APPROPRIATE REGULATIONS, NO APPLICATION CAN BE CONSIDERED UNLESS A COPY OF THE FCC LICENSE IS INCLUDED WITH THE SUBMITTAL.

In 1974, 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 requirements and exclusions on a case-by-case basis (refer to Radio Communications Requirements in *Applicants Guide*).

Subgrant Data:

Up to five grants ranging to \$100,000 will be available to cities with populations in excess of

100,000. Up to eight grants of between \$30,000 and \$75,000 will be available to cities with populations above 25,000. 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 which 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 final comprehensive evaluation upon completion of the grant. Evaluation will include comparative 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. In every case where computer read-outs are available, they will be submitted with each progress report.

Budget:

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

Program 5-3: Prevention of Crime Through "Hardening" of Crime Targets and Establishment of Structured Crime Prevention Efforts

Objectives:

To reduce crime through measures that protect the potential victims and make more difficult the criminal act.

To establish structured crime prevention methods as part of the enforcement function.

In 1974, it is anticipated that approximately 20,000 people will be directly involved in funded projects and that in excess of 50,000 contacts will be made through public appearances of enforcement or private agency personnel and security inspections.

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 lighting or security devices and pedestrians who must negotiate high-risk 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. Structured crime prevention efforts by police departments geared 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 awareness projects 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 projects should be individualized whenever possible; since direct personal contact is superior to literature handouts, and that they must be cooperative in the sense that all of the interests of the community are represented.

Implementation:

This program was initially introduced in the 1970 Comprehensive Plan. Since inception, over 25 projects have been funded under this approach. Increased street lighting efforts in five cities accounted for substantial decreases in street crimes in the impacted areas. Currently, three crime prevention units are being funded and it is anticipated that two more units of this type will be initiated in the forthcoming year. Evaluation of the first unit (Plainfield) demonstrated significant decreases in those offenses specifically dealt with by the project.

In 1971 and 1972, five projects were funded in cities with populations over 100,000, two in cities between 50,000 and 100,000 and ten in municipalities under 50,000.

Two major efforts established in Elizabeth and Jersey City are concerned with security in public housing. A similar project funded in Trenton experienced some start up problems which have been resolved. It is anticipated that all three will be continued in the forthcoming year.

The initial approach under this program area has undergone considerable change since inception in the 1970 Plan. Beginning with the broad concept of educating the public to an awareness of crime, the program has evolved into two specific areas of endeavor. Experience has dictated that the general approach to public education does not yield the effectiveness found in a structured methodology. Therefore structured crime prevention units are proposed as one funding area under this program. The other segment concerns itself with prevention of crime in public housing.

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. 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 housing projects, or geographic areas where a high incidence of crime has been reported.

Concerning the area of public housing security, all applications addressing manpower services must consider police department input; specifically addressing the areas of administrative control, line supervision, training, standard operating procedures and reporting processes. Contractual agreements with private security services will not be considered for funding.

2. Innovative projects by local units of government undertaken on a cooperative basis between police departments and citizen groups, social groups, professional organizations, businessmen's groups, schools, or other community organizations. (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.)

SPECIAL PRIORITY WILL BE GIVEN TO THOSE PROPOSALS DEALING WITH PROTECTION OF THE ELDERLY IN PUBLIC HOUSING. NUMEROUS STUDIES INDICATE THAT THE AGED ARE VICTIMIZED BY VIOLENT CRIME AT A PROPORTIONATELY GREATER RATE THAN THE GENERAL POPULATION BASE.

Subgrant Data:

There will be between five and ten subgrants under IMPLEMENTATION 1. All municipalities are eligible but priority consideration will be given to cities with populations of 50,000 or more. The range for each subgrant will be \$50,000 to \$100,000.

It is anticipated that in 1974 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, applicants whose projects are comprehensive in scope and provide full-time crime prevention units will be considered. Within this area, two to three applicants will be funded at ranges between \$40,000 and \$60,000.

Priority will be given to the high crime municipalities with populations of 100,000 and over.

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

Subgrantees for both levels of projects must

* Consideration of the energy crisis will have to be taken into account for justifying any street lighting projects.

demonstrate a willingness to give the subject high priority, and the capacity both to sponsor and cooperate in research and evaluation.

Budget:

	LEAA	State, Local or Other	Percentage of State or Local Match
Total Part C			
Block Support	\$600,000	\$66,667	10%

Program 5-4: Establishment and Expansion of Police-Community Relations Programs

Objectives:

To improve police-community relations by promoting police understanding of citizen concerns and a better understanding by citizens of the police mission.

To provide a mechanism for citizens to 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 engage the community effectively in order to provide 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:

Begun in the 1970 Comprehensive Plan, this program provided funds which allowed initiation of organized police-community relations projects in four of the six major cities in New Jersey, (Trenton, Elizabeth, Paterson and Jersey City). In addition, eight other units were established elsewhere within the municipalities of the State. One such undertaking was in a city with a population between 50,000 and 100,000 and the other seven in cities with populations below 50,000.

Evaluations of continuing projects under this program area indicate substantial services are being provided by the police to the community. These include: social case worker assistance, job counseling and job placement, language interpretation services, establishment of viable complaint processing mechanisms, police-community relations

governing boards and health services.

Projects previously funded have utilized various techniques for obtaining involvement of the entire police department in the process. Some have used a method of rotation whereby each member spends a period of time in the police-community relations unit. Others have utilized different training means including confrontation sessions, joint citizen-police seminars, role playing and role identification to obtain involvement.

While it is difficult to assess the overall impact of projects funded under the program, there have been some noteworthy achievements which indicate a growing grasp of the problem. These are demonstrated in the statistics which show a greater involvement between the police and the community they serve.

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.
- Operation 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:

There will be six to eight subgrants available to serve municipalities with populations of 25,000 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	Percentage of State or Local Match
Total Part C			
Block Support*	\$150,000	\$16,667	10%

* 1973 carryover funds will also be utilized.

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

Objectives:

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 provides the opportunity for criminal justice agencies to focus training efforts on areas of operation that require current knowledge and highly developed skills. It continues the fourth stage of development and implementation of criminal justice baccalaureate programs at the four approved State colleges.

Implementation:

This program first appeared in the 1971 Comprehensive Plan. Funding provided by this approach has been instrumental in the establishment of criminal justice baccalaureate degree programs at four State colleges—Paterson State, Trenton State, Stockton State and Glassboro State. The criminal justice school at Rutgers University has become a reality and a dean was hired to administer the program in 1973.

Numerous awards have been made under this program area since its inception. During its early stages many individual seminars were attended by various representatives of criminal justice agencies. This approach was abandoned in the 1972 Comprehensive Plan when it was discovered that a major portion of cost was attributable to travel and subsistence as opposed to training. An alternative available in 1973 and this year provides for training courses held in the State and allows attendance by representatives of various agencies. Through this capability a variety of training needs can be answered by either utilizing in-State expertise or importing it from else-

where in the country. By allowing attendance of members from many agencies, greater impact is made on the system with improved cost benefit.

Projects funded under this program have included:

1. Prosecutors' training conducted by the Division of Criminal Justice.
2. Supervisors' training courses conducted by the Division of State Police.
3. Advanced investigation courses.
4. Juvenile officers' training.
5. Supervisory training for detention home personnel.
6. Training for court and corrections personnel.
7. An investigative accounting course.

There will be five basic approaches to reach program objectives:

1. The first will provide funds for criminal justice agencies or institutions of higher education to develop and implement in-service professional development programs—seminars, workshops or courses—for criminal justice personnel. The subjects could include "street" Spanish; family crisis intervention; community relations; State criminal codes; constitutional requirements concerning arrests, search, 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, and court administration.

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

2. A second approach will provide grants to agencies to permit attendance at special LEAA-operated seminars, institutes or workshops, or projects where LEAA specifically requests state planning agencies

to make funds available for interest groups to attend an activity.

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. 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 criminal justice personnel in New Jersey the opportunity to earn degrees as 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 to continue the emphasis on improving the quality of basic and in-service training for law enforcement personnel in the State.

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

Since its inception in 1970, the narcotics enforcement training effort has involved 76 basic one-week classes with 4,727 police personnel graduates and 504 supervisory officer graduates from the advanced four-day seminars.

It is anticipated that in this plan year, 20 one-week classes and eight four-day advanced courses will be held. This should produce approximately 1,500 more graduates.

The organized crime training project which will be conducted concurrently with the narcotics enforcement training effort will also be funded under this

program. Since its inception, approximately 1,700 law enforcement personnel have graduated from the two-week basic course and one-week advanced seminar.

It is anticipated that in the next plan year, ten criminal investigation courses with a total enrollment of 450 students and four organized crime seminars with a total enrollment of 220 will be conducted.

Exclusions:

a. Applications submitted for a person or persons to attend an activity on an individual case basis. Grants under this approach will be made to an agency to implement a project for all or a significant portion of its members, 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.

Subgrant Data:

Under Approach One, \$90,000 will be made available to criminal justice agencies or institutions of higher education in cooperation with an appropriate unit of government to develop training projects.

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

Under Approach Three, approximately \$105,000 will be utilized to expand projects funded in 1971.

Under Approach Four, \$80,000 will be made available to the Police Training Commission for continuation of training improvements.

Under Approach Five, \$135,000 will be made available to the Division of State Police.

Budget:

	LEAA	State, Local or Other	Percentage of State or Local Match
Total Part C			
Block Support	\$460,000	\$51,112	10%

Program 5-6: Coordinated State and Countywide Police Legal Advisory Units

Objectives:

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

Implementation:

Four pilot projects were begun when the program was initiated in 1973. One legal advisory unit, located in the Division of State Police, was formed in November of 1973 and will continue operations. The other project sites are located in Essex, Atlantic and Sussex Counties. Due to delays incurred in start up, no new grants will be made available to counties in the 1974 Comprehensive Plan. Evaluation of the projects will serve as a basis for funding consideration in the future.

Each legal unit performs the following services on a countywide or Statewide basis: 1) the screening of search warrants for legal sufficiency and the standardization of procedures for obtaining same; 2) the review for legal sufficiency and the standardization of arrest procedures; 3) the provision of appropriate

on-the-scene legal advice and development of legally sufficient procedures with regard to riot or crowd control emergencies where mass arrests are anticipated; 4) the dissemination of legal interpretations and practical implications of statutory and case law changes; 5) the provision of around-the-clock availability of legal personnel for the purpose of giving informal and immediate legal guidance when required and 6) the provision of criminal law instructional services for the various local in-service training programs and Police Training Commission-approved schools.

Subgrant Data:

One 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	Percentage of State or Local Match
Total Part C Block Support	\$25,000	\$2,778	10%

Program 5-7: Establishment and Expansion of State and Local Narcotic and Dangerous Drug Law Enforcement Units

Objectives:

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 most densely populated State in the country, New Jersey provides a "corridor" between New York City and Philadelphia, sites of acute drug problems and sources of large quantities of illicit drugs. Arrests of high-echelon drug traffickers in New York City and New Jersey and the intelligence data gathered confirm 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.

Investigative personnel added to the State Police Narcotic Bureau have provided supplemental resources for 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 to share a common evaluation of their particular needs and problems. Scheduled meetings with local enforcement representatives in all areas are conducted. Intelligence information and operational strategies are shared and specific problems discussed. Bureau personnel and other resources are offered and utilized in cooperative drug investigations. This cooperative effort, since January of 1973, has led to the arrest of defendants through mass raids. Ninety percent of these arrests were made on drug sale charges.

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 detection and apprehension efforts.

Implementation:

The effort to establish and expand narcotic enforcement units was initiated in the 1970 Plan. Emphasis was placed on a Statewide operation maintained by the Division of State Police and units functioning in various large municipal police departments. Experience indicated the value of advancing the major thrust at the State level. However, while efforts in the large municipalities were quite effective, there was a gap in meeting the problem which spread into contiguous communities. Several weaknesses in the strictly local enforcement became apparent:

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

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

Presently ten regional and county level narcotic enforcement units are funded under this program area. It is anticipated that the emphasis on regional narcotic enforcement efforts will be continued. Units seeking funding under this program area will be required to join a Statewide committee seeking to standardize reporting and exchange techniques.

Evaluation of operational projects utilizing regional techniques has generally indicated increases in total arrests, improving conviction rates and increasing percentages of arrests for the sale and distribution of hard narcotics.

Activities will include the continuation of the State regional enforcement effort and the continuation and expansion of the Statewide Task Force which is solely dedicated to detection and apprehension of high echelon drug traffickers.

Projects involving county level enforcement efforts also are encouraged. Such projects may be administered by the prosecutor's office and actively involve the municipalities. Provisions should be made for training within the county 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 \$160,000 will be made available to the Department of Law and Public Safety, Division of State Police, to continue the Statewide Narcotics Project.

One grant up to \$20,000 to the Division of Criminal Justice will be for the continuation of the investigatory project dealing with the illegal dispensation of narcotics.

Continuation of successful prior projects will be given priority during this plan year. Grants will range to \$50,000.

Budget:

	LEAA	State, Local or Other	Percentage of State or Local Match
Total Part C Block Support	\$630,000	\$70,000	10%

Program 5-8: Improvement In the Recruitment and Selection of Criminal Justice Personnel

Objectives:

To develop a more effective mechanism to recruit and select qualified personnel for entry into the criminal justice system.

To provide an expanded opportunity for minorities to qualify for positions in the criminal justice system.

It is expected that the total processing time, from initial application to certification, will be further reduced from the present 45 days to 14 days.

Implementation:

This program, initiated in the 1970 Comprehensive Plan, provided funds for local units of government to improve recruitment, selection and training in criminal justice agencies. A major emphasis was the recruitment of minorities into police departments. There were few demands made by municipalities for program funding. Several projects were undertaken by local police departments to improve recruitment with an emphasis on attracting minority members

into service but these attempts met with little success. A research project funded from the 1971 Plan examined entrance and promotional tests.

Consequently, 1972 funds in the program area were awarded to the Department of Civil Service. Emphasis was placed on improving the testing services for the positions of police officer and correctional officer. In addition, consideration was given to assisting local government to initiate minority recruiting campaigns.

Removal of residency requirements for the position of police officer presented an added burden to the Department of Civil Service and necessitated State-wide testing procedures.

It was decided that by decreasing the total testing time (three months) for the police officer, several benefits would accrue:

1. More minorities would be taken into the police service since studies indicated that many minority group members drop out due to the excessive waiting times.

2. The testing procedure could be improved and the demands of local police departments met.

Walk-in tests were adopted along with improved physical agility and medical examinations. Utilizing testing site scoring, the process has been effectively reduced to less than 45 days. Since inception of the new testing procedures, three tests have been given involving 5,800 candidates. To date 2,300 have passed the examinations.

The Department of Civil Service remains unsatisfied with attempts to attract minority candidates into the police and correctional services and is striving to improve this activity.

In the next fiscal year, attention will be focused on this aspect. Research will be undertaken to determine the feasibility of initiating test-related training programs such as remedial reading. Walk-in testing

will be continued. It is anticipated that 12,000 candidates for the position of police officer and 1,000 candidates for the position of correction officer will be tested.

In order to insure adequate numbers of applicants seeking law enforcement careers, walk-in recruitment centers have been established in high priority areas of the State. To increase further the attractiveness of law enforcement careers, an advertising campaign utilizing civil service personnel and minority group representatives from within the criminal justice system has been mounted in conjunction with public speaking appearances at community organization meetings, high schools and colleges.

A new thorough medical examination, which satisfies civil service and pension system requirements, has been 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 toward developing and testing alternative culture free entrance and promotional examinations.

Subgrant Data:

The Department of Civil Service will be the only eligible applicant.

Budget:

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

Program 5-9: Expanded Investigation of Organized Crime

Objectives:

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 mold 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 can 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 stepped up local effort, Statewide controls must be increased to keep pace with the mobility of the organized criminal element.

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

Implementation:

The program was initiated in September of 1968, when the Division of State Police was awarded a subgrant of \$95,067 for the expanded investigation of organized crime. The program then appeared in the 1970 Comprehensive Plan and in October, 1970, the Division of State Police received a second subgrant award of \$95,000.

These funds were utilized for three main purposes:

1. Establishment and administration of an Organized Crime Training School. The course, which entailed two weeks of training, was given twice during the first year to 50 State, county and municipal law enforcement personnel.

2. The addition of 25 detectives to the division's Organized Crime Task Force Bureau, and 11 detectives to the Intelligence Bureau.

3. The purchase of specialized equipment for use as training aids and to support the additional personnel.

In this same year additional block grant funds, coupled with discretionary monies, allowed for the initiation of a Statewide Intelligence Project. This allowed for development of a system through which organized crime intelligence data could be gathered, centrally filed and properly disseminated to all law enforcement and related agencies in the State. A second activity fostered utilization of the Organized Criminal Special Prosecution Section of the Division of Criminal Justice in conjunction with investigative services provided by the Organized Crime Task Force Bureau.

In 1971, the Statewide Organized Crime Intelligence Project was continued with an emphasis on computerization of collected data for conversion to the SCIS. The Investigation-Prosecution and Organized Crime Training Projects were also continued. Approximately 500 enforcement officials participated in the training program.

The 1972 and 1973 Comprehensive Plans permitted continuation and expansion of the three main approaches.

The Statewide Organized Crime Intelligence Project was further defined when a tactical unit within the project scope was established. The purpose of the tactical unit is to facilitate better control and effectiveness in electronic surveillance and related areas. The position of intelligence research analyst was also created in order to increase analytical review of intelligence reports.

The Organized Crime Training Project provided ten two-week basic courses as well as four one-week advanced training seminars for approximately 700 law enforcement personnel. Since its inception, the project has provided training for approximately 1,700 law enforcement personnel.

The Organized Crime Investigation-Prosecution Project continued through 1973. From November 1, 1972, through June 30, 1973, 78,913 man-hours

were spent in 9,551 investigations, 471 persons were arrested, \$590,081 was recovered in monies and property and 93 indictments were brought against 116 defendants.

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, 1972 and 1973. The grant will allow the State Police to continue and expand the present project. The major emphasis will be on increasing the analytical capabilities of the Intelligence Bureau. Funds will be utilized to partially compensate ten investigative personnel, five analysts and seven clerical personnel. Funds will also be used to purchase office supplies, facilities and equipment necessary to continue the project.

2. The continuation and expansion of the Statewide Organized Crime Investigation-Prosecution Project, a joint effort of the Division of State Police and the Organized Crime and Special Prosecutions Section of the Division of Criminal Justice. This project, a continued, integrated effort on the part of police and attorney to impact on organized crime has shown that the State Police and the Division of Criminal Justice have collaborated in the identification, investigation, apprehension and prosecution of 298 defendants during 1972. The indictments included charges of corruption, bookmaking, illegal lottery, obstructing justice, loan-sharking, hi-jacking, embezzlement, conspiracy, bribery, extortion, perjury, threats to kill and murder. Other investigations have continued that will lead to numerous indictments.

A new approach, the individual and target city concept which began in 1972, was continued in 1973 and is projected for 1974. This technique provides for the identification of targets among organized criminal activities based upon intelligence data. Some of the investigations have been ongoing for over 16 months and require extensive manpower deployment. Such extensive investigations, however, have resulted in 453 indictments involving 298 defendants.

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

Funds will be utilized to continue the current operation and to increase the investigative capability by adding 15 investigators. Compensation will be provided for the current legal staff and three additional clerk-transcribers.

3. A growing awareness of organized crime involvement in arson offenses requires response with a Statewide effort. The Division of State Police will expand their existing arson squad to meet this need. In conjunction with the Organized Crime Investigation-Prosecution Project the arson squad will be utilized in all situations where arson is suspected in connection with organized crime activity. The unit will be available to render assistance to local law enforcement agencies when requested. The squad will also initiate the compilation of a central intelligence repository on matters concerning arson. The effort will be coordinated with that of the Organized Crime Intelligence Bureau.

Funds will be utilized for partial compensation for the salary of four detectives added to the present

contingent. Two clerical positions as well as investigation equipment will also be partially covered by use of grant funds.

Subgrant Data:

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

Budget:

	LEAA	State, Local or Other	Percentage of State or Local Match
Total Part C			
Block Support	\$607,000	\$67,445	10%

Program 5-10: Increased Crime Laboratory Service

Objectives:

To increase crime laboratory services offered to the almost 600 law enforcement agencies of the State through expansion of the central crime laboratory at West Trenton, operation of the two regional satellite laboratories, and construction of the third.

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 of physical evidence, is a facet of laboratory services which will be offered. The importance of such training cannot be over-emphasized.

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 that scientific analysis begins. Improper methods or procedures at this juncture compound themselves as the analysis is continued in the laboratory.

Implementation:

The effort to increase the State's crime laboratory

capability originated with the inception of the 1970 Comprehensive Plan. Block grant and discretionary funds have been utilized in the over-all effort aimed at increasing the availability of laboratory services to State and local law enforcement agencies.

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

The satellite laboratories have met with great acceptance by local police agencies. The bulk of casework in the facilities has concerned itself with examinations of evidence in narcotic-related investigations; however, the demand for ballistic examinations is requiring additional services in this area. An examination of the total State crime laboratory caseload indicates a twofold increase since 1968.

Phases for which funding is to be requested are in the areas of construction; 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 support clerical personnel assigned to these installations. Initial equipment purchases for Regional Laboratory East will be requested together with additional equipment purchases at Regional Laboratories North and South designed to bring their instrumental analysis capabilities up to a level equal to the Central Laboratory at West Trenton.

The adjusted program time-frame listing imple-

mentation to date and that which remains to be accomplished is shown below:

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

Phase II—Construction of Regional South Laboratory at Hammonton—Completed and operational June, 1973.

Phase III—Construction of Regional East Laboratory at Sea Girt—Scheduled to begin July, 1974.

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 to 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 CASELOAD VOLUMES

Fiscal Year	Cases	State Police	Other Agencies
1968	4,742	1,181	3,651
1969	5,930	1,713	4,217
1970	9,652	2,764	6,888
1971	13,394	4,035	9,359
1972	15,364	4,426	10,938

PERCENTAGE OF DISTRIBUTION

Fiscal Year	State Police	Other Agencies
1968	24.9	75.1
1969	28.9	71.1
1970	28.6	71.4
1971	30.1	69.9
1972	28.8	71.2

LABORATORY CASELOAD TRENDS

Fiscal Year	Total Cases	State Police	Other Agencies
1971	13,394	4,035	9,359
1972	15,364	4,426	10,938
Percent Change	+14.7	+9.7	+16.8

1968	4,742	1,181	3,561
1972	15,364	4,426	10,938
Percent Change	+223.9	+274.7	+257.1

Subgrant Data:

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

Budget:

	LEAA	State, Local or Other	Percentage of State or Local Match
Part C Block Support	\$135,000	\$15,000	10%
Part C Construction	\$245,000	\$245,000	50%
Total Block Support	\$380,000	\$260,000	

6. DIVERSION

Program 6-1: Improvement of Police Services to Juveniles

Objectives:

To develop and implement programs within police departments that will promote a fair, consistent and understanding approach in handling juvenile prob-

lems, and give youngsters the type of services needed to prevent further involvement with the police. It is planned that up to 14 projects will be funded serving in excess of 2,000 youngsters.

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 manner that addresses the underlying problems 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 able to diagnose problems of juveniles, work with them or refer them to others who are able to offer more extensive services.

Implementation:

This program area was originally designed to improve the overall relations between the police and juveniles in a community by such means as police supervised recreation projects and projects in the schools. However, as the projects began to develop it was apparent that those juveniles who were coming into contact with the formal juvenile justice system were not being given the attention and services needed to prevent them from recidivating. The program area is presently designed to offer the juvenile officer options other than informal departmental handling of a juvenile or a juvenile court referral. Projects have been implemented in 25 communities, have provided more than 3,000 individual juveniles with counseling and other social services.

Applications are encouraged from local units of government and combinations of such units, to implement projects to divert juveniles, particularly first offenders, from the formal juvenile justice system. This program area does not include funds for police salaries, police equipment and police-juvenile relations programs in the schools.

Funding consideration will be given to the following:

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

2. The expansion of present juvenile aid units to incorporate a wider variety of services for youthful offenders, such as a referral source to other agencies that serve youth or the hiring of social case-workers 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 should 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 dispositions, and the criteria for selection of the appropriate disposition.

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

Subgrant Data:

Up to ten subgrants ranging to \$30,000 will be made available to municipalities to create juvenile aid bureaus with innovative services for juveniles or to continue the operation of previously funded projects.

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

Budget:

	LEAA	State, Local or Other	Percentage of State or Local Match
Total Part C Block Support	\$515,000	\$57,223	10%

Program 6-2: Youth Service Bureaus

Objectives:

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

To provide advocacy, crisis intervention and needed services.

To encourage system change and general youth development.

It is anticipated that seven youth service bureaus will be operational in the 1974 plan year. They will deal with at least 3,500 youths and include concentrated services for more than 1,000.

Implementation:

The need and desirability of establishing youth service bureaus is one of the major recommendations of the National Advisory Commission on Criminal Justice Standards and Goals.

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

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 frequently 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 is being made in approaching youths who are troublesome, but may not yet be defined as delinquent. Community organizations which take a remedial approach may halt processes which help cause delinquent behavior. 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 youngsters.

The youth service bureau concept has thus far been implemented with State Law Enforcement Planning Agency funds in six municipalities and one county. Projects in Middletown and West Orange are in the third year of Agency funding. Others in Irvington, Newark and Asbury Park are presently in their second year. Projects are also underway in Orange and in Union County. The Union project is countywide and combines Agency and HEW funds.

A youth service bureau is designed to receive referrals from all branches of the community and the juvenile justice system, act as central coordinator of all community services for youth and also to provide or help to establish services for youth 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.

The bureaus offer a wide range of services. Cases referred by police agencies and court intake staffs have special status and the bureaus are required to accept them all. In cases where serious offenses have been committed, the youth service bureau has the authority to refer to the juvenile courts those with

whom they cannot deal effectively. The bureaus have the direct responsibility for developing and implementing a plan of service for 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 projects require contractual operation, the applicant should demonstrate a plan for eventual assumption of cost by the applicant's unit of government or a community group. In all instances, the active interest and support of both local governmental officials and community leaders is a mandatory prerequisite.

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

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

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

1. 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.

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

When cases are referred to the bureau by the juvenile justice system or other referral agencies,

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

Subgrant Data

Of the funds available for new projects in this program area during 1974, awards will be made on a competitive basis. Priority consideration will be afforded to applications for projects that offer the most comprehensive range of services, serve the largest client groups, have letters of commitment from referral agencies and documentation of established coordination with service agencies and clear definitions of services to be provided by the agencies.

Budget:

	LEAA	State, Local or Other	Percentage of State or Local Match
Total Part C			
Block Support	\$1,000,000	\$111,112	10%

Program 6-3: Diversion of Drug Dependent and Alcoholic Offenders

Objectives:

To establish a mechanism that will effectively deal with offenses emanating from drug addiction and alcohol dependence as an alternative to traditional criminal justice systems processing.

To encourage drug addicts and alcoholic dependent persons to enter into rehabilitation.

It is anticipated that currently funded alcoholic offender diversion projects will expand screening activities to include drug addict offenders. In addition, it is expected that up to two applications will be newly funded to implement diversion projects for drug dependent and alcoholic offenders.

Implementation:

The 1971 New Jersey Plan for Criminal Justice budgeted \$300,000 for a program entitled "Rehabilitation for Alcoholic Offenders." These funds were not subgranted and therefore, in 1972, the program was continued with the unused 1971 funds. Grants were awarded to Paterson and Union County, but almost half of the budgeted money was transferred

to alternate program areas. The 1973 Plan budgeted \$300,000 for a program entitled "Diversion of Alcoholic Offenders." These funds were exhausted and an additional \$129,749 was transferred into the program area to meet increased demand.

Two projects out of five now operational that deal with the alcoholic offender, permit diversion from court action with suspension of court processing for up to six months with the option to terminate further court action (Rule 3:28). These are functioning in Union County and Jersey City. Three of the projects constitute a sentencing alternative to the court and do not replace traditional court processing. These centers are operating in Paterson, Trenton and Hackensack.

In 1974, those jurisdictions approved for alcohol diversion projects will have the opportunity to expand such projects by screening out of the court systems selected offenders who are drug dependent. In addition, funds will be allocated to continue the alcohol detoxification efforts that constitute sentencing alternatives, providing the case load is at a cost effective level, with the expectations that one or more may be approved as a diversion project. Up to two

additional jurisdictions will be selected to implement projects designed to divert drug dependent and alcoholic offenders from the criminal justice system.

Projects for diversion of drug or alcoholic dependent persons which defer judicial proceedings for a period of treatment of a defendant and/or contemplate recommendations for dismissal of charges following treatment must be specifically approved for operation by the Supreme Court. These projects must be developed with the cooperation of the State Administrative Office of the Courts. Activities include screening of arrest reports, interview and evaluation of defendants, diagnostic services, available detoxification resources, referral and follow-up services.

Applications for implementation of diversion projects should clearly demonstrate (1) the cooperation of those primary criminal justice agencies concerned (police, courts), (2) the resources to detoxify and (3) the presence of long term treatment capabilities for referral.

Where grant funds are used to support detoxification, provision should be made for the following patient services: receiving complete medical examinations; showering, clean clothing, clean bedding; special nursing care and diet; therapeutic activities (films, group meetings, discussions); individual counseling and referrals to social, health and governmental agencies for further help.

It is not expected that the expansion of screening activities to include drug addict offenders will require more funds for drug detoxification centers, but rather that existing resources will be used for this purpose.

Subgrant Data:

Funds will be granted for continuing projects now operational that demonstrate a volume of activity sufficient to justify a continued investment, that are expanded to include a project of comprehensive intake services and that can demonstrate a significant pattern of success in referrals to long term treatment or other positive solutions outside of criminal justice handling. Two new applicants, county-wide or municipal, will be considered. Grants will range from \$75,000 to \$150,000 depending upon the range of services and number of clients projected to be served.

Budget:

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

7. ADJUDICATION

Program 7-1: Municipal Court Management and Improvement Program

Objectives:

To facilitate the processing of cases in municipal courts by improving management capabilities.

To improve the opportunity for just municipal court determinations by expanding court services.

Two large city municipal courts will be afforded full-time professional administrative services, reduced bail, release on recognizance (R.O.R.), family dispute counseling with methods for informal resolutions, adequate prosecution and defender services. The goal is to reduce delay in municipal court determinations, increase bench time of judges by relieving them of administrative responsibilities and reduce the number of formally processed domestic disputes.

Implementation:

The program was first introduced in the 1972 Plan. The City of Newark, the only applicant for 1972 funds, did not apply until mid-1973. The Newark Municipal Court is now administered by a professional court administrator and is currently organizing pre-trial court services. In 1973, funds were provided for Jersey City to organize court administration and to consolidate and expand services within the municipal court. Because Jersey City was not prepared to implement this project on a timely schedule for full utilization of the funds, the monies were reallocated for other purposes.

In this plan, the objective is to continue the Newark Municipal Court project and to initiate a project in Jersey City.

The municipal court management and improvement program addresses three major areas of operations:

1. 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 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 public defender services 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 establishment of new office space including interview rooms.

2. 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.

3. 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 the judges' time.

To provide family counseling to defendants referred by municipal court judges.

To provide referrals to existing service agencies.

Subgrant Data:

Newark and Jersey City will be the only applicants. Granting funds to Newark will be dependent upon the demonstrated effectiveness of the currently funded project as it relates to the variety of services subsumed under the aegis of the court, a reduction in processing delay and numbers of clients served.

Budget:

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

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

Objectives:

To provide the juvenile court with an effective probation screening service for handling juveniles charged with offenses.

To coordinate and establish referral systems to community resources-diagnostic services, youth service bureaus, juvenile conference committees and academic and vocational educational institutions.

Through the use of screening techniques and resource coordination, to reduce the number of complaints formally adjudicated in the juvenile court and to provide evaluations for at least 5,000 juveniles.

Implementation:

This program first appeared in the 1970 Plan and

was entitled, "Expand and Improve the Diagnostic Services Available to the Juvenile Court." With grants totalling \$220,193, projects were implemented in Hudson, Middlesex, Camden, Union and Essex Counties. Diagnostic teams were administratively attached to either a probation department or a juvenile detention center.

In 1971, the program was continued and \$202,106 was granted to continue the Middlesex, Hudson and Essex County projects as well as to initiate the Morris County probation intake service and the Passaic County diagnostic team. In the 1972 Plan, grants for diagnostic services totalled \$309,045 and covered continuation of previous projects and a grant to Mercer County.

In 1973, the program budget was \$400,000. Atlantic County received \$46,900 to develop a diagnostic team; Morris and Essex Counties received

final continuation grants.

Currently, a total of eight projects (seven diagnostic teams and one intake service) are operational. Approximately 4,000 psychiatric and/or psychological evaluations for the courts have been completed during the present operational year.

Under this program, it is required that probation departments, at the direction of the juvenile court, consider the following elements when developing project proposals:

1. Provision for a probation juvenile intake screening service consisting of a coordinator, one or two assistant coordinators and a secretary.

2. Utilization of existing diagnostic team and community psychiatric and psychological resources to provide evaluative services to juveniles charged with delinquency before or after formal adjudication.

3. The coordination and establishment of a referral system utilizing community resources.

4. Provision that intake units contact juveniles no later than 24 hours after arrest and prior to detention.

Applications for diagnostic teams not inclusive of an intake screening capability, must be administered by a probation department for the main purpose of providing information to the court either before or after formal adjudication. The service should also be available to the probation department for special referrals of probationers under supervision who require diagnostic services and to residents of the detention home or shelter who require such attention. A diagnostic team may consist of all or some of the following personnel: director of diagnostic service, psychologist, social case worker, social investigator, learning disability specialist and visiting nurse.

Subgrant Data:

The 1974 program focuses on the development of probation intake projects for the juvenile court. Counties completing second and third year grants for diagnostic teams (Middlesex, Hudson, Passaic, Essex and Union) will be provided the opportunity to formulate juvenile intake screening units patterned after the Morris County experience. Such efforts would be under the direction of the probation department.

The Mercer and Atlantic County diagnostic team efforts will be funded for a second year. Up to eight new projects will also be funded. Grants will range between \$35,000 and \$70,000, depending upon the projected numbers of clients to be served. Special consideration will be accorded to jurisdictions joining together for multi-county projects.

All applications submitted to the State Law Enforcement Planning Agency must be reviewed and approved by the State Administrative Office of the Courts.

Budget:

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

* 1973 carryover funds totalling approximately \$200,000 will be utilized in addition to the 1974 allocation.

Program 7-3: Expanded County Prosecution of Organized Crime

Objectives:

To expand and improve the operations of selected county prosecutors' offices in the investigation and prosecution of organized crime.

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:

This program first appeared in the 1970 Comprehensive Plan. Two projects funded in 1971 were continued in the 1972 and 1973 Plans. A third operational unit was placed in the Hudson County Prosecutor's Office in 1973.

It was proposed in the 1973 Plan that a resource pool of organized crime investigative personnel be

established in the Division of Criminal Justice, Department of Law and Public Safety. Due to the difficulty in attracting appropriate specialists for the positions, this approach was abandoned and will not be continued this year.

The initial two projects funded under this program were the Essex/Newark and Mercer/Trenton Organized Crime Task Forces. Each of these efforts, working out of the prosecutor's office, utilized manpower from the city in coordination with county investigative forces. Assistant prosecutors act as staff members and assist in preparation of investigations and subsequent court actions.

Since its inception, the Essex/Newark Strike Force to Combat Organized Crime has been involved in 344 investigations, 1,361 arrests and has had a conviction rate of 97%.

The Mercer County/Trenton Organized Crime Task Force reported 167 arrests, 191 indictments and 163 convictions.

A third task force was funded in Hudson County and a fourth in Union County was funded in time to begin operations in early 1974.

In this planning year, each of the organized crime efforts will receive continuation funds and one additional task force will be established. The State Law Enforcement Planning Agency will provide continuation funds for the recruitment and training of special investigative personnel; the development of special prosecutorial capabilities in the area of organized crime and the purchase of technical investigative and detection equipment.

The coordinated effort embodied in this program utilizes the prosecutor's legal and investigative staff and the investigative arm of the police. These units are exclusively dedicated to investigation and prosecution of organized crime figures. Directed by the county prosecutor in conjunction with city police officials the strike forces operate jointly with the Division of Criminal Justice and the State Police.

The primary goal is the improvement of local capabilities against organized crime in major metro-

politan areas. These county-city programs serve as models for other metropolitan jurisdictions in the State and nation.

Subgrant Data:

There will be four grants of up to \$100,000 each for the continuation of the "Essex-Newark Strike Force to Combat Organized Crime," "Mercer County-Trenton Organized Crime Task Force," "Hudson County Organized Crime Strike Force" and "Union County Organized Crime Task Force."

One grant of between \$75,000 and \$100,000 will be made available to create a new unit. The applicant county must have a full-time prosecutor's staff and justify the need.

Budget:

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

Program 7-4: Expand the Centralized, Prosecutorial Handling of Criminal Appeals to Union and Essex Counties

Objectives:

To centralize within the Division of Criminal Justice the handling of criminal appeals for Essex and Union Counties.

To remove from county prosecutors the responsibility of handling appeals, thus making them available for activities directed toward a reduction of the existing prosecutorial backlog.

At the conclusion of this project, all 21 counties in the State will have transferred the appeal responsibilities to the Division of Criminal Justice within the Department of Law and Public Safety.

Implementation:

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 interest of the State in any and all appeals and in applications for post-conviction remedies. This change was made 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 1972 and 1973 Plans included a program to assist the Division of Criminal Justice to assume the appellate caseload. This was successfully ac-

complished for 19 of the State's 21 counties. During the period from October, 1972, to September, 1973, 823 appeals were filed and 764 briefs prepared.

In this Plan, the State Law Enforcement Planning Agency will provide funds to complete the assumption of all criminal appeals in the State by the Division of Criminal Justice, with the inclusion of Essex and Union Counties. It is expected that the State will, for Fiscal Year 1975, assume the costs of centralized appeals for the 19 counties previously funded by the State Law Enforcement Planning Agency. In Fiscal Year 1976, the State will completely absorb the centralized appeal program within the State budget.

Subgrant Data:

There will be one grant made to the Division of Criminal Justice contingent upon obtaining waivers from the Essex County and Union County Boards of Freeholders.

Budget:

	LEAA	State, Local or Other	Percentage of State or Local Match
Total Part C			
Block Support	\$270,000	\$30,000	10%

Program 7-5: Improvement of Probation Services

Objectives:

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

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

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

To develop innovative rehabilitation programs such as intensive supervision of special offender types.

To make available to the Administrative Office of the Courts funds to provide for the purchase of special services which otherwise would be unavailable at times of critical offender need.

To provide for probation operated bail/ROR projects in high crime-density court jurisdictions.

To maintain operation of an Administrative Office of the Courts centralized research, management and training capability to strengthen further the present decentralized probation service system.

To construct a model diversion mechanism for the adult offender population and determine its adaptability Statewide.

Implementation:

Probation remains the correction modality most utilized by the courts. It is perhaps the original form of community-based correction and offers the best opportunities for effective intervention in criminal careers. Understaffed probation departments have experienced heavy increases in demands for services. Although use of probation has increased dramatically, increases in staff and resources have not increased proportionally.

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

The 1972 Plan contained a program area entitled, "improvement of Parole and Probation Practices" which made available \$600,000 to county probation departments to develop programs involving use of volunteers in the supervision of probationers, experimentation with juvenile intake services, specialized caseloads with intensive supervision approaches and expansion of group counseling and vocational placement services. Five county projects received funds totalling \$271,951.

The 1973 Plan was the first to devote a program area specifically to probation needs. A total of \$550,000 was allocated for expanding and intensifying the use of specialized programmatic services at

the county level. A total of \$246,000 was earmarked for the Administrative Office of the Courts to create staff capabilities to accelerate the use of volunteers, coordinate the use of diversion programs and further develop its research and management capability. An additional \$50,000 was made available for expanding on-the-job training of probation officers.

A variety of county programs are now in operation. For example, more than 700 citizen volunteers have been recruited and assigned to work with probationers on a one-to-one basis and to assist the probation departments in job placement efforts.

Subgrant Data:

Grants totalling \$240,000 will be made available to the Administrative Office of the Courts for the following research, training and study efforts:

1. Centralized research, management and training. Special attention will be given to promoting and diversifying the use of volunteers.

2. Juvenile probation intake model development based on the Morris County project.

3. Purchase of special services. Funds up to \$25,000 will be available to county probation departments.

4. Construction of a model diversion mechanism in the adult offender area based on evaluation of the Newark and Hudson County pre-trial release projects.

In addition, \$755,000 will be made available to the following county probation department projects:

1. Continuation and expansion of projects utilizing citizen volunteers. Up to six grants ranging from \$15,000 to \$60,000 will be made available.

2. Intensive supervision of special offender types. Three grants within a range of \$50,000 to \$75,000 will be funded.

3. Juvenile conference committee programs. Two grants within a range of \$16,000 to \$25,000 will be funded.

4. Probation operated bail/ROR projects. As many as four projects ranging from \$16,000 to \$80,000 may be funded.

5. Continuation of the Essex Probation Youth Center and the Bergen Probation Job Bank will be considered at a reduced funding level.

Independent projects competing with the responsibilities of probation (charged by statute, court policy and rules) will receive a low priority.

Budget:

	LEAA	State, Local or Other	Percentage of State or Local Match
Total Part C			
Block Support	\$995,000	\$110,556	10%

Program 7-6: Development of Judicial Management Information System

Objectives:

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

It is anticipated that this funding year will culminate in fully operational systems in five counties and planning phases virtually complete in four additional counties. These nine projects should serve as models for the remaining counties thereby reducing developmental costs.

Implementation:

In 1969, an Agency-funded pilot study on preliminary systems designs resulted in funding Passaic County in 1970 to develop a computerized criminal court information system to produce reports, schedules and listings as working tools for criminal justice staff personnel. This study reinforced the concept of improved information as the cornerstone to improved court management.

In 1971, additional projects were planned to develop similar systems in three large, urban counties. The 1972 and 1973 Plans continued to stress the need for automating routine recordkeeping and collecting and disseminating information in five other counties. It became obvious that county courts with heavy schedules needed readily available data to coordinate their activities and facilitate decisions.

Emphasis was placed during the 1972 project year on the Administrative Office of the Courts' study of the State court system. The 1973 Plan allocated \$700,000 to high crime incident counties (Essex, Camden, Hudson, Passaic, Mercer, Bergen, Union, Middlesex and Monmouth).

In 1973, \$250,000 was allocated to the Administrative Office of the Courts for a State level trial court information system and for coordinating the development of the Judicial Management Information System.

At the AOC two priority projects were undertaken:

a). Implementation of a JMIS module for the Appellate Division of the Superior Court was begun. This system was designed to relieve the major portion of the manual recordkeeping and has the capability which the present manual system does not have to produce the information necessary for effective caseload management.

b). The second priority is the implementation of the JMIS module for a management statistical reporting and control system.

This system will provide for the systematic collection of criminal caseload statistics at the county court level for dissemination to the Administrative Office of the Courts. The AOC will have greater capability for compiling data into information required for the proper management of the Statewide caseload and judicial resources. A "building block approach" is being used in the design and development of the various systems, depending upon the Administrative Office of the Courts, and county needs and within the limited resources available. The AOC has made recommendations and monitored the system to insure economy and an interfacing capability. Although each county is in a different stage of development, progress toward a unified goal continues.

Bergen, Hudson, and Passaic Counties will have the first fully operational systems. In short succession, at least two other counties will achieve the same status. Within months quantifiable results should emerge, identifiable in terms of reduction in court backlog. Within the funding year, data should be developed indicating the maximization of existing resources.

Funding will be available to further the development of existing information and management systems, with the expectation that county and State funds will be available as the systems progress to the operational level. The county court system will be coordinated by a JMIS steering committee, utilizing the evaluations of the chief, Judicial Management Information Systems, now located within the AOC.

Subgrant Data:

Grants totalling \$450,000 will be made available to the participating counties to meet the objectives of the JMIS. A grant of \$170,000 will be made available to the Administrative Office of the Courts for further development of the JMIS.

Budget:

	LEAA	State, Local or Other	Percentage of State or Local Match
Total Part C Block Support	\$620,000	\$68,889	10%

Program 7-7: Trial Court Activities Improvement

Objectives:

To provide adequate administrative support to jurisdictions with a high level of court activity to ensure efficient and expeditious handling of essential services.

To promote research and planning directed towards solutions of identified problems related to court administration.

Implementation:

This program first appeared in the 1972 Plan to support a variety of developments in court administration. During 1972 and 1973, there was a combined allocation of funds to the Administrative Office of the Courts amounting to \$365,000. Three major programs have already demonstrated their success and importance in dealing with New Jersey's caseload problems:

1. A central research staff of experienced and career-minded attorneys was formed to assist the 18 judges of New Jersey's Appellate Division by screening recurring appellate issues and shaping the records to aid judicial decision making. The National Center for State Courts sponsored this program in New Jersey and in several other states. Recently, the National Advisory Commission on Criminal Justice Standards and Goals proposed the same kind of project for adoption nationwide.

2. A formalized court management program was expanded to provide additional competent administrators for trial courts in all judicial regions of the State. The program is important as a prerequisite for obtaining the long-term effectiveness of unified administration. New Jersey is one of few states to have a centralized Administrative Office of the Courts as well as State-employed court administrators in each judicial region. The New Jersey Constitution places administrative responsibility in the Supreme Court, the Chief Justice and the Administrative Office.

3. New Jersey was one of the first states to begin a comprehensive court planning service. This unit has been recommended as an exemplary project by the National Center for State Courts. The planning service, which is directly responsible to the Administrative Director of the Courts, is vital in any effort

to unify administration at all levels of the courts. Developmental and functional innovations evolve from planning and from recommendations for resources and policy to accomplish goals of the judiciary.

Other projects have dealt with and will continue to involve all phases of court administration including screening and diversion procedures, calendar management, recording and reporting systems, staff and resources utilization and court services for defendants with special needs. Example: A project was funded in 1973 to design a standards and certification procedure for the use of court interpreters for metropolitan areas where language difficulties contribute to delay in the courts. Staffing patterns of court-related personnel supporting local trial court systems were studied with LEAA technical assistance and consultant expertise provided through American University. A High Impact Crime program was initiated to study and improve time intervals for criminal court procedures. The objective was to reduce the time from arrest to trial to 90 days. These experiments in cutting down court response time will help to determine the resources needed for all adjudicatory components to manage reasonable caseloads in a timely fashion.

Subgrant Data:

Subgrants awarded in 1974 will continue to focus on upgrading court administration; experimenting with advances in courtroom technologies; management overview studies to aid in unifying court administration; reducing unreasonable delay in the criminal process; technical assistance by court planning services and contractual services of the National Center for State Courts.

Funds will be allocated to the Administrative Office of the Courts to implement any of the projects described.

Budget:

	LEAA	State, Local or Other	Percentage of State or Local Match
Total Part C Block Support	\$435,000	\$48,334	10%

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

Objectives:

To enable the judiciary to be more responsive to specialized legal and administrative problems of the criminal justice system by providing intensive training opportunities.

To train court administration personnel to administer supportive court services more efficiently.

Implementation:

The first phase of the training program conducted by the Administrative Office of the Courts during 1972 consisted of sending a number of judges and other personnel to programs offered by the Institute of Court Management, the National College of State Trial Judges and the National College of Juvenile Justice. During calendar year 1973, the Administrative Office of the Courts held two orientation seminars for approximately 80 newly appointed judges in the State. Additionally in 1973, a number of judges and court personnel were sent to the Institute for Court Management, the National College of State Trial Judges, National College of Juvenile Justice, Institute for Juvenile Justice Management and a course in court management offered by the American University.

In 1973, monies were allocated for the purpose of hiring a judicial training coordinator who would be responsible for the training and administration of the various training programs. This coordinator would assist in the development of expanded programs for judicial training.

The 1974 program includes the sending of judges and court personnel to the various out-of-state judicial colleges and institutes as well as offering them an opportunity to participate in a greatly expanded number of programs within the State. These courses will be offered to judges, law secretaries, trial court administrators, court clerks, court reporters, sound recording operators and other support personnel. Areas to be covered will include court management, substantive and procedural law, sentencing and the use of diversion programs, installation of automation systems and specific seminars on various problem areas of law to be selected by the State Supreme Court.

Subgrant Data:

The State Administrative Office of the Courts will be the sole applicant. The judicial training coordinator will develop a comprehensive training plan and implementation schedule for the use of the training funds.

Budget:

	LEAA	State, Local or Other	Percentage of State or Local Match
Total Part C Block Support	\$65,000	\$7,223	10%

Program 7-9: Support of Public Defender Services

Objectives:

To reduce court delay caused by the backlog of cases in the Office of the Public Defender.

Implementation:

Funds were made available to the Public Defender in the 1972 and 1973 Plans to augment staff. For the 18 month period ending June 30, 1974, a total of \$1,500,000 in federal funds were made available.

Since the inception of the State Public Defender's Office in 1967, case assignments increased dramatically. The case dispositions also increased, but not at the same rate, with a subsequent increase in case

backlogs. Delays in the processing of cases were not in the best interest of the defendants, the public or the criminal justice system itself.

By July 1, 1971, the Public Defender's Office had enough cases to create a backlog of 8.5 months, even if there were no new assignments within that period. If projections made at that time continued, the backlog would have been 9.3 months by July 1, 1973, which would have been cause for considerable concern.

At the end of the 1972 Fiscal Year the backlog was 8.3 months. As a result of federal funding for new positions, the backlog dropped to 7.5 months at the end of the 1973 Fiscal Year.

The Appellate Division has been also experiencing a heavy caseload with the backlog increasing from 8.9 months to 10.7 months.

With continued high levels of efficiency, increased experience and attorney production, and the addition of more attorneys, investigators, clerical staff and pool attorneys, the Office of the Public Defender should be able to achieve a trial backlog of 7.1 months. Increased attorney experience and production and the additional staff will also prevent the Appellate backlog from rising beyond 10.7 months. The Office of the Public Defender will develop adequate evaluation and reporting systems to trace the impact of Agency funding on the orderly processing of cases.

Subgrant Data:

The Office of the Public Defender, Department of Institutions and Agencies, will be the only eligible subgrantee to support this continuing program.

Budget:

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

8. INSTITUTIONAL REHABILITATION

Program 8-1: Improvement of Local Correctional Facility Programs

Objectives:

To assist counties in developing and refining programs based on a rehabilitative system sensitive to the needs of offenders placed in custody pending municipal or county court disposition or serving sentences as a result of court commitments.

To continue operational programs in eight county jail facilities: Morris, Camden, Monmouth, Essex, Union, Mercer, Atlantic and Hudson.

To establish programs in two additional county jurisdictions.

Implementation:

Rehabilitation programs for county jails have traditionally been weak or non-existent. Support for a less destructive approach than the traditional one that results in alienation from society has generally been frustrated by a lack of public interest and funding, lack of training of the custodial staff, and in some cases, ineffective jail management.

In 1971, \$300,000 Part C and \$150,000 of Part E funds were allocated to this program area. Initial reaction to implementing jail programs was slow and \$300,000 of 1971 funds remained to be applied to the 1972 program area allocation of \$50,000. Utilizing these combined resources, seven counties applied for funding, two of which received second year continuation funding. A grant to the Department of Institutions and Agencies, Division of Correction and Parole, provided for State inspection and consultative services for all county jails and municipal lock-

ups. Only one county, Mercer, received first year funding. Programs in Morris, Union, Atlantic, and Hudson Counties received second year grants. Monmouth County was awarded a third year grant.

The work release, group and individual counseling and vocational education programs funded during preceding program years provided only a fragmented approach to the rehabilitation problem and in some cases were actually isolated from the main jail operation. There is now, however, an altering of overall emphasis in institutional operations. During 1973, for example, two counties, Atlantic and Hudson, utilized an inmate rehabilitation system approach and expanded initial work release and counseling programs following a jail program model prepared by Agency staff. At least three counties have implemented classification systems and two counties staffed the officer counselor position with a line officer having advanced academic credentials. One county focused its project toward research to determine levels of inmate tension and related psychological factors.

Present program activities are providing the following impact on county correctional efforts in terms of staff and offenders served: two counties are utilizing 97 volunteers for counseling services; eight projects are utilizing a total of 101 professional staff in new positions and in excess of 12,370 offenders are receiving assistance through project activities.

The following elements should be considered essential to a jail rehabilitation project:

1. Development of a decision-making body such

as a classification committee composed of staff from the areas of administration, custody and programs.

2. Counseling services provided by professional and line staff, and citizen volunteers.

3. Short term vocational and academic programs with an active referral to community educational institutions.

4. Job placement utilizing an active liaison with community agencies.

5. Greater emphasis on programs for women offenders both within the institution and in the work/study release program.

6. Establishment of the officer counselor position for the academically advanced custodial officer.

Subgrant Data:

Priority will be given to refunding current successful projects.

Two grants ranging from \$40,000 to \$60,000 will be available for additional county jurisdictions.

Budget:

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

* 1973 carryover funds totalling \$165,000 will be utilized in addition to the 1974 allocation.

Program 8-2: Improvement of Juvenile Detention Practices

Objectives:

To provide for a wide range of intensive short-term supportive programs and services which will promote the rehabilitation of juveniles placed in temporary custody.

To encourage a high degree of volunteer citizen participation in juvenile center activities.

To provide for efforts that include the participation of social welfare agencies, academic and vocational education departments, mental health services, employment agencies and youth groups.

Implementation:

Initial funding of juvenile detention projects from 1970 program funds provided three rehabilitation approaches in Bergen, Essex and Mercer Counties and an additional three juvenile detention center planning studies for Cumberland, Somerset and Atlantic Counties.

Grants for professional staffing at Harborfields (Atlantic County Juvenile Detention Center), Volunteers in Correctional Education and Rehabilitation at the Youth Correctional Institution, Yardville, and a continuation of the Essex recreation project comprised the 1971 program area activities.

New projects continued to be funded with 1972 program funds. Projects in Bergen, Passaic, and Union Counties and the educational program at the Essex County Youth House extended supportive services to an estimated 5,600 detainees yearly. With the addition of Middlesex and Cumberland Counties from the 1973 program area, a total of eleven projects are currently operating within this program area.

Applicants are encouraged to develop projects which will improve the effectiveness of existing detention center staff, and which provide for the hiring of professional staff with a resultant expansion in the delivery of services to the juvenile. Projects which expedite release of the juvenile utilizing resources of community service agencies when necessary or that provide for short-term intensive rehabilitative efforts will receive priority consideration.

Community involvement is considered an integral component of the detention center program, and therefore, projects which develop volunteer participation in detention center activities will be encouraged.

Subgrant Data:

Funds will be provided for third year funding for the continuation of projects in Atlantic, Bergen, Passaic, Union and Essex Counties. It is expected that this will be the concluding federal funding year and that these operations will be assumed by the counties. In addition, Mercer and Middlesex Counties will be continued for a second year and funds may be available to initiate up to two grants in new jurisdictions. Grants will range from \$30,000 to \$50,000.

Budget:

	LEAA	State, Local or Other	Percentage of State or Local Match
Total Part C Block Support	\$360,000	\$40,000	10%

Program 8-3: Development of Correctional Training Center Programs

Objectives:

To continue a correctional staff development program.

To provide a minimum of 80 hours pre-service training to all new State and county correction officers.

To provide at least 40 hours of advanced training each year to experienced staff.

To increase training of all line supervisors to at least 40 hours per year.

Implementation:

The State Division of Correction and Parole in January, 1972 expanded a previously inadequate training effort with a grant totalling \$320,000 of 1971 Part E funds. The number of correctional personnel who received training during the first grant period was in excess of 1,000. Eleven three-week, in-residence cycles in the basic training program were held at the training site at the Youth Correctional Institution, Bordentown. A total of 220 officers were trained. Approximately 200 experienced State correction officers completed nine weekly cycles in the advanced training program at the Training School for Boys at Skillman. Juvenile officers and United States Army observers were included in the basic and experienced classes. A basic training program for county correctional personnel and sheriff's officers at the Skillman site was completed with seven, three-week in-residence training cycles each involving an average of 22 officers. One cycle was conducted for female State cottage officers.

In addition to the regular core program, the Officer's Training School implemented special training classes to accommodate both State and county custodial personnel in the following subject areas: First Line Supervisory Development, Middle Management Development, Institutional Crime Scene Investigation, Spanish Language and Culture, Supervisory Development, and Basic and Advanced First Aid.

Part E block support in the amount of \$350,000 was provided in the 1973 Plan to continue division training. The project was refunded for ten months in June, 1973, and is currently operational. An extended effort is being made to increase the managerial and line supervisory training program. In accordance with division standards, the Officer's Training School is implementing a division-wide Physical Defense Training Program providing each officer a minimum of eight hours of training per year at the institution.

Programmatic considerations include the following:

1. Continuing the central training resource of on-site, in-service training capabilities.

2. Strengthening the existing program in the area of staff/staff and inmate/staff relationships.

3. Formulating a research component to determine the training center's potential for evaluative screening of pre-service trainees.

4. Implementing projects directly focused on the work needs of the correction officer and line supervisor both in custodial and rehabilitative areas.

5. Coordinating and utilizing existing agency training resources within the State and community structure.

Subgrant Data:

The Department of Institutions and Agencies will be the only eligible subgrantee. In anticipation of Division of Correction and Parole's assumption of costs of the training program in Fiscal Year 1975, LEAA funds will be utilized for two and one-half months to continue the training program until June 30, 1974.

Budget:

	LEAA	State, Local or Other	Percentage of State or Local Match
Total Part E Block Support	\$63,000	\$7,000	10%

Program 8-4: Vocational Preparation of Confined Offenders

Objectives:

To continue operation of vocational projects selected on the basis of a vocational needs analysis

of the offender population.

To provide marketable skills and knowledge for a minimum of 600 confined offenders.

Implementation:

Initially funded in 1972, this program experienced a slow start until the establishment of the Garden State School District of the Department of Institutions and Agencies. The new school district, working in conjunction with the Division of Correction and Parole, examined the vocational programming needs of State level institutions and, during calendar year 1973, initiated a series of applications for funding. Since \$423,705 (Part E) of the original allocation of \$500,000 for the 1972 program area had not been awarded, the program was continued without new monies for the 1973 funding year and 1972 funds were utilized.

Grants were made to the Youth Correctional Institution, Annandale, to provide coordination of Institutional Trade Instructors and to initiate an evening vocation project using existing Manpower Development Training Act resources. A similar use of existing vocational shop resources for evening classes and a horticulture program were funded for the State Prison, Leesburg. The Youth Correctional Institution, Bordentown renovated a portion of an existing State building, purchased necessary shop equipment, and hired vocational shop instructors.

Other grants included a mobile vocational shop approach in which two trailers, equipped for marine and small engine classes, were purchased and staffed for use at several institutions. A medical-surgical technician course was designed and initiated for inmates at the three adult prisons.

Career counselors and job developers funded by the U.S. Department of Labor provided career goals and placement service support for the above programs.

Purchase of shop equipment and supplies coupled with necessary delays due to classroom renovation

and purchase of the mobile units limited program services to offenders during the initial operational year. However, a total of 12 full-time and nine part-time staff were hired and 227 offenders received vocational training.

Each application for funding or refunding of vocational projects will include the following criteria:

1. A vocational training curriculum designed in short, intensive training modules.
2. Emphasis on programmed instruction providing flexibility in scheduling and enabling students to work at their own pace.
3. Active liaison with community resources and those federally funded programs such as the Job Corps, Neighborhood Youth Corps and Manpower Development Training Act programs. The National Alliance of Businessmen has taken an active role in job development.

Subgrant Data:

Funds will be available for continuing each subgrant now operational for 14½ months with the exception of the YRCC Anti-Recidivism Project (N.O.W.) which has received final funding. One pilot project designed to provide expanded vocational services to residents of community-based correctional centers is anticipated. This may be accomplished through expanded staff or purchase of services.

A 12 month grant will be available within a range of \$25,000 to \$50,000.

Budget:

	LEAA	State, Local or Other	Percentage of State or Local Match
Total Part E Block Support	\$520,200	\$57,800	10%

Program 8-5: Improvement of Academic Education in State Correctional Institutions

Objectives:

To expand academic and adult continuing education to all inmates of the State correctional institutions. Emphasis is to be placed on literacy training and basic education skills within an individually prescribed approach.

To provide services for at least 2,000 adult and juvenile inmates in 1974 continuation projects.

Implementation:

First budgeting for this program area was the 1972

allocation of \$139,000 Part C and \$271,000 Part E monies. Only one grant, a science instruction lab for use by the Mercer Community College Prison Education Network, was awarded. Carryover 1972 funds (\$166,313 Part C and \$222,043 Part E) were used in 1973.

Legislation establishing a school district in the Department of Institutions and Agencies became effective in December, 1972. Phase I of the legislation directs that the area of education in correctional institutions be the responsibility of the new school district.

The major educational approach is through indi-

vidual diagnosis and prescribed instruction, which includes individual improvement programming for each inmate. Remedial learning centers were established at the Youth Reception and Correction Center, Yardville, and at the Youth Correctional Institutions at Annandale and New Lisbon. Institution-wide approaches were funded to provide an individualized learning approach educational system. A grant to the school district is providing a master plan for higher education in correctional institutions. A pilot project in learning within a token economy was developed by the Training School for Girls.

Two final projects rounded out the 1973 program year. The first, an inmate library grant, provided the first of a four phase development of libraries in 12 institutions. The second provided matching funds for a \$450,000 Urban Education Corps project implemented by the New Jersey Correctional Teacher Corps. The Teacher Corps project is the first comprehensive training, work-study effort in correctional education conducted in the State. A total of 25 interns will graduate in Fiscal Year 1974.

Academic education projects proposed for funding or refunding will include the following criteria:

1. An internal evaluation method to measure the effectiveness of the instruction program in meeting stated performance objectives.

2. A curriculum containing individualized and personalized programming.
3. Social and coping skills as part of the educational curriculum, particularly consumer and family life education.
4. Utilization of available community resources.

Subgrant Data:

Funds will be available for continuing each subgrant now operational for 14½ months with the exception of the following projects which have received final funding: Master Plan for Higher Education in Correctional Institutions, Mercer College Science Instruction Lab (PEN), and the Teacher Corps project.

The Volunteers in Correctional Education and Rehabilitation of Youth, Youth Reception and Correction Center, Yardville, will receive a maximum grant of \$37,800 to continue operations.

Budget:

	LEAA	State, Local or Other	Percentage of State or Local Match
Total Part E			
Block Support	\$262,800	\$29,200	10%

Program 8-6: Treatment of Special Offender Types in State Correctional Institutions

Objectives:

To provide a treatment approach sensitive to the needs of special offender types such as the drug addict, the alcoholic, the recalcitrant offender and those emotionally disturbed offenders housed in correctional institutions.

Part E funds provided for implementation and continuation of projects previously funded from related program areas. The 1973 allocation was used to continue programs for alignment with the State fiscal year with the exception of a \$248,902 grant to the Youth Correctional Institution, Bordentown, and Training School for Boys, Jamesburg, combined drug program. Drug programs are presently operating at the Bordentown/Jamesburg facilities; Correctional Institution for Women, Clinton; Wharton Tract Narcotics Treatment Unit and the therapeutic community at the State Prison, Leesburg. Finally, a project to develop a program for drug dependent inmates in the State Prisons at Rahway and Trenton became operational in late 1973.

To restructure and expand existing drug and direct treatment teams to include professional treatment

services for the special offender types.

To provide four teams to render services for offenders at the Youth Correctional Institution, Bordentown; Training School for Boys, Jamesburg and the State Prisons at Leesburg, Rahway and Trenton. To continue staffing of the drug abuse unit at the Correctional Institution for Women at Clinton.

Implementation:

A program "entitled, Improvement of Direct Treatment Services first appeared in the 1972 Plan with \$150,000 allocated for implementation with Part E funds. One grant in the amount of \$150,000 was funded to provide professional teams consisting of psychiatrists, psychologists, social workers, master's level counselors and instructor counselors. Teams were planned for the State Prisons at Trenton, Leesburg and Rahway, but the Rahway team has yet to become operational. In the 1973 Plan, Part E monies amounting to \$154,000 were allocated but have not been utilized.

In the 1973 Plan, a program, Treatment of Drug Dependent Inmates was introduced with \$400,000

Part E funds provided for implementation and continuation of projects previously funded from related program areas. The 1973 allocation was used to continue programs for alignment with the State fiscal year with the exception of a \$248,902 grant to the Youth Correctional Institution, Bordentown, and Training School for Boys, Jamesburg, combined drug program. Drug programs are presently operating at the Bordentown/Jamesburg facilities, Correctional Institution for Women, Clinton; Wharton Tract Narcotics Treatment Unit and the therapeutic community at the State Prison, Leesburg. Finally, a project to develop a program for drug dependent inmates in the State Prisons at Rahway and Trenton became operational in late 1973.

The 1974 program will restructure and combine the existing drug abuse projects and direct treatment teams into four special offender treatment team projects to service the following institutions: Rahway, Trenton, Leesburg, Bordentown, Jamesburg and Clinton.

The following elements are considered essential to a comprehensive treatment team approach:

1. Specially trained and qualified personnel utilizing trained officer counselors in the custodial function of the treatment environment.
2. Provision for inmates who are segregated due to severe behavior problems.
3. A clearly defined program plan for each special offender based on professional diagnostic team evaluation, current needs assessment and the resources available.
4. Use of the classification process to work out performance objectives with the offender.
5. A major emphasis of special offender programs should be the eventual involvement of the released or paroled offender in community treatment programs.

6. Family counseling service.

7. Supervision of therapeutic community development and operation utilizing paraprofessionals, drug abuse treatment assistants and institutional staff to implement treatment programs.

The program as provided for in this Plan will increase treatment services to a greater number of inmates and will reduce the fragmentation of professional efforts caused by specialization. The treatment teams will be responsive to the following special offender types: the drug dependent inmate, the alcoholic, the recalcitrant inmate and those emotionally disturbed offenders assigned to correctional institutions.

Subgrant Data:

Carryover 1973 monies will be utilized for interim funding of existing projects to June 30, 1974, if required.

Four special offender treatment teams will be provided a total of \$495,000 for programs at the Rahway, Trenton, Leesburg, Bordentown, Jamesburg and Clinton institutions.

It is anticipated that the Division of Correction and Parole will assume costs of the Wharton Tract Narcotic Treatment Unit as of July 1, 1974.

Budget:

	LEAA	State, Local or Other	Percentage of State or Local Match
Total Part E			
Block Support*	\$495,000	\$55,000	10%

* 1973 carryover funds totalling \$140,000 (Part E) from programs 8-3 and 8-7 will be provided for interim funding.

9. NON-INSTITUTIONAL REHABILITATION

Program 9-1: Community Treatment Facilities for Juvenile Delinquents

Objectives:

To establish within the community residential and non-residential treatment facilities.

To provide professional rehabilitation services for up to 1,500 delinquents who have not responded to traditional correctional program efforts.

There is growing support for keeping youth out of

correctional institutions by expanding community-based programs. This program concept was originally introduced under the community involvement area and in 1973, was established as a separate program area. Because of the rising need in New Jersey and the growing interest of local communities of keeping youth in the community after adjudication, this program is being continued in 1974.

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 correction. 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.

During 1973, six projects were operating in this program area. They included four in Essex County: the Newark YM-YWCA Residential Treatment Center, Girls Center, Victory House and Newarkfields. Also operating to rehabilitate delinquents were the Trenton Residential Youth Center and the Mercer County-Mercer Street Friends Combined Peace Haven Citizenship Training Group Program.

Implementation:

Projects in this area are both residential and non-residential. Non-residential community treatment centers are 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 include all of the services and treatment listed above. These facilities are for juveniles for whom judges decide that residential placement within the community is appropriate. As in the non-residential programs, placement in the program can be a condition of probation. The purpose is to provide the necessary rehabilitative services which will result in the juvenile's successful return to his own residence and school. Close follow-up and social work services provide suitable placements if this is not possible. The emphasis is on rehabilitation and the prevention of recidivism. Communities are encouraged to combine residential and non-residential services in the same programs.

Subgrant Data:

Up to seven grants will be awarded. Priority will be given to the continuation of projects that have been funded for less than three years and that can demonstrate a significant level of client services and professional expertise.

Budget:

	LEAA	State, Local or Other	Percentage of State or Local Match
Total Part C			
Block Support	\$900,000	\$100,000	10%

Program 9-2: Non-Institutional Programs for Adult Offenders

Objectives:

To establish manpower delivery systems to serve sentenced offenders.

To establish and coordinate job development and placement activities.

To remove currently existing barriers to ex-offender employment opportunities.

To involve the business and labor communities in developing ex-offender job opportunities.

To provide counseling services related to development of employment potential.

Implementation:

The Newark Defendant's Employment Project, funded in 1970 with a discretionary grant and in 1971 with Part C funds, was refunded under the 1972 Plan. The project provided screening for defendants appearing in the Newark Municipal Court for possible

consideration under the provisions of Court Rule 3:28 which suspends the court process for up to 180 days. During this period an attempt is made to resolve problems such as employment and family disputes. If successful, the case is discontinued from further court action. A similar approach was utilized in the Hudson County Pre-trial Intervention Project funded in 1971 and again in 1972. Sponsorship of the Hudson project was first under the direction of the Administrative Office of the Courts and, in 1972, under Hudson County. The Essex County Office of the Prosecutor received funds in 1971 to assist in processing N.D.E.P. applications.

A 1971 grant was awarded to the Middlesex County anti-recidivism project to provide both a jail rehabilitation program and a community-based residential and employment center. Original funding for the Middlesex County project was partially made through a LEAA discretionary grant and final funding for this project has been made from the 1973 Plan.

In the 1973 funding year, a Hackensack Municipal Court project to screen persons charged with alcohol-related offenses for possible alcoholism and to provide coordination of community treatment services for the alcoholic was funded as a dispositional alternative to sentencing. The 1973 Plan also provided for refunding of the Newark and Hudson County Pre-trial Intervention Projects.

The 1974 program will consider several aspects of the Comprehensive Offender Manpower Program developed as a model by the U.S. Department of Labor. This small scale two-year program began in July of 1972 and is aimed at the development of manpower delivery services throughout the criminal justice system. Utilization of local manpower and supportive service resources are being demonstrated, including area Manpower Skills Training Centers, social service programs (public assistance, emergency housing, etc.) and the use of voluntary associations and groups.

Applications for 1974 funding should contain the following components:

1. The establishment of a career counseling and job development service as a sentencing alternative for the court and a resource for corrections.
2. Involvement of business and labor communities in developing job opportunities.
3. Coordination and cultivation of currently existing resource support services to assist in job placement.

Subgrant Data:

Funds in the amount of \$150,000 will be available for projects based on the N.D.E.P. or Hudson Pre-trial Intervention models.

A total of \$300,000 will be available for manpower delivery systems. Up to three projects ranging from \$100,000 to \$150,000 are anticipated. Consideration will be given to jurisdictions assisted by private agencies, that have demonstrated successful operations in diversion or correctional programs, to continue efforts directed toward vocational training and placement.

It is anticipated that the Middlesex County Anti-recidivism Project will redirect its efforts in order to focus exclusively on community job training and placement. The Newark Defendant's Employment Project and the Hudson Pre-Trial Intervention Project, as well as the Essex County Office of the Prosecutor project supporting N.D.E.P., were refunded in December of 1973 from the 1973 Plan, extending services through calendar 1974. It is expected that these projects will be altered to concentrate on delivery of manpower services and that diversion activities pertaining to court process will be subsumed within the court structure.

Budget:

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

Program 9-3: Community-Based Correctional Center Programs

Objectives:

To provide an opportunity for a minimum of 250 offenders to re-enter the community aided by involvement in a program of individual and group counseling in conjunction with a vocational training and job placement program.

To continue two community-based correctional center projects for juveniles.

To serve juveniles referred directly from the courts and to provide ex-offenders, whether or not under actual supervision, with the benefit of the center's resources.

Implementation:

One project was funded from the 1969 program area, Community-Based Corrections. The grant, in the amount of \$47,122, was to Essex County for the project "Education and Rehabilitation of Youthful

Offenders."

In 1970, awards were made to Essex County, the Administrative Office of the Courts (Probation Model) and to the Department of Institutions and Agencies (Bergen and Essex Community Treatment Centers) for a total of \$430,341. The 1971 program, Community-Based Corrections, was allocated \$750,000. Grants were made for centers in Essex, Hudson and Passaic Counties.

In 1972, Part E funds in the amount of \$416,746 were awarded to the Camden Juvenile Center (two grants), and the Division of Correction and Parole for expansion of central office staff and the adult center in Essex County.

The 1973 program area, Expansion of Community-Based Correctional Alternatives, received Part E block support totalling \$500,000.

A total of \$461,703 has been awarded to the following projects: the Union County Juvenile Center,

the Hudson County Adult Center and the Passaic County Juvenile Center. A final grant for the Department of Institutions and Agencies, Coordinator, Community-Based programs, will complete the 1973 program year.

The following activities are in operation or are planned for the center programs:

1. Residential settings for work release, educational and vocational training release and furlough release.

2. Out-patient drug treatment service.

3. Guidance counseling, vocational guidance, job development and job referrals. These activities will be coordinated with existing Department of Labor-funded projects.

4. A "hot-line" service for parolees and ex-inmates and their families in time of crisis. Direct participation by the New Jersey Bureau of Parole is expected.

5. "Half-way out" pre-release testing for inmates who need a more highly structured program than routine parole supervision. The need for a continuing emphasis on more sophisticated parole case planning is recognized and supported.

6. Guided group interaction programs.

7. Staffing by officer-counselor personnel in the various centers. Development of such positions is

anticipated throughout the State correctional system and should receive high priority for staffing the community-based centers.

Subgrant Data:

It is anticipated that the State Division of Correction and Parole will assume operating costs of the following two projects in State Fiscal Year 1975: Camden Juvenile Center, a maximum of \$27,900; Essex Adult Center, a maximum of \$32,195. Two and one-half months of 1974 program funds will be provided, if necessary, to continue the programs until July 1, 1974.

The State Division of Correction and Parole is the only eligible applicant for the balance of funds provided to continue 12-month operation of the following projects: Coordinator, Community-Based Corrections and the Union County and Passaic County Juvenile Centers.

Budget:

	LEAA	State, Local or Other	Percentage of State or Local Match
Total Part E			
Block Support	\$316,250	\$35,139	10%

Program 9-4: Improvement of Parole Practices

Objectives:

To continue to improve parole practices by expanding the range of services offered by the Bureau of Parole.

To reduce the incidence of recidivism of special problem parolees through intensive supervision and concentrated assistance.

To provide service to inmates released after serving maximum sentences (max cases).

To provide legal services to State Prison parolees in revocation proceedings.

Implementation:

The first parole project to be implemented with Agency funds was the Volunteers in Parole Program, which was originally instituted with 1971 funds. This project combined the efforts of the State Bar Association and the New Jersey State Bureau of Parole. The objective was to provide volunteer lawyer aides to counsel selected parolees on a one-to-one basis, thereby providing a new dimension to traditional parole services. Second year funding in the amount of \$70,000 was made available in 1972 with 265 attorney volunteers acting as aides, under the pro-

fessional supervision of full-time, experienced parole officers. The program has assisted 269 parolees in the community.

The VIPP is developing towards a more generalized volunteer effort, under the direction of the Bureau of Parole. The need for mobilizing citizen support and participation in the rehabilitation of offenders is endorsed.

Parolees who were enrolled in institutional drug programs are assigned to specialized caseloads and supervised by parole officers specifically trained in this area. Nine narcotic caseloads were made possible with 1972 funds in the amount of \$137,761. Direct medical, dental, psychological and psychiatric services were made available to the 180 parolees who are now involved.

Also with 1972 funding, the Bureau of Parole initiated an innovative service program for "max" cases, a target group particularly in need of parole type re-entry assistance. With the \$60,893 originally made available, the program began a wide-ranging delivery of services. An average of 20 individuals receive assistance monthly.

Finally, an experimental project to provide parolees with due process guarantees during parole revocation hearings was funded from the 1972 Plan.

Subgrant Data:

Funds will be made available to the State Bureau of Parole and the Parole Board for continuation funding of the four projects now in operation.

Budget:

	LEAA	State, Local or Other	Percentage of State or Local Match
Part C Block Support	\$180,000	\$20,000	10%
Part E Block Support	108,000	12,000	10%
Program Total	\$288,000	\$32,000	10%

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: Correctional Advisory and Consultative Services

Objectives:

To raise standards of county jails, penitentiaries, workhouses, municipal lockups and detention centers by means of inspection of each facility at least once a year and through technical assistance provided by the Division of Correction and Parole.

To improve technical assistance in county level correctional services which involve architectural studies.

To provide assistance in the research and development of a master plan for New Jersey corrections.

Implementation:

First funding for the Division of Correction and Parole jail inspection team was provided in the 1971 Plan. A continuation grant was awarded from the 1973 Plan. The division has continued to provide inspection and consultation services to the 332 State and county correctional institutions and municipal lock-ups throughout the State. In addition to the annual inspection of each facility, more than 100 on-site visits and 75 consultations were conducted.

The Division of Correction and Parole has proposed the implementation of a research and development project to provide a master plan for New

Jersey corrections. Provision will be made to fund a portion of this project.

Funded in 1973 from the 3-2 program area, the correctional services project coordinator will provide technical advice to division personnel on project design and funding application procedures for over 36 projects.

Subgrant Data:

The Department of Institutions and Agencies, Division of Correction and Parole, will be the sole applicant. Funds will be used to continue the expanded county correctional facility advisory and inspection service, to support the position of correctional services project coordinator for nine months to June 30, 1975, and to supplement a discretionary grant for the development of a master plan for New Jersey corrections.

Budget:

	LEAA	State, Local or Other	Percentage of State or Local Match
Total Part E Block Support	\$64,750	\$7,195	10%

SLEPA FORMS IN USE

SLEPA Form #	Title	Use
101	GRANT APPLICATION (submit 4 copies with original signatures)	Applicants use to request a grant for any project.
102	RESOLUTION FORM (submit 2 certified copies with original signatures)	Applicant unit of local government must pass resolution in this form and submit with application.
103	SUBGRANT AWARD (Both copies must be returned after being signed)	Contract form executed by SLEPA and mailed to subgrantee for signatures.
104	NOTICE OF APPEAL (Complete one copy and return to SLEPA)	Provided to an applicant who wishes to appeal a denial for funding.
105	INDIVIDUAL TIME AND SALARY REPORT (Kept on file by subgrantee per instructions)	Provided to subgrantee upon request for use.
106	QUARTERLY NARRATIVE REPORT (submit 2 copies)	To be used by subgrantees when reporting project activities.
107	DETAILED COST STATEMENT, CASH REPORT, CASH REQUEST (Combined form. Submit in triplicate with original signatures)	1. Cash Request section is completed to obtain initial cash to begin project. 2. Succeeding periods, per instructions, all three sections must be completed.
108	BUDGET REVISION/GRANT EXTENSION REQUEST (Submit in triplicate with original signatures)	To be used by subgrantees when requesting budgetary changes between categories in the amount of \$100 or more and/or when requesting extension of the project beyond the approved grant period.

**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				
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: _____

INSTRUCTIONS

Each of the following attachments must be included as part of the application: (Note: If this is not an initial application for this project, refer to the continuation application information at the bottom of this page before proceeding).

ATTACHMENT ONE: Description of Project

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

- | | |
|-----------------------|-----------------------------------|
| A. The Problem | G. Brief Personnel Biographies or |
| B. Goals | Job Specifications |
| C. Objectives | H. Participating Agencies |
| D. Project Activities | I. Project Evaluation |
| E. Project Management | J. Alternative Methods |
| F. Personnel | K. Assumption of Costs |
| | L. Civil Rights Compliance |

ATTACHMENT TWO: Budget Detail/Budget Explanation

ATTACHMENT THREE: Non-Supplanting Certification

ATTACHMENT FOUR: Negative Environmental Impact Statement

REFER TO THE 1974 APPLICANTS GUIDE FOR DETAILED INSTRUCTIONS OUTLINING THE COMPLETION OF ATTACHMENTS ONE AND TWO ABOVE. INSTRUCTIONS FOR ATTACHMENTS THREE AND FOUR ARE CONTAINED WITHIN THIS APPLICATION AND CAN BE FOUND ON EACH RESPECTIVE ATTACHMENT.

CONTINUATION APPLICATION. In the case of a continuation application, the applicant must present an overview of the activities funded with the previous year's grant, and an assessment of project results supported by data. This overview should be developed in line with the stated goals and objectives of the previous project, and should be presented in addition to each of the Attachments referred to above. Continuation applications should be submitted approximately three months prior to expiration of the preceding project.

Applicant _____

ATTACHMENT TWO

**SECTION A – ITEM 14. BUDGET DETAIL (Estimate)
WHOLE DOLLARS ONLY**

COST ELEMENT			SLEPA (FEDERAL) SHARE	REQUIRED HARD CASH MATCH		PROJECT TOTAL
				STATE BUY-IN PROVISION	STATE/LOCAL CASH	
A. Salaries and Wages						
1. Regular criminal justice personnel:						
Position	% of time	Current Annual Salary				
2. All other staff:						
Position	% of time	Current Annual Salary				
Sub-Total Salaries			\$ _____	\$ _____	\$ _____	\$ _____
Fringe Benefits (Detail in Budget Explanation)			\$ _____	\$ _____	\$ _____	\$ _____
Total Salaries			\$ _____	\$ _____	\$ _____	\$ _____

Applicant

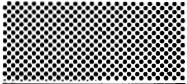

ATTACHMENT TWO (Continued)

SECTION A – ITEM 14. BUDGET DETAIL (Estimate)
WHOLE DOLLARS ONLY

COST ELEMENT	SLEPA (FEDERAL) SHARE	REQUIRED HARD CASH MATCH		PROJECT TOTAL
		STATE BUY-IN PROVISION	STATE/LOCAL CASH	
B. Purchase of Services				
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	\$ _____	\$ _____	\$ _____	\$ _____

Applicant _____

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

COST ELEMENT	SLEPA (FEDERAL) SHARE	REQUIRED HARD CASH MATCH		PROJECT TOTAL
		STATE BUY-IN PROVISION	STATE/LOCAL CASH	
D. Consumable Supplies, Postage, Printing, Etc. (Itemize)				
Total Consumable Supplies	\$ _____	\$ _____	\$ _____	\$ _____
E. Facilities, Office Space, Utilities, Equipment Rental (Itemize)				
Total Facilities	\$ _____	\$ _____	\$ _____	\$ _____
F. Equipment (Itemize)				
Total Equipment	\$ _____	\$ _____	\$ _____	\$ _____
G. Indirect Costs				
Total Indirect	\$ 	\$ 	\$ _____	\$ _____
Total Project Costs	\$ _____	\$ _____	\$ _____	\$ _____

ATTACHMENT THREE

INSTRUCTIONS

Federal regulations require certification to the effect that federal funds have been used to increase State or local funds that would, in the absence of such federal aid, be made available for law enforcement and criminal justice. Certifications are required at the commencement and conclusion of the grant period.

- (1) Insert in the first blank in the body of the text, the title of the certifying body or individual, for example (Freeholder-Director of Mercer County) (Mayor of Trenton) (Commissioner, Department of Health)
- (2) Insert the dates of the grant period in the second set of blanks.
- (3) Check the appropriate boxes, "two", "three", "four", or "five" years, depending upon the length of the averaging period selected by the subgrantee.

Where the certification cannot be made and there is a projected or actual, reduced, or unchanged local investment in law enforcement and criminal justice, enter in the space provided on the form an explanation demonstrating that the subgrantee's reduced or unchanged commitment would have been necessitated even if federal financial support under Title I of the Act had not been made available.

Subgrantee records in support of the certification should contain estimates of total funds annually made available for law enforcement and criminal justice for the year of certification and the years used to determine average annual increment. These records should identify the source or basis of such estimates.

Where subgrantees are "combinations of local units" certifications should cover the combined law enforcement and criminal justice expenditures of the participating units.

NON-SUPPLANTING CERTIFICATION

The _____ herewith certifies that federal funds will be used to increase State and/or local funds that would, in the absence of such federal aid, be made available for law enforcement and administration of criminal justice, and that expenditures for law enforcement and administration of criminal justice, for the period _____ to _____ will be or were at least as great as for the preceding year plus the average annual increment in such expenditures for the past () two () three () four () five years.

(Detail below the prior annual expenditures and the current budgeted amounts for law enforcement and administration of criminal justice. Use the number of base years checked above)

19 _____ \$ _____

19 _____ \$ _____

19 _____ \$ _____

19 _____ \$ _____

19 _____ \$ _____

SIGNATURE OF CHIEF EXECUTIVE OFFICER/STATE AGENCY HEAD ON PAGE 101.12 "APPLICATION AUTHORIZATION" CONSTITUTES CERTIFICATION OF THE ACCURACY AND CORRECTNESS OF THE ABOVE INFORMATION.

ATTACHMENT FOUR

STATE OF NEW JERSEY STATE LAW ENFORCEMENT PLANNING AGENCY

NEGATIVE ENVIRONMENTAL IMPACT STATEMENT

The National Environmental Policy Act of 1969 Section 102 (2) (c) (P.L. 91-190) and Guidelines issued by the Council on Environmental Quality (CEQ) require that prior to "major Federal actions" significantly affecting the quality of the human environment an assessment of environmental consequences shall be made in the form of an environmental statement.

In compliance with NEPA and CEQ regulations and in an effort to measure the environmental impact of all potential subgrants, the New Jersey State Law Enforcement Planning Agency is requiring each applicant to submit, together with the original application, a Negative Impact Statement.

In preparing the Negative Impact Statement, the applicant should present responses in sufficient detail to indicate a valid assessment of all known possible environmental consequences of the proposed action. Particularly detailed environmental assessments should accompany those applications involving (1) the construction, renovation, or modification of facilities, (2) the use of herbicides and pesticides, and (3) the utilization of community-based residential centers. (Simple "No" answers are not acceptable.)

The following questions should be answered and forwarded to the State Law Enforcement Planning Agency as part of the grant application. (Add additional pages if needed.)

Project Title: _____

1. Will the project lead to a significant increase in air pollution?
2. Will the project lead to a significant increase in water pollution?
3. Will the project lead to a significant increase in the ambient noise level for a substantial number of people?
4. Will the project lead to poor land use, soil erosion or soil pollution?
5. Will the project destroy or derogate from an important recreation area?

Project Title: _____

ATTACHMENT FOUR (cont'd.)

6. Will the project substantially alter the pattern of behavior of wildlife or interfere with important breeding, nesting, or feeding grounds?

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

8. Will the project have a significant effect upon areas of historical significance, cultural significance, education, or scientific significance?

9. Will the project have an adverse aesthetic or visual effect?

10. Will the project have a detrimental effect on the safety of the community?

For SLEPA Use:

Approved: _____ Date: _____
SLEPA

Approved: _____ Date: _____
LEAA Regional Office

SIGNATURE OF CHIEF EXECUTIVE OFFICER/STATE AGENCY HEAD ON PAGE 101.12 "APPLICATION AUTHORIZATION" CONSTITUTES CERTIFICATION OF THE ACCURACY AND CORRECTNESS OF THE ABOVE INFORMATION.

SECTION B

Conditions Applicable to Grants Awarded Under Parts B, C, and E of Title I, P.L. 90-351 as amended by Title I, P.L. 93-83.

1. General Administrative Conditions:

a. It is expressly agreed that this project will meet the requirements of the Omnibus Crime Control and Safe Streets Act of 1968 (P.L. 90-351, Stat. 197) as amended by the Crime Control Act of 1973 (P.L. 93-83, 87 Stat. 197) hereafter referred to as the Act, and all administrative regulations established by the Federal Law Enforcement Assistance Administration (LEAA) and the New Jersey State Law Enforcement Planning Agency (SLEPA).

b. The subgrant award shall be subject to and will be administered in conformity with the (i) General Conditions Applicable to Administration of Grants under the Act, (ii) Conditions Applicable to the Fiscal Administration of Grants under the Act and (iii) Any Special Conditions contained in the grant award.

c. The subgrant award may be terminated or fund payment discontinued by the State Law Enforcement Planning Agency when in its opinion a substantial failure to comply with the provisions of the Act or any regulations (SLEPA or Federal) promulgated thereunder, including these subgrant conditions has occurred.

d. In addition, the subgrant may be cancelled under the following conditions:

(1) If a project has not commenced within 60 days after the contractually determined date of implementation (day one of the subgrant period appearing on Subgrant Award, SLEPA 103), the subgrantee will report by letter the steps taken to initiate the project, the reasons for delay, and the expected date.

(2) If, after 90 days following the contractually determined starting date the project is not operational a further statement on implementation delay will be submitted by the subgrantee to SLEPA. Upon the receipt of the 90-day letter SLEPA may cancel the project, and redistribute the funds to other project areas. SLEPA, where warranted by extenuating circumstances, may request approval from the LEAA Regional Office to extend the implementation date of the project past the 90-day period.

e. Reports shall be submitted at such times and in such form as may be prescribed by SLEPA including monthly financial reports, quarterly narrative reports, interim evaluation reports and final financial and narrative reports.

f. Where activities supported by this grant produce original books, manuals, films or other copyrightable material, the grantee may copyright such, but SLEPA reserves a royalty-free, non-exclusive and irrevocable license to reproduce, publish, and use such materials, and to authorize others to do so. SLEPA also reserves the right to require the grantee not to publish, and the grantee thereupon shall refrain from publishing, any material, whether copyrighted or not, that SLEPA shall designate. However, such right shall not be exercised unreasonably. Any publication by the grantee shall include, on the title page, a standard disclaimer of responsibility by SLEPA for any opinions or conclusions contained therein.

g. If any discovery or invention arises or is developed in

the course of or as a result of work performed under this grant, the grantee shall refer the discovery or invention to SLEPA, which will determine whether or not patent protection will be sought, how any rights therein, including patent rights, will be disposed of and administered, and the necessity of other action required to protect the public interest in work supported with federal funds, all in accordance with the Presidential Memorandum of October 10, 1963, on Government Patent Policy.

h. Discrimination will be prohibited in that:

(1) No person shall, on the grounds of race, creed, color or national origin, be excluded from participation in, be refused the benefits of, or be otherwise subjected to discrimination under grants awarded pursuant to the Act or under any project, program or activity supported by this grant. The grantee must comply with the provisions and requirements of Title VI of the Civil Rights Act of 1964 and regulations issued by the Department of Justice and the Law Enforcement Assistance Administration thereunder as a condition of award of federal funds and continued grant support. As required by Section 518 (b) of the Act, this grant condition shall not be interpreted to require the imposition in grant-supported projects of any percentage ratio, quota system, or other program to achieve racial balance or eliminate racial imbalance in a law enforcement agency.

(2) There shall be no discrimination against any employee engaged in the work required to produce the services covered by this subgrant or against any applicant for such employment because of sex, race, creed, color, national origin or ancestry. This provision shall include, but not be limited to the following: employment upgrading; demotion; transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training including apprenticeship.

(3) The parties to this subgrant do hereby agree that the provisions of N.J.S.A. 10:2-1 through 10:2-4, dealing with discrimination in employment on public contracts, and the Rules and Regulations promulgated pursuant thereto, are hereby made a part of this sub-grant and are binding upon them.

i. In reference to title to property acquired in whole or in part with grant funds, subgrantees must comply with the standards set forth in Attachment N, OMB Circular A-102 pertaining to property management standards.

j. All interest or other income earned by the grantee with respect to grant funds or as a result of conduct of the grant project (sale of publications, registration fees, service charges on fees, etc.) must be accounted for. Interest on grant funds must be returned to LEAA by check payable to the United States Treasury, and other income should be applied to project purposes or in reduction of project costs; *provided, however*, that if the grantee is a unit of state government, the grantee shall not be accountable for interest earned on grant funds pending their disbursement or actual application for project purposes.

k. All income from other sources, such as contributions,

donations or funds from other grant programs, must be accounted for and reported to the Agency.

l. With respect to indirect costs charged by local government subgrantees, as match, no charges on the basis of previously established fixed rates or negotiated lump sum amounts may be allowed without prior submission to and approval by LEAA, except that flat amounts not in excess of 10% of direct labor costs or 5% of total projects costs may be allowed by SLEPA as a predetermined rate based on general experience with respect to minimum overhead support levels required for governmental agency operation. (Where flat rates are accepted in lieu of actual indirect cost, subgrantees may not also charge expenses normally included in overhead pools, e.g., accounting services, legal services, building occupancy and maintenance, etc., as direct costs.)

m. Subgrantees shall comply with applicable regulations and standards of the Cost of Living Council in establishing wages and prices. Submission of a bid or offer or the submittal of an invoice or voucher for property, goods, or services furnished under a contract or agreement with SLEPA shall constitute certification that amounts to be paid do not exceed maximum allowable levels authorized by the Cost of Living Council regulations or standards.

n. Under the terms and conditions of the Federal Freedom of Information Act (5 U.S.C. 552), subject only to the exceptions set forth below, all identifiable plans, applications, grant or contract awards, reports, books, papers or other documents maintained by the subgrantee under this grant that are pertinent to activities supported by Title I funds shall be made promptly available upon request to any person for inspection and copying. The subgrantee is, however, under no obligation to compile or procure a record or other document in response to a request, nor to undertake to identify for someone who requests records the particular material being requested where a reasonable description is not afforded.

Material Exempted from Disclosure

Records and Documents, or parts thereof, need not be made available under this section if they are:

- (1) specifically exempted from disclosure by State law;
- (2) related to operations of criminal justice agencies that are sensitive or confidential to such a degree that disclosure would not be in the interest of the public;
- (3) internal communications related to the subgrantee decision making process, such as preliminary drafts, memoranda between staff officials, opinions and interpretations prepared by staff personnel or consultants, or records or minutes of deliberations of staff groups or executive sessions of the supervisory board;
- (4) investigatory files compiled for law enforcement purposes;
- (5) trade secrets or commercial or financial information that is privileged or confidential under State law;
- (6) related solely to the internal personnel rules and practices of the subgrantee;
- (7) personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Inspection and copying of records and documents may be made subject to reasonable rules and procedures relating to time, place, and fees for copies to the extent authorized by State law. Any information released by the subgrantee to the general public concerning subgrants

awarded by SLEPA must include reference to the fact that SLEPA was the grantor and that the federal support came from LEAA.

o. Before approving subgrant programs involving construction, renovation, purchasing or leasing of facilities SLEPA shall consult with the State Liaison Officer for historic preservation to determine if the undertaking may have an effect on properties listed in the National Register of Historic places. If the undertaking may have an adverse effect on the listed program properties SLEPA must notify and receive LEAA approval before proceeding with the program.

p. In accordance with the Uniform Relocation Assistance and Real Property Acquisition Policy Act of 1970 (P.L. 91-646; 84 Stat 1894), Title I funds used to pay all or part of the cost of any program or project which will result in displacement of any person shall provide that:

- (1) Relocation services and payments will be provided.
- (2) The public has been adequately informed of relocation payments and services.
- (3) When at all practicable, at least 90 days notice of relocation will be given.
- (4) Comparable replacement housing is available and a specific plan formulated to deal with relocation problems.
- (5) The relocation is realistic and adequate to provide orderly relocation.

q. In accordance with the provisions of the Clean Air Act, 42 U.S.C. 1857 et. seq., as amended by P.L. 91-604, subgrants or contracts will not be made to parties convicted of any offense under the Clear Air Act.

r. SLEPA or any of its duly authorized representatives, shall have access for purpose of audit and examinations to any books, documents, papers, and records of the grantee, and to relevant books and records of subgrantees and contractors, as provided in Section 521 of the Act.

s. The applicable sections of the Hatch Act (Title V, Chapter 15, Section 1501) pertaining to the political activities of certain State and local employees shall be adhered to.

t. Whoever embezzles, willfully misapplies, steals or obtains by fraud any funds, assets, or property which are the subject of a grant or contract or other form of assistance pursuant to this title, whether received directly or indirectly from the Administration, shall be fined not more than \$10,000 or imprisoned for not more than five years, or both. Whoever knowingly and willfully falsifies, conceals or covers up by trick, scheme, or device, any material fact in any application for assistance submitted pursuant to this title or in any record required to be maintained pursuant to this title shall be subject to prosecution under the provisions of Section 1001 of Title 18, United States Code. Any law enforcement program or project underwritten, in whole or in part, by any grant, or contract or other form of assistance pursuant to this title, whether received directly or indirectly from the Administration shall be subject to the provisions of Section 371 of Title 18, United States Code.

2. Fiscal Conditions:

a. Procedures will be established which assure proper disbursement of, and accounting for grant funds and required non-federal expenditures (if any) that meet the requirement of the State of New Jersey to the federal government as specified in the Act.

b. Accounting procedures provide for an accurate and timely recording of receipt of funds by source, of expenditures made from such funds, and of unexpended balances. Controls will be established which are adequate to ensure that expenditures charged to subgrant activities are for allowable purposes and that documentation is readily available to verify that such charges are accurate.

c. The subgrantee shall submit financial and budgetary reports to the State Law Enforcement Planning Agency on the form provided (SLEPA 107). The frequency of the reports and cash requests will be governed by the type of project and such reports will be filed in accordance with the instructions provided by the Agency. The reports will include the total project fiscal transactions including the local matching share.

d. The subgrantee shall submit a final fiscal report (SLEPA 107) to the State Law Enforcement Planning Agency within thirty days following the end of the sub-grant period with a final narrative report.

e. Grant funds may not, without advance written approval by the SLEPA be obligated prior to the effective date or subsequent to the termination date of the grant period. Obligations outstanding as of the termination date shall be liquidated within 90 days. Such obligations must be related to goods or services provided and utilized within the grant period.

f. Funds that remain unobligated at the end of the Fiscal Budget Period shall be returned to SLEPA within sixty (60) days after the end of such budget period.

g. Financial records of the grantee and its subgrantees and contractors, including books of original entry, source documents supporting accounting transactions, the general ledger, subsidiary ledgers, personnel and payroll records, cancelled checks, and related documents and records must be retained for a period of at least three years. The retention period starts from the date of the submission of the final expenditure report or, for grants which are renewed annually from the date of the submission of the annual expenditure report.

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

If after the 3 year period no audit has been initiated and State or local law does not require record retention beyond the three year period, subgrantees must receive prior approval from SLEPA before disposing of any grant records.

h. Subgrant expenditures must be reduced by applicable credits which refer to those receipts or reduction of expenditure-type transactions which offset or reduce expense items allocable to grants as direct or indirect costs. Examples of such transactions are: purchase discounts; rebates or allowances, recoveries or indemnities on losses; sale of publications, equipment and scrap; income from personal or incidental services; and adjustments of overpayments or erroneous charges.

Applicable credits may also arise when Federal funds are received or are available from sources other than the

grant program involved to finance operations or capital items of the grantee. This includes costs arising from the use or depreciation of items donated or financed by the Federal Government to fulfill matching requirements under another grant program. These types of credits should likewise be used to reduce related expenditures in determining the rates or amount applicable to a given grant.

i. The following conditions pertain to consultants:

Individual Consultant Services

(1) The daily rate (based on an 8 hour day) not exceed \$135.

(2) The individual not to be an employee of the executive branch of government.

(3) Dual compensation not allowable (compensation from regular employer and grant funds for a single period).

(4) Compensation to be reasonable and consistent with that paid for similar activities in the area.

(5) Retainer agreement to be formal and proper, consistent with the grantee's usual arrangements for obtaining such services.

(6) Time and services for which payment will be made to be supported by adequate documentation.

(7) Travel costs to be consistent with the grantee's general travel reimbursement policies.

Organization Consultant Services

The arrangement is formal and proper and consistent with the usual practices and policies of the subgrantee in contracting for or otherwise obtaining services of the type required; selection of contractors has involved securing of competitive bids or proposals from a group of qualified organizations.

Prior to obtaining the services of any consultant, the subgrantee will submit a copy of the proposed contract to the State Law Enforcement Planning Agency for review and approval. The proposed contract will be attached to the Consultant Reporting Form which will be provided to the subgrantee by the Agency. Written approval of the contract by the Agency must be obtained prior to the execution of any consultant contract.

j. Subgrantees should follow State procurement practices and procedures as defined in Chapt. 198, Laws of 1971, "Local Public Contracts Law" and any amendments attached thereto, except where inconsistent with Attachment O, OMB Circular A-102. Federal circular A-102 prescribes minimum standards required of all subgrantee procurement methods.

k. The fiscal administration of grants shall be subject to such further rules, regulations and policies concerning accounting and records, payment of funds, cost allowability, submission of financial reports, etc., as may be prescribed by SLEPA.

The conditions for grant assistance to any applicant, when an award is made and grant funds are accepted thereunder, will become a binding contractual commitment of the subgrantee. The applicant should satisfy itself that it has read, understands, and is willing to comply with these grant conditions and the rules and regulations incorporated therein concerning administration of grants established by the Law Enforcement Assistance Administration and the State Law Enforcement Planning Agency.

APPLICATION AUTHORIZATION

Authorization to submit application to the State Law Enforcement Planning Agency for a project entitled:

at an estimated total project cost of \$ _____.

The undersigned agrees upon approval of this project on behalf of the unit of government or State Agency to comply with the "Conditions Applicable to Grants Awarded" (Section B of this Application). Further, the undersigned certifies that the information contained in the "Non-Supplanting Certification" and the "Negative Environmental Impact Statement" is complete and accurate. The undersigned also certifies that the following procedures covering "Civil Rights Compliance," where required, and "A-95 Clearinghouse Review" have been undertaken and completed:

Civil Rights Compliance

- | | | |
|---|---------------------------------|--------------------------------|
| 1. An Equal Employment Opportunity Program (Affirmative Action Plan) covering the employment practices of the implementing agency has been executed and is available for review. | YES
<input type="checkbox"/> | NO
<input type="checkbox"/> |
| 2. The required certificate indicating existence of a written Equal Employment Opportunity Program has been filed with the State Law Enforcement Planning Agency either with this application or with a previously approved application involving the same implementing agency. | YES
<input type="checkbox"/> | NO
<input type="checkbox"/> |

Date certificate filed _____

A-95 Clearinghouse Review

- | | | |
|--|---------------------------------|--------------------------------|
| 1. This application for federal assistance has been submitted to the appropriate clearinghouse for review. | YES
<input type="checkbox"/> | NO
<input type="checkbox"/> |
|--|---------------------------------|--------------------------------|

Date submitted _____

- | | | |
|--|---------------------------------|--------------------------------|
| 2. Comments received (if any) have been included as part of the application. | YES
<input type="checkbox"/> | NO
<input type="checkbox"/> |
|--|---------------------------------|--------------------------------|

REFER TO THE 1974 APPLICANTS GUIDE FOR A DETAILED EXPLANATION OF BOTH CIVIL RIGHTS AND A-95 CLEARINGHOUSE REQUIREMENTS.

This application consists of the following attachments in addition to this form:

Section A

- Attachment 1: Description of Project
- Attachment 2: Project Budget
- Attachment 3: Non-Supplanting Certification
- Attachment 4: Negative Environmental Impact Statement

Section B

Conditions Applicable to Grants Awarded

Signature: _____

Name: _____

Title: _____

Mayor, Freeholder-Director, State Department Head

Unit of Government: _____

RESOLUTION APPROVING PARTICIPATION WITH THE STATE OF NEW JERSEY IN A STATE LAW ENFORCEMENT PLANNING AGENCY PROGRAM

WHEREAS, the State Law Enforcement Planning Agency (SLEPA) is responsible for implementation of Title I of the "Omnibus Crime Control and Safe Streets Act of 1968, (as amended) in New Jersey; and

WHEREAS, the _____ wishes to apply to SLEPA for funds in connection with a project entitled _____; and
(LOCAL AGENCY RESPONSIBLE FOR PROJECT) (SHORT DESCRIPTIVE TITLE FROM ITEM 3, SLEPA FORM 101)

WHEREAS, the _____ has reviewed said application and finds approval thereof to be in the best interests of the municipality/county; and
(GOVERNING BODY/BOARD OF FINANCE OF GOVERNMENT UNIT)

WHEREAS, said project is a joint project between the State of New Jersey (SLEPA) and _____ for the purposes therein described;
(NAME OF UNIT OF GOVERNMENT)

NOW, THEREFORE, BE IT RESOLVED by the _____
(GOVERNING BODY/BOARD OF FINANCE OF GOVERNMENT UNIT)

(1) that as a matter of public policy _____ wishes to participate with the State of New Jersey (SLEPA) to the greatest extent possible; (2) that the Executive Director of SLEPA be and he is requested to accept said application on behalf of the municipality/county; and (3) that the appropriate fiscal officer will accept the funds in connection with said project from SLEPA and make disbursements in accordance with said application.
(UNIT OF GOVERNMENT)

CERTIFICATION OF RECORDING OFFICER

This is to certify that the foregoing Resolution is a true and correct copy of a resolution finally adopted at the meeting of the _____ held on the _____ day of _____, 19____ and duly recorded in my office; that all requirements of law pertaining to the conduct of said meeting and the passage of this resolution were observed; and that I am duly authorized to execute this certificate.
(GOVERNING BODY/BOARD OF FINANCE OF UNIT OF GOVERNMENT)

DATED this _____ day of _____, 19____.

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 08625**

INDIVIDUAL TIME AND SALARY REPORT

1. Applicant		2. Report Period (Month)	
3. Project Title		4. Grant No.	
5. Name	6. Employee No.	7. Social Security No.	
8. Title	9. Project Assignment		

DAILY TIME RECORD

DATE OF MONTH	TOTAL HOURS WORKED	HOURS WORKED ON PROJECT	DATE OF MONTH	TOTAL HOURS WORKED	HOURS WORKED ON PROJECT	DATE OF MONTH	TOTAL HOURS WORKED	HOURS WORKED ON PROJECT
1			11			21		
2			12			22		
3			13			23		
4			14			24		
5			15			25		
6			16			26		
7			17			27		
8			18			28		
9			19			29		
10			20			30		
						31		

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.

STATE OF NEW JERSEY
STATE LAW ENFORCEMENT PLANNING AGENCY
QUARTERLY NARRATIVE REPORT
(Submit in Duplicate)

For SLEPA Use Only

Date Rec'd. _____

Analyst _____

Chief _____

Refer to _____

Comments Attached. ☐

IMPLEMENTING AGENCY _____

SUBGRANT NO. _____

STREET ADDRESS _____

PHONE NO. _____

CITY _____

ZIP NO. _____

For Quarter:

- ☐ January 1 to March 31
☐ April 1 to June 30
☐ July 1 to September 30
☐ October 1 to December 31
☐ Other/Final Report _____

Project Duration (if SLEPA approved extension,
use latest date)

From _____

To _____

1. GOALS (List the goals from the body of the grant application).

2. OBJECTIVES (List the objectives from the body of the grant application).

3. ACTIVITIES (Specific activities related to achievement of goals and objectives)

a.

b.

c.

d.

e.

f.

4. SUMMARY OF PROJECT PROGRESS (Relate to goals, objectives and activities, highlighting significant accomplishments and problems. Quantify where possible).

5. EQUIPMENT RECEIVED DURING QUARTER:

6. PROJECT DIRECTOR'S COMMENTS:

TYPED NAME AND SIGNATURE OF PROJECT DIRECTOR

DATE

INSTRUCTIONS FOR DETAILED COST STATEMENT, CASH REPORT, CASH REQUEST SLEPA FORM 107

The purpose of these instructions is to explain the procedures to be followed by each subgrantee in reporting to SLEPA on:

- The funds required in the immediate future to begin, continue or complete the approved activities under each subgrant.
- The expenditure of funds in connection with the activities under each subgrant.

The subgrantees are to use a revised, three-part form in reporting to SLEPA. The sections of this report are:

- Detailed Cost Statement
- Cash Report
- Cash Request

The procedure for completing each section is covered in these instructions:

I Frequency and Dates for Reporting

The required frequency of reporting on each subgrant will depend on the subgrant section, as determined by SLEPA. The subgrantee will be informed of the Section to which each subgrant has been assigned. Briefly, the basis for assignment is as follows:

Section I—subgrants with a total grant amount of \$10,000 or less.

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

Reports are required on a monthly basis for all active subgrants.

All reports are due 5 working days after the end of the reporting period.

Reports must be submitted for each active subgrant, even if additional funds are not being requested.

II Detailed Cost Statement

The purpose of the Detailed Cost Statement is to provide SLEPA with necessary information on the expenditure of federal funds and matching State or local funds in connection with each subgrant. This report also is to provide SLEPA with necessary information on expenditures by approved cost categories and to compare expenditures to the approved project budget.

The information submitted in the Detailed Cost Statement, as well as the supporting accounting records, is subject to both federal and State audit for accuracy, completeness and compliance with the terms of the subgrant award.

The following explanations are to assist in the preparation of the Detailed Cost Statement.

1. The Approved Project Budget amounts must agree with the budget application approved by SLEPA. Any pending requests for budget modification are not to be included until they are approved in writing by SLEPA.

2. Budget categories for reporting expenditures are the same as those on the project budget.

3. This report must show the expenditure in each category of SLEPA funds, State Buy-in funds, State Share, and subgrantee funds.

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

5. The section on current unpaid obligations must show all unpaid obligations, by cost category and by source of funds, during the current report period.

III Cash Report

The purpose of the cash report is to provide SLEPA with necessary information on the receipt and disbursement of funds, and on existing cash balances.

Cash balances must be kept as close as possible to actual cash needs for the succeeding period.

The following explanations refer to items on the Cash Report form.

1. Cash on hand—beginning of the period. This amount must agree with the SLEPA, State Buy-in, and State Share cash on hand (item #6) on the previous report. (State Share pertains ONLY to State agency grants.)

2. SLEPA, State Buy-in and State Share cash received during the period. Consideration must be given to funds in-transit. This would include those funds requested on the prior months report but not yet received.

3. SLEPA, State Buy-in and State Share cash disbursed during the period. The amount (item #5) must agree with the reported expenditures of SLEPA, State Buy-in and State Share funds reported on the accompanying Detailed Cost Statement.

4. Current unpaid obligations (item #7). This amount must agree with the reported current unpaid obligations of SLEPA, State Buy-in and State Share funds reported on the accompanying Detailed Cost Statement.

Unpaid obligations represent signed purchase

orders or contracts and outstanding accounts payable expected to be paid during the contract period, as well as required deposits covering purchase orders and contracts.

IV Cash Request

The Cash Request is the basis for SLEPA disbursement of both Federal, State Share and State Buy-in funds to subgrantees. To insure that adequate funds are provided to cover the needs of the project, but that cash balances are not in excess of the project needs, subgrantees must report to SLEPA on their anticipated expenditure of funds. This information, after cash on hand is deducted, will be the basis for cash disbursements from SLEPA.

It is necessary that all subgrantees estimate their expenditures of SLEPA, State Buy-in and State Share funds in the following manner:

1. Initial fundings (SLEPA and State Share funds only). Expenditures should be estimated for the first two months of the project. That is, for a project initially funded in June, expenditures should be estimated for June and July.

2. Initial fundings (State Buy-in only). The full

amount of the State Buy-in funds should be requested on the initial fund request.

3. *Follow-on fundings*—Expenditures should be estimated for the next two months. For example, on the Request submitted by July 5, which covers June activity, expenditures should be estimated for July and August. Similarly, the August 5 request would have expenditures estimated for August and September.

4. The unobligated cash on hand is to be deducted from the anticipated expenditures.

V Certification

Each report is to be certified by the Project Director and the Finance Officer designated in the approved project application. This certification covers all three sections of the report.

VI Address for Submitting Reports

The report is to be sent to the following address:

FISCAL OFFICER
SLEPA
3535 Quakerbridge Road
Trenton, New Jersey 08625

STATE OF NEW JERSEY
STATE LAW ENFORCEMENT PLANNING AGENCY

DETAILED COST STATEMENT – CASH REPORT/CASH REQUEST
(SUBMIT IN TRIPLICATE)

1. Unit of Government _____
2. Implementing Agency _____
3. Project Address: _____

4. Subgrant # _____
5. Project Duration:
From _____
To _____

6. Date of this Report: _____
7. Report # _____
8. Report Period:
a. For Month of _____
b. For Quarter
☐ January 1 to March 31
☐ April 1 to June 30
☐ July 1 to September 30
☐ October 1 to December 31
c. Other period _____

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BUDGET CATEGORIES	APPROVED PROJECT BUDGET			THIS REPORT PERIOD'S EXPENDITURES			CUMULATIVE EXPENDITURES			CURRENT UNPAID OBLIGATIONS		
	SLEPA (FEDERAL)	REQUIRED HARD CASH MATCH		SLEPA (FEDERAL)	REQUIRED HARD CASH MATCH		SLEPA (FEDERAL)	REQUIRED HARD CASH MATCH		SLEPA (FEDERAL)	REQUIRED HARD CASH MATCH	
		STATE BUY-IN PROVISION	STATE/LOCAL CASH		STATE BUY-IN PROVISION	STATE/LOCAL CASH		STATE BUY-IN PROVISION	STATE/LOCAL CASH		STATE BUY-IN PROVISION	STATE/LOCAL CASH
A. Salaries & Wages												
1. Regular criminal justice personnel												
2. Other Staff												
Fringe Benefits												
B. Purchase of Services												
C. Travel, etc.												
D. Consumable Supplies												
E. Facilities, etc.												
F. Equipment												
G. Indirect Cost												
TOTALS												

Implementing Agency _____ Subgrant # _____

Project Title _____

CASH REPORT

	SLEPA FUNDS (ONLY)	STATE BUY-IN FUNDS (ONLY)	STATE SHARE (ONLY)
1. Project Status: <input type="checkbox"/> Ready to begin <input type="checkbox"/> In operation <input type="checkbox"/> Completed			
2. Cash on hand – beginning of period	\$ _____	_____	_____
3. ADD: cash received during period	_____	_____	_____
cash in-transit	_____	_____	_____
4. SUBTOTAL: Cash available during period	_____	_____	_____
5. DEDUCT: cash disbursed during period	_____	_____	_____
6. SUBTOTAL: cash on hand	_____	_____	_____
7. DEDUCT: current unpaid obligations	_____	_____	_____
8. BALANCE: unobligated cash on hand	\$ _____	_____	_____

CASH REQUEST

9. Anticipated expenditures* of cash during the period of _____ *(DO NOT INCLUDE OBLIGATIONS FROM #7 ABOVE)	\$ _____	_____	_____
10. DEDUCT: unobligated cash on hand	_____	_____	_____
11. Cash requested from SLEPA	\$ _____	_____	_____

FAILURE TO SUBMIT FORM 100 SIGNED (Space labeled
"Payee Signature") WILL DELAY ADVANCES.

SUBGRANTEE CERTIFICATION: I certify that this information is taken from the Books of Account and that
such costs are valid and consistent with the terms of the Grant.

PROJECT DIRECTOR

FINANCIAL OFFICER

FOR SLEPA USE:

Approved: _____

Posted: _____

Remarks: _____

STATE OF NEW JERSEY
STATE LAW ENFORCEMENT PLANNING AGENCY

BUDGET REVISION/GRANT EXTENSION REQUEST

(Submit in Triplicate)

BUDGET CATEGORIES	APPROVED PROJECT BUDGET			PROPOSED TRANSFERS			REQUESTED OPERATING BUDGET		
	SLEPA (FEDERAL)	REQUIRED HARD CASH MATCH		SLEPA (FEDERAL)	REQUIRED HARD CASH MATCH		SLEPA (FEDERAL)	REQUIRED HARD CASH MATCH	
		STATE BUY-IN PROVISION	STATE/LOCAL CASH		STATE BUY-IN PROVISION	STATE/LOCAL CASH		STATE BUY-IN PROVISION	STATE/LOCAL CASH
A. Salaries & Wages									
1. Regular criminal justice personnel									
2. Other Staff									
Fringe Benefits									
B. Purchase of Services									
C. Travel, etc.									
D. Consumable Supplies									
E. Facilities, etc.									
F. Equipment									
G. Indirect Cost									
TOTALS									

1. Unit of Government _____

2. Implementing Agency _____

3. Project Address: _____

4. Subgrant # _____

5. Project Duration:

From _____

To _____

6. Date of Request: _____

7. GRANT EXTENSION REQUEST

From _____

To _____

8. Subgrantee Certification:

Signature _____

PROJECT DIRECTOR

Signature _____

FINANCIAL OFFICER

FOR SLEPA USE

Approved: _____

Date: _____

Remarks: _____

INSTRUCTIONS

As stated in the General Conditions attached to all SLEPA grants, the subgrantee is permitted to transfer funds between budgetary categories, provided the transfer does not affect any category by an amount in excess of \$100 of the originally approved budget. Any transfer of funds between categories that will exceed the \$100 limitation requires prior written approval from SLEPA on this form (SLEPA 108). Any change made to the budget allotment within the discretionary limits of the grantee should be explained on the first monthly budget report which reflects the changes.

The following explanations are to assist in the preparation of the Budget Revision/Grant Extension Request.

1. Budget categories for reporting expenditures are the same as those on the project budget.
2. This request must show proposed changes in each category of SLEPA funds and required cash.
3. When completing the Budget Revision/Grant Extension Request, the columns under the heading *Approved Project Budget* should be used to depict the *present operating budget*. The present operating budget should be either that budget initially approved by the SLEPA Governing Board or, if prior revision(s) have been requested, the latest approved budget modification.
4. Columns headed *Proposed Transfers* are to be used to reflect dollar amounts and categories to be affected by the fund transfer (example: Category A +\$100; Category B -\$100). Changes in the subgrantee share as well as requested transfers of SLEPA funds must be reflected. Note that transferred amounts should total zero.
5. Columns headed *Requested Operating Budget* should reflect the newly proposed budget in its entirety. The total budgeted under SLEPA share should agree with the amount budgeted under *Approved Project Budget*.
6. Upon receipt of written approval of the Grant Revision and/or Extension Request, the proposed budget will become the project's new operating budget. New budgets amounts should be reflected on the subsequent Detailed Cost Statement. Do not report proposed changes prior to receipt of the written approval by SLEPA.

BUDGET REVISION NARRATIVE: Subgrantees should add as many continuation pages as necessary to relate the proposed changes to project activities and complete the required justification and explanation of those changes. Explain the sources to be utilized for any additional matching contributions. Enumerate those proposed changes of expenditure items that require prior approval, as specified in Bureau of Budget *Circular A-87*, *LEAA Financial Guide*, and *SLEPA Applicants Guide*, so prior approval may be considered at the time the request for budget revision is made.

Line items within categories which will be affected by the proposed fund transfer should be detailed in the narrative. Purchase of additional goods or services resulting from the budget modification should be itemized and explained. Goods or services to be deleted or continued at a reduced level in order to accommodate the proposed fund transfer should also be itemized and explained.

GRANT EXTENSION NARRATIVE: If a request for grant extension will also involve budget modification, instructions for the budget revision narrative should be followed. Additionally, the extension request must be forwarded to SLEPA prior to termination of the approved subgrant period. In an effort to aid analysis of the extension request, subgrantees are also encouraged to include in the narrative a projection of expenditures through the final approved month of the project. Such a projected cost schedule will provide SLEPA and the subgrantee with a financial basis for determining the length of the extension period.

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. **Preadgreement 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 of the property. Any loss, damage, or theft of nonexpendable property shall be investigated and fully documented.

d. Adequate maintenance procedures shall be implemented to keep the property in good condition.

e. Proper sales procedures shall be established for unneeded property which would provide for competition to the extent practicable and result in the highest possible return.

6. When the total inventory value of any unused expendable personal property exceeds \$500 at the expiration of need for any Federal grant purposes, the grantee may retain the property or sell the property as long as he compensates the Federal Government for its

share in the cost. The amount of compensation shall be computed in accordance with 4a (2) (b).

7. Specific standards for control of intangible property are provided as follows:

a. If any program produces patents, patent rights, processes, or inventions, in the course of work aided by a Federal grant, such fact shall be promptly and fully reported to the grantor agency. The grantor agency shall determine whether protection on such invention or discovery shall be sought and how the rights in the invention or discovery — including rights under any patent issued thereon — shall be disposed of and

administered in order to protect the public interest consistent with "Government Patent Policy" (President's Memorandum for Heads of Executive Departments and Agencies, August 23, 1971, and Statement of Government Patent Policy as printed in 36 F.R. 16889).

b. Where the grant results in a book or other copyrightable material, the author or grantee is free to copyright the work, but the Federal grantor agency reserves a royalty-free, nonexclusive and irrevocable license to reproduce, publish, or otherwise use, and to authorize others to use the work for Government purposes.

ATTACHMENT O

PROCUREMENT STANDARDS

1. This Attachment provides standards for use by the State and local governments in establishing procedures for the procurement of supplies, equipment, construction, and other services with Federal grant funds. These standards are furnished to insure that such materials and services are obtained in an effective manner and in compliance with the provisions of applicable Federal law and Executive orders. No additional requirements shall be imposed by the Federal agencies upon the grantees unless specifically required by Federal law or Executive orders.

2. The Standards contained in this Attachment do not relieve the grantee of the contractual responsibilities arising under its contracts. The grantee is the responsible authority, without recourse to the grantor agency regarding the settlement and satisfaction of all contractual and administrative issues arising out of procurements entered into, in support of a grant. This includes but is not limited to: disputes, claims, protests of award, source evaluation or other matters of a contractual nature. Matters concerning violation of law are to be referred to such local, State, or Federal authority as may have proper jurisdiction.

3. Grantees may use their own procurement regulations which reflect applicable State and local law, rules and regulations provided that procurements made with Federal grant funds adhere to the standards set forth as follows:

a. The grantee shall maintain a code or standards of conduct which shall govern the performance of its officers, employees, or agents in contracting with and expending Federal grant funds. Grantee's officers, employees or agents, shall neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or potential contractors. To the extent permissible by State or local law, rules or regulations, such standards shall provide for penalties, sanctions, or other disciplinary actions to be applied for violations of

such standards by either the grantee officers, employees, or agents, or by contractors or their agents.

b. All procurement transactions regardless of whether negotiated or advertised and without regard to dollar value shall be conducted in a manner so as to provide maximum open and free competition. The grantee should be alert to organizational conflicts of interest or noncompetitive practices among contractors which may restrict or eliminate competition or otherwise restrain trade.

c. The grantee shall establish procurement procedures which provide for, as a minimum, the following procedural requirements:

(1) Proposed procurement actions shall be reviewed by grantee officials to avoid purchasing unnecessary or duplicative items. Where appropriate, an analysis shall be made of lease and purchase alternatives to determine which would be the most economical, practical procurement.

(2) Invitations for bids or requests for proposals shall be based upon a clear and accurate description of the technical requirements for the material, product, or service to be procured. Such description shall not, in competitive procurements, contain features which unduly restrict competition. "Brand name or equal" description may be used as a means to define the performance or other salient requirements of a procurement, and when so used the specific features of the named brand which must be met by offerors should be clearly specified.

(3) Positive efforts shall be made by the grantees to utilize small business and minority-owned business sources of supplies and services. Such efforts should allow these sources the maximum feasible opportunity to compete for contracts to be performed utilizing Federal grant funds.

(4) The type of procuring instruments used (i.e., fixed price contracts, cost reimbursable contracts, purchase orders, incentive contracts, etc.), shall be

appropriate for the particular procurement and for promoting the best interest of the grant program involved. The "cost-plus-a-percentage-of-cost" method of contracting shall not be used.

(5) Formal advertising, with adequate purchase description, sealed bids, and public openings shall be the required methods of procurement unless negotiation pursuant to paragraph (6) below is necessary to accomplish sound procurement. However, procurements of \$2,500 or less need not be so advertised unless otherwise required by State or local law or regulations. Where such advertised bids are obtained the awards shall be made to the responsible bidder whose bid is responsive to the invitation and is most advantageous to the grantee, price and other factors considered. (Factors such as discounts, transportation costs, taxes may be considered in determining the lowest bid.) Invitations for bids shall clearly set forth all requirements which the bidder must fulfill in order for his bid to be evaluated by the grantee. Any or all bids may be rejected when it is in the grantee's interest to do so, and such rejections are in accordance with applicable State and local law, rules, and regulations.

(6) Procurements may be negotiated if it is impracticable and unfeasible to use formal advertising. Generally, procurements may be negotiated by the grantee if:

(a) The public exigency will not permit the delay incident to advertising;

(b) The material or service to be procured is available from only one person or firm; (All contemplated sole source procurements where the aggregate expenditure is expected to exceed \$5,000 shall be referred to the grantor agency for prior approval.)

(c) The aggregate amount involved does not exceed \$2,500;

(d) The contract is for personal or professional services, or for any service to be rendered by a university, college, or other educational institutions;

(e) The material or services are to be procured and used outside the limits of the United States and its possessions;

(f) No acceptable bids have been received after formal advertising;

(g) The purchases are for highly perishable materials or medical supplies, for material or services where the prices are established by law, for technical items or equipment requiring standardization and interchangeability of parts with existing equipment, for experimental, developmental or research work, for supplies purchased for authorized resale, and for technical or specialized supplies requiring substantial initial investment for manufacture;

(h) Otherwise authorized by law, rules, or regulations. Notwithstanding the existence of circumstances justifying negotiation, competition shall be obtained to the maximum extent practicable.

(7) Contracts shall be made only with

responsible contractors who possess the potential ability to perform successfully under the terms and conditions of a proposed procurement. Consideration shall be given to such matters as contractor integrity, record of past performance, financial and technical resources, or accessibility to other necessary resources.

(8) Procurement records or files for purchases in amounts in excess of \$2,500 shall provide at least the following pertinent information: justification for the use of negotiation in lieu of advertising, contractor selection, and the basis for the cost or price negotiated.

(9) A system for contract administration shall be maintained to assure contractor conformance with terms, conditions, and specifications of the contract or order, and to assure adequate and timely followup of all purchases.

4. The grantee shall include, in addition to provisions to define a sound and complete agreement, the following provisions in all contracts and subgrants:

a. Contracts shall contain such contractual provisions or conditions which will allow for administrative, contractual, or legal remedies in instances where contractors violate or breach contracts terms, and provide for such sanctions and penalties as may be appropriate.

b. All contracts, amounts for which are in excess of \$2,500, shall contain suitable provisions for termination by the grantee including the manner by which it will be effected and the basis for settlement. In addition, such contracts shall describe conditions under which the contract may be terminated for default as well as conditions where the contract may be terminated because of circumstances beyond the control of the contractor.

c. In all contracts for *construction* or facility improvement awarded in excess of \$100,000, grantees shall observe the bonding requirements provided in Attachment B to this Circular.

d. All contracts and subgrants in excess of \$10,000 shall include provisions for compliance with Executive Order No. 11246, entitled, "Equal Employment Opportunity," as supplemented in Department of Labor Regulations (41 CFR, Part 60). Each contractor or subgrantee shall be required to have an affirmative action plan which declares that it does not discriminate on the basis of race, color, religion, creed, national origin, sex, and age and which specifies goals and target dates to assure the implementation of that plan. The grantee shall establish procedures to assure compliance with this requirement by contractors or subgrantees and to assure that suspected or reported violations are promptly investigated.

e. All contracts and subgrants for *construction* or repair shall include a provision for compliance with the Copeland "Anti-Kick Back" Act (18 U.S.C. 874) as supplemented in Department of Labor regulations (29 CFR, Part 3). This Act provides that each contractor or subgrantee shall be prohibited from inducing, by any

means, any person employed in the construction, completion, or repair of public work, to give up any part of the compensation to which he is otherwise entitled. The grantee shall report all suspected or reported violations to the grantor agency.

f. When required by the Federal grant program legislation, all *construction* contracts awarded by grantees and subgrantees in excess of \$2,000 shall include a provision for compliance with the Davis-Bacon Act (40 U.S.C. 276a to a-7) and as supplemented by Department of Labor regulations (29 CFR, Part 5). Under this Act contractors shall be required to pay wages to laborers and mechanics at a rate not less than the minimum wages specified in a wage determination made by the Secretary of Labor. In addition, contractors shall be required to pay wages not less often than once a week. The grantee shall place a copy of the current prevailing wage determination issued by the Department of Labor in each solicitation and the award of a contract shall be conditioned upon the acceptance of the wage determination. The grantee shall report all suspected or reported violations to the grantor agency.

g. Where applicable, all contracts awarded by grantees and subgrantees in excess of \$2,000 for *construction* contracts and in excess of \$2,500 for other contracts which involve the employment of mechanics or laborers shall include a provision for compliance with sections 103 and 107 of the Contract Work Hours and Safety Standards Act (40 U.S.C. 327-330) as supplemented by Department of Labor regulations (29 CFR, Part 5). Under section 103 of the Act, each contractor shall be required to compute the wages of every mechanic and laborer on the basis of a standard work day of 8 hours and a standard work week of 40 hours. Work in excess of the standard work-day or work-week is permissible provided that the worker is compensated at a rate of not less than 1 1/2 times the basic rate of pay for all hours worked in excess of 8 hours in any calendar day or 40 hours in the work week. Section 107 of the Act is applicable to construction work and provides that no laborer or mechanic shall be required to work in surroundings or under working conditions which are unsanitary, hazardous, or dangerous to his health and safety as determined under construction, safety, and health standards promulgated by the Secretary of Labor. These requirements do not

apply to the purchases of supplies or materials or articles ordinarily available on the open market, or contracts for transportation or transmission of intelligence.

h. Contracts or agreements, the principal purpose of which is to create, develop, or improve products, processes or methods; or for exploration into fields which directly concern public health, safety, or welfare; or contracts in the field of science or technology in which there has been little significant experience outside of work funded by Federal assistance, shall contain a notice to the effect that matters regarding rights to inventions, and materials generated under the contract or agreement are subject to the regulations issued by the Federal grantor agency and the grantee. The contractor shall be advised as to the source of additional information regarding these matters.

i. All negotiated contracts (except those of \$2,500 or less) awarded by grantees shall include a provision to the effect that the grantee, the Federal grantor agency, the Comptroller General of the United States, or any of their duly authorized representatives, shall have access to any books, documents, papers, and records of the contractor which are directly pertinent to a specific grant program for the purpose of making audit, examination, excerpts, and transcriptions.

j. Each contract of an amount in excess of \$2,500 awarded by a grantee or subgrantee shall provide that the recipient will comply with applicable regulations and standards of the Cost of Living Council in establishing wages and prices. The provision shall advise the recipient that submission of a bid or offer or the submittal of an invoice or voucher for property, goods, or services furnished under a contract or agreement with the grantee shall constitute a certification by him that amounts to be paid do not exceed maximum allowable levels authorized by the Cost of Living Council regulations or standards. Violations shall be reported to the grantor agency and the local Internal Revenue Service field office.

k. Contracts and subgrants of amounts in excess of \$100,000 shall contain a provision which requires the recipient to agree to comply with all applicable standards, orders, or regulations issued pursuant to the Clean Air Act of 1970. Violations shall be reported to the grantor agency and the Regional Office of the Environmental Protection Agency.

Title 28 — Judicial Administration

CHAPTER I — DEPARTMENT OF JUSTICE

PART 42 — NONDISCRIMINATION: EQUAL OPPORTUNITY: POLICIES AND PROCEDURES

Subpart E — Equal Employment Opportunity Guidelines

On March 9, 1973, the Law Enforcement Assistance Administration of the Department of Justice (LEAA), promulgated equal employment opportunity guidelines (28 CFR 42.301, et seq., Subpart E). The second paragraph of those guidelines reads as follows:

In accordance with the spirit of the public policy set forth in 5 U.S.C. 553, interested persons may submit written comments, suggestions, data or arguments to the Administrator, Law Enforcement Assistance Administration, U.S. Department of Justice, Washington, D.C., 20530, Attention: Office of Civil Rights Compliance, within 45 days of the publication of the guidelines contained in this part. Material thus submitted will be evaluated and acted upon in the same manner as if this document were a proposal. Until such time as further changes are made, however, Part 42, Subpart E as set forth herein shall remain in effect, thus permitting the public business to proceed more expeditiously.

In accordance with the preceding paragraph, written comments, suggestions, data or arguments have been received by the Administrator of the Law Enforcement Assistance Administration. Material submitted has been evaluated and changes deemed by LEAA to be appropriate have been incorporated into revised equal employment opportunity guidelines, the text of which follows.

By virtue of the authority vested in it by 5 U.S.C. 301, and section 501 of the Omnibus Crime Control and Safe Streets Act of 1968, Pub. L. 90-351, 82 Stat. 197, as amended, the Law Enforcement Assistance Administration hereby issues Title 28, Chapter I, Subpart E of Part 42 of the Code of Federal Regulations. In that the material contained herein is a matter relating to the grant program of the Law Enforcement Assistance Administration, the relevant provisions of the Administrative Procedure Act (5 U.S.C. 553) requiring notice of proposed rulemaking, opportunity for public participation, and delay in effective date are inapplicable.

Subpart E — Equal Employment Opportunity Guidelines

- Sec.
- 42.301 Purpose.
 - 42.302 Application.
 - 42.303 Evaluation of employment opportunities.
 - 42.304 Written Equal Employment Opportunity Program.
 - 42.305 Recordkeeping and certification.
 - 42.306 Guidelines.
 - 42.307 Obligations of recipients.
 - 42.308 Noncompliance.

AUTHORITY: 5 U.S.C. sec. 501 of the Omnibus Crime Control and Safe Streets Act of 1968, Pub. L. 90-351, 82 Stat. 197, as amended.

Subpart E — Equal Employment Opportunity Guidelines

§ 42.301 Purpose.

(a) The experience of the Law Enforcement Assistance Administration in implementing its responsibilities under the Omnibus Crime Control and Safe Streets Act of 1968, as amended, (Pub. L. 90-351, 82 Stat. 197; Pub. L. 91-644, 84 Stat. 1881) has demonstrated that the full and equal participation of women and minority individuals in employment opportunities in the criminal justice system is a necessary component to the Safe Streets Act's program to reduce crime and delinquency in the United States.

(b) Pursuant to the authority of the Safe Streets Act and the equal employment opportunity regulations of the LEAA relating to LEAA assisted programs and activities (28 CFR 42.201, et seq., Subpart D), the following Equal Employment Opportunity Guidelines are established.

§ 42.302 Application.

(a) As used in these guidelines "Recipient" means any state, political sub-division of any state, combination of such states or subdivisions, or any department, agency or instrumentality of any of the foregoing receiving Federal financial assistance from LEAA, directly or through another recipient, or with respect to whom an assurance of civil rights compliance given as a condition of the earlier receipt of assistance is still in effect.

(b) The obligation of a recipient to formulate, implement, and maintain an equal employment opportunity program, in accordance with this Subpart, extends to state and local police agencies, correctional agencies, criminal court systems, probation and parole agencies, and similar agencies responsible for the reduction and control of crime and delinquency.

(c) Assignments of compliance responsibility for Title VI of the Civil Rights Act of 1964 have been made by the Department of Justice to the Department of Health, Education, and Welfare, covering educational institutions and general hospital or medical facilities. Similarly, the Department of Labor, in pursuance of its authority under Executive Orders 11246 and 11375, has assigned responsibility for monitoring equal employment opportunity under government contracts with medical and educational institutions, and non-profit organizations, to the Department of Health, Education, and Welfare. Accordingly, monitoring responsibility

in compliance matters in agencies of the kind mentioned in this paragraph rests with the Department of Health, Education, and Welfare, and agencies of this kind are exempt from the provisions of this subpart, and are not responsible for the development of equal employment opportunity programs in accordance herewith.

(d) Each recipient of LEAA assistance within the criminal justice system which has 50 or more employees and which has received grants or subgrants of \$25,000 or more pursuant to and since the enactment of the Safe Streets Act of 1968, as amended, and which has a service population with a minority representation of 3 percent or more is required to formulate, implement and maintain an Equal Employment Opportunity Program relating to employment practices affecting minority persons and women within 120 days after either the promulgation of these amended guidelines, or the initial application for assistance is approved, whichever is sooner. Where a recipient has 50 or more employees, and has received grants or subgrants of \$25,000 or more, and has a service population with a minority representation of less than 3 percent, such recipient is required to formulate, implement, and maintain an equal employment opportunity program relating to employment practices affecting women. For a definition of "employment practices" within the meaning of this paragraph, see § 42.202(b).

(e) "Minority persons" shall include persons who are Negro, Oriental, American-Indian, or Spanish-surnamed Americans. "Spanish-surnamed Americans" means those of Latin American, Cuban, Mexican, Puerto Rican or Spanish origin. In Alaska, Eskimos and Aleuts should be included as "American Indians."

(f) For the purpose of these guidelines, the relevant "service population" shall be determined as follows:

(1) For adult and juvenile correctional institutions, facilities and programs (including probation and parole programs), the "service population" shall be the inmate or client population served by the institution, facility, or program during the preceding fiscal year.

(2) For all other recipient agencies (e.g., police and courts), the "service population" shall be the State population for state agencies, the county population for county agencies, and the municipal population for municipal agencies.

(g) "Fiscal year" means the twelve calendar months beginning July 1, and ending June 30, of the following calendar year. A fiscal year is designated by the calendar year in which it ends.

§ 42.303 Evaluation of employment opportunities.

(a) A necessary prerequisite to the development and implementation of a satisfactory Equal Employment Opportunity Program is the identification and analysis of any problem areas inherent in the utilization or participation of minorities and women in all of the recipient's employment phases (e.g., recruitment, selection, and promotion) and the evaluation of employment

opportunities for minorities and women.

(b) In many cases an effective Equal Employment Opportunity Program may only be accomplished where the program is coordinated by the recipient agency with the cognizant Civil Service Commission or similar agency responsible by law, in whole or in part, for the recruitment and selection of entrance candidates and selection of candidates for promotion.

(c) In making the evaluation of employment opportunities, the recipient shall conduct such analysis separately for minorities and women. However, all racial and ethnic data collected to perform an evaluation pursuant to the requirements of this section should be cross classified by sex to ascertain the extent to which minority women or minority men may be underutilized. The evaluation should include but not necessarily be limited to, the following factors:

(1) An analysis of present representation of women and minority persons in all job categories;

(2) An analysis of all recruitment and employment selection procedures for the preceding fiscal year, including such things as position descriptions, application forms, recruitment methods and sources, interview procedures, test administration and test validity, educational prerequisites, referral procedures and final selection methods, to insure that equal employment opportunity is being afforded in all job categories;

(3) An analysis of seniority practices and provisions, upgrading and promotion procedures, transfer procedures (lateral or vertical), and formal and informal training programs during the preceding fiscal year, in order to insure that equal employment opportunity is being afforded;

(4) A reasonable assessment to determine whether minority employment is inhibited by external factors such as the lack of access to suitable housing in the geographical area served by a certain facility or the lack of suitable transportation (public or private) to the workplace.

§ 42.304 Written Equal Employment Opportunity Program.

Each recipient's Equal Employment Opportunity Program shall be in writing and shall include:

(a) A job classification table or chart which clearly indicates for each job classification or assignment the number of employees within each respective job category classified by race, sex and national origin (include for example Spanish-surnamed, Oriental, and American Indian). Also, principal duties and rates of pay should be clearly indicated for each job classification. Where auxiliary duties are assigned or more than one rate of pay applies because of length of time in the job or other factors, a special notation should be made. Where the recipient operates more than one shift or assigns employees within each shift to varying locations, as in law enforcement agencies, the number by race, sex and national origin on each shift and in each location should be identified. When relevant, the recipient should indi-

cate the racial/ethnic mix of the geographic area of assignments by the inclusion of minority population and percentage statistics.

(b) The number of disciplinary actions taken against employees by race, sex, and national origin within the preceding fiscal year, the number and types of sanctions imposed (suspension indefinitely, suspension for a term, loss of pay, written reprimand, oral reprimand, other) against individuals by race, sex, and national origin.

(c) The number of individuals by race, sex and national origin (if available) applying for employment within the preceding fiscal year and the number by race, sex and national origin (if available) of those applicants who were offered employment and those who were actually hired. If such data is unavailable, the recipient should institute a system for the collection of such data.

(d) The number of employees in each job category by race, sex, and national origin who made application for promotion or transfer within the preceding fiscal year, and the number in each job category by race, sex, and national origin who were promoted or transferred.

(e) The number of employees by race, sex, and national origin who were terminated within the preceding fiscal year, identifying by race, sex, and national origin which were voluntary and involuntary terminations.

(f) Available community and area labor characteristics within the relevant geographical area including total population, workforce and existing unemployment by race, sex, and national origin. Such data may be obtained from the Bureau of Labor Statistics, Washington, D.C., state and local employment services, or other reliable sources. Recipients should identify the sources of the data used.

(g) A detailed narrative statement setting forth the recipient's existing employment policies and practices as defined in § 42.202(b). Thus, for example, where testing is used in the employment selection process, it is not sufficient for the recipient to simply note the fact. The recipient should identify the test, describe the procedures followed in administering and scoring the test, state what weight is given to test scores, how a cut-off score is established and whether the test has been validated to predict or measure job performance and, if so, a detailed description of the validation study. Similarly detailed responses are required with respect to other employment policies, procedures, and practices used by the applicant.

(1) The statement should include the recipient's detailed analysis of existing employment policies, procedures, and practices as they relate to employment of minorities and women, (see § 42.303) and, where improvements are necessary, the statement should set forth in detail the specific steps the recipient will take for the achievement of full and equal employment opportunity. For example, The Equal Employment Opportunity Commission, in carrying out its responsibilities in ensuring compliance with Title VII has published Guidelines on Employee Selection Procedures (29 CFR Part 1607) which, among other things, pro-

scribes the use of employee selection practices, procedures and devices (such as tests, minimum educational levels, oral interviews and the like) which have not been shown by the user thereof to be related to job performance and where the use of such an unvalidated selection device tends to disqualify a disproportionate number of minority individuals or women for employment. The EEOC Guidelines set out appropriate procedures to assist in establishing and maintaining equal employment opportunities. Recipients of LEAA assistance using selection procedures which are not in conformity with the EEOC Guidelines shall set forth the specific areas of nonconformity, the reasons which may explain any such nonconformity, and, if necessary, the steps the recipient agency will take to correct any existing deficiency.

(2) The recipient should also set forth a program for recruitment of minority persons based on an informed judgment of what is necessary to attract minority applications including, but not necessarily limited to, dissemination of posters, use of advertising media patronized by minorities, minority group contacts and community relations programs. As appropriate, recipients may wish to refer to recruitment techniques suggested in Revised Order No. 4 of the Office of Federal Contract Compliance, U.S. Department of Labor, found at 41 CFR 60-2.24(e).

(h) Plan for dissemination of the applicant's Equal Employment Opportunity Program to all personnel, applicants and the general public. As appropriate, recipients may wish to refer to the recommendations for dissemination of policy suggested in Revised Order No. 4 of the Office of Federal Contract Compliance, U.S. Department of Labor, found at 41 CFR 60-2.21.

(i) Designation of specified personnel to implement and maintain adherence to the Equal Employment Opportunity Program and a description of their specific responsibilities suggested in Revised Order No. 4 of the Office of Federal Contract Compliance, U.S. Department of Labor, found at 41 CFR 60-2.22.

§ 42.305 Record keeping and certification.

The Equal Employment Opportunity Program and all records used in its preparation shall be kept on file and retained by each recipient covered by these guidelines for subsequent audit or review by responsible personnel of the cognizant state planning agency or the LEAA. Prior to the authorization to fund new or continuing programs under the Omnibus Crime Control and Safe Streets Act of 1968, the recipient shall file a certificate with the cognizant state planning agency or LEAA regional office stating that the equal employment opportunity program is on file with the recipient. The form of the certification shall be as follows:

I, (person filing the application) certify that the (criminal justice agency) has formulated an equal employment opportunity program in accordance with 28 CFR 42.301, et seq., Subpart E, and that it is on file in the Office of (name),

..... (address), (title), for review or audit by officials of the cognizant state planning agency or the Law Enforcement Assistance Administration, as required by relevant laws and regulations.

The criminal justice agency created by the Governor to implement the Safe Streets Act within each state shall certify that it requires, as a condition of the receipt of block grant funds, that recipients from it have executed an Equal Employment Opportunity Program in accordance with this subpart, or that, in conformity with the terms and conditions of this regulation no equal employment opportunity programs are required to be filed by that jurisdiction.

§ 42.306 Guidelines.

(a) Recipient agencies are expected to conduct a continuing program of self-evaluation to ascertain whether any of their recruitment, employee selection or promotional policies (or lack thereof) directly or indirectly have the effect of denying equal employment opportunities to minority individuals and women.

(b) Post award compliance reviews of recipient agencies will be scheduled by LEAA, giving priority to any recipient agencies which have a significant disparity between the percentage of minority persons in the service population and the percentage of minority employees in the agency. Equal employment program modification may be suggested by LEAA whenever identifiable referral or selection procedures and policies suggest to LEAA the appropriateness of improved selection procedures and policies. Accordingly, any recipient agencies falling within this category are encouraged to develop recruitment, hiring or promotional guidelines under their equal employment opportunity program which will correct, in a timely manner, any identifiable employment impediments which may have contributed to the existing disparities.

(c) A significant disparity between minority representation in the service population and the minority representation in the agency workforce may be deemed to exist if the percentage of a minority group in the employment of the agency is not at least seventy (70) percent of the percentage of that minority in the service population.

§ 42.307 Obligations of recipients.

The obligation of those recipients subject to these Guidelines for the maintenance of an Equal Employment Opportunity Program shall continue for the period during which the LEAA assistance is extended to a recipient or for the period during which a comprehensive law enforcement plan filed pursuant to the Safe Streets Act is in effect within the State, whichever is longer, unless the assurances of compliance, filed by a recipient in accordance with § 42.204(a) (2), specify a different period.

§ 42.308 Noncompliance.

Failure to implement and maintain an Equal Employment Opportunity Program as required by these Guidelines shall subject recipients of LEAA assistance to the sanctions prescribed by the Safe Streets Act and the equal employment opportunity regulations of the Department of Justice. (See 42 U.S.C. 3757 and § 42.206).

Effective date. — This Guideline shall become effective on August 31, 1973.

Dated August 24, 1973.

DONALD E. SANTARELLI,
*Administrator, Law Enforcement
Assistance Administration.*

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