

**EDWARD BYRNE MEMORIAL  
JUSTICE ASSISTANCE GRANT PROGRAM  
FISCAL YEARS 2006-2008 REQUEST for PROPOSALS  
APPLICATION INSTRUCTIONS AND REQUIREMENTS**

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**MULTIJURISDICTIONAL DRUG  
TASK FORCES**

**CRIMINAL JUSTICE SERVICES DIVISION  
OREGON OFFICE OF HOMELAND SECURITY  
4760 PORTLAND ROAD NE  
SALEM, OREGON 97305  
(503) 378-4145**

**APPLICATION DUE DATE: MAY 19, 2006**



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# EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM

## Fiscal Years 2006-2008 Request for Proposals

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### MULTIJURISDICTIONAL DRUG TASK FORCES

#### Introduction

The Criminal Justice Services Division (CJSD) of the Oregon Office of Homeland Security announces the availability of \$1,500,000 in Edward Byrne Memorial Justice Assistance Grant Program (JAG Program) funds to be competitively distributed during fiscal years 2006-2008 to support Multijurisdictional Drug Task Forces and related programs that advance the goals of Multijurisdictional Drug Task Forces.

A Multijurisdictional Drug Task Force is defined here as a formal arrangement involving three or more agencies with authority over two or more jurisdictions, enabling the collaborative investigation, interdiction, and prosecution of illegal drug activities that may cross jurisdictional boundaries.

Multijurisdictional Drug Task Forces in Oregon have historically been supported through the Edward Byrne Memorial State and Local Law Enforcement Assistance Formula Grant (Byrne Formula Grant Program), which was appropriated under the 1988 Anti-Drug Abuse Act (Public Law 100-690) and administered to states by the U.S. Department of Justice, Bureau of Justice Assistance (DOJ / BJA) (1). As part of the 2005 Consolidated Appropriations Act (Public Law 108-477) intended to streamline justice funding and grant administration, Congress merged the Byrne Formula Grant Program with the Local Law

Enforcement Block Grant Program and established the JAG Program.

While the JAG Program represents a significant reduction in funding to States and no longer specifically targets illegal drug activities, it does continue to support several DOJ / BJA designated crime prevention and control program areas that can reduce illegal drug activities. These program areas include law enforcement, prosecution and the courts, prevention and education, corrections and community corrections, drug treatment, and planning, evaluation, and technology improvement (2, 3).

#### State Administering Agency

CJSD provides services to the Oregon criminal justice community through the administration of eleven federal grant programs aimed at reducing drug use and violent crime and improving the effectiveness of the criminal justice system (4). As the state administering agency for the Oregon JAG Program, CJSD collaborates with the Governor's Office in determining funding priority areas and authorizing distributions. Oregon JAG Program funds for fiscal years 2006-2008 have recently been authorized for competitive distribution through this Request for Proposals.

### **Intent of this Request for Proposals**

The intent of this Request for Proposals is to advance the DOJ / BJA designated JAG Program areas related to law enforcement and prosecution in Oregon through the funding of Multijurisdictional Drug Task Forces and related programs.

To be considered for funding, applicants must comply with all of the guidelines described in this Request for Proposals. These guidelines include the:

- Amount and duration of funding
- Application due date
- Grant program goals
- Eligible applicants
- Funding priorities
- Recommended approach
- Application instructions and requirements
- Application review and award decisions
- Award conditions

Prospective applicants should note that the guidelines for this competitive Request for Proposals differ substantially from the guidelines employed by CJSD in previous non-competitive distributions of task force program funds.

### **I. Amount and Duration of Funding**

A total of \$1,500,000 will be distributed during fiscal years 2006-2008. First year funding is expected to begin July 1, 2006 and end June 30, 2007. Second year funding will be based on grantee performance and compliance with award conditions, and on the continued availability of JAG Program funds in Oregon.

Applicants must be able to document the availability of a 25% cash match in non-Federal funds. The method for calculating the cash match is described in the Budget section of the application instructions. In addition, since an important objective of the JAG Program in Oregon is to initiate potentially sustainable programs, funding priority will be given to applicants that can document full salary support for a narcotics officer for the proposed program as well as provide an assurance of continuation funding for the program after JAG Program funding expires.

### **II. Application Due Date**

One original and five copies of the application must be **received (not post-marked) by 5:00 PM Friday, May 19, 2006**. Only materials included as part of the application will be considered in the review process. Late applications or additions to an original application to meet the grant program guidelines will not be accepted. Neither facsimiles nor email submissions will be accepted. The postal mail and hand-delivery address is provided below.

**Edward Byrne Memorial  
Justice Assistance Grant Program:  
Multijurisdictional Drug Task Forces**

**Criminal Justice Services Division  
Oregon Office of Homeland Security  
4760 Portland Road NE  
Salem, OR 97305  
Phone: (503) 378-4145**

### III. Grant Program Goals

The goals of this grant program are to increase illegal drug intelligence sharing and collaborative investigations by local, State, and Federal agencies in order to reduce illegal drug manufacture, distribution, and use in Oregon for cases that:

- Are beyond the investigative resources of individual agencies;
- May cross jurisdictional boundaries; and
- Are likely to lead to arrest, prosecution, and sentencing.

### IV. Eligible Applicants

Applicants eligible under this solicitation include local units of government (such as police departments, sheriffs' offices, and district attorneys' offices) and tribal governments.

At least three agencies must participate in the implementation of a successful grant application. However, one lead agency must represent the applicant and must accept responsibility for program and fiscal record keeping and reporting.

Agencies that have previously not received funding for a Multijurisdictional Drug Task Force or related program under the Byrne Formula Grant Program are particularly encouraged to apply. Agencies representing jurisdictions that receive a direct JAG Program award from DOJ / BJA remain eligible applicants under the portion of the JAG Program administered by the State.

### V. Funding Priorities

#### A. Rationale

The relationships between illegal drug activities, violent crime, and serious social problems have long been well established. Manufacturing, distributing, and using illegal drugs fuel homicides, assaults, property crimes, domestic abuse, child neglect and abuse, prostitution, driving under the influence, homelessness, mental illness, and lost work productivity.

As a model of intelligence-led investigation and interdiction, Multijurisdictional Drug Task Forces are critically important in the fight against illegal drugs and related criminal and social problems. They bring together Federal, State, and local agencies to exchange information and create unified regional strategies. They pool scarce resources to reach across jurisdictional boundaries to locate drug law violators. They can use Federal forfeiture laws and recycle forfeiture proceeds to support future operations. Moreover, they are more likely than local law enforcement agencies alone to successfully identify serious (felony) drug law violators, and to have cases presented for prosecution that result in prison sentences (5, 6).

In his March 2005 Statement for the Record to the Congressional Subcommittee on Criminal Justice, Drug Policy, and Human Resources of the Committee on Government Reform, Ronald Brooks, President of the National Narcotic Officers' Associations' Coalition, underscored the continuing importance of Multijurisdictional Drug Task Forces in addressing serious organizational and regional illegal drug

activities. He emphasized the critical role that the JAG Program plays in helping states and local agencies maintain the functions and benefits of Multijurisdictional Drug Task Forces (7).

### **B. Eligible Programs**

Eligible programs under this solicitation include Multijurisdictional Drug Task Forces and related programs that directly support Multijurisdictional Drug Task Forces or their goals. These related programs may include, but are not limited to, those aimed specifically at reducing methamphetamine manufacture, distribution, and use, as well as others identified by DOJ / BJA: Regional violent drug trafficker programs, organized crime / narcotics programs, special narcotics prosecutors, statewide confidential funds pools, narcotics surveillance equipment and training programs, and drug offenders intelligence systems.

The remainder of this Request for Proposals employs the term “task force program” to denote any eligible Multijurisdictional Drug Task Force or related program.

### **C. Eligible Expenses**

Eligible expenses under this solicitation include personnel, overtime, equipment, supplies, contractual support, training, technical assistance, and information systems for criminal justice that are beyond those currently available to applicants for the purpose of the proposed task force program.

## **VI. Recommended Approach**

### **A. Factors that Promote Task Force Program Success**

The assessment and practice improvement efforts of previous task force programs have helped to identify a number of factors that promote success (8, 9, 10). Applicants are strongly encouraged to incorporate most, if not all, of these factors in the proposed task force program:

- Written interagency agreements establishing an oversight board, decision-making process, and a funding mechanism for the task force program.
- Prosecutor involvement with designated time for task force program cases, in order to obtain in-depth legal assistance with investigations, asset forfeiture procedures, and other legal areas of enforcement.
- Computerized information and intelligence systems and networks that are used by the task force program in a way that minimizes duplication of effort.
- An in-depth knowledge and understanding of the nature and extent of the issues to be addressed by the task force program.
- Good communication among task force program member agencies, between member and non-member agencies, and between member agencies and the community.
- Regular, frequent meetings among task force program member



agencies. Regular meetings between member and non-member probation and court staff, or community groups.

- Clear and specific criteria for planning, selecting, investigating, and prosecuting task force program cases.
- Formal procedures for issuing task force program directives and assigning responsibilities for gathering intelligence information, tactical planning, operating computer systems, conducting surveillance, and making contacts.
- Established operational priorities for the task force program to counter the potentially competing interests of individual jurisdictions.
- Experienced task force program leadership.
- Policies for systematic asset seizure and forfeiture, including a process for distribution or expenditure of forfeiture funds that generates revenue for the task force program.
- Commitment from member agencies to provide or identify stable, long-term funding for the task force program.
- Joint training opportunities and technical assistance for task force program members that draw on the expertise of seasoned task force supervisors.
- Budget allowances for task force program training, overtime, and technology improvements.

- Clearly stated task force program goals.
- Clearly stated performance measures that can be used to improve task force program operations, and to determine whether the goals of the task force program are being achieved.

### **B. Professional Training on Managing and Operating Task Force Programs**

Professional training can provide essential information on the latest techniques in managing and operating effective task force programs. Applicants are encouraged to have one or more individuals from each of the proposed member agencies attend task force program training. Three examples of these (tuition-free) trainings are described below, but applicants may choose to use other sources of training as well.

The *Narcotics Task Force Workshop*, offered by the Center for Task Force Training (CentTF) through the Institute for Intergovernmental Research and DOJ / BJA, is designed for multijurisdictional narcotics task force commanders and supervisory personnel. This workshop focuses on multi-agency response training needs in the investigation and prosecution of narcotics trafficking conspiracies, including organizing the task force, policies and procedures, personnel issues, confidential informants, case management, undercover operations and risk management, operation planning, raid issues, and managing critical incidents (11).

The *Drug Task Force Supervisor School* is offered by the Office of State and

Local Training of the U.S. Department of Homeland Security. This school addresses issues such as task force management, Memoranda of Understanding, operating procedures, funding and budgeting, liability, risk management, operational planning, informant programs, resources, case management, evidence and property management (12).

The *Multijurisdictional Counterdrug Task Force Training Program* is offered by the Florida National Guard and St. Petersburg College through a partnership with the U.S. Department of Defense. This program targets law enforcement personnel assigned to drug task forces or narcotics investigations, and provides training on a wide range of topics via traditional classroom, internet access, CD-ROMs, videos, and satellite broadcasts (13).

### **C. Professional Training on Assisting and Protecting Drug Endangered Children**

Applicants are also encouraged to have one or more individuals from each of the proposed member agencies receive professional training on assisting and protecting drug endangered children. In 2005, the Oregon Governor's Methamphetamine Task Force highlighted the need to protect methamphetamine-affected children through local Drug Endangered Children (DEC) programs (14). Based on the protocol of the National Alliance for DEC, the Oregon Alliance for DEC offers a multi-agency protocol that targets children whose lives, health, and safety have been put at risk by drug manufacture, drug dealing, or drug abuse in the family home.

The DEC protocol is particularly well suited for supporting the efforts of task force programs because it involves the coordinated responses of law enforcement, prosecutors, child protective services, and health professionals. An evaluation of multijurisdictional task force programs in California found that "establishing a working relationship with Child Protective Services or developing a Drug Endangered Children program enhanced the ability of Multijurisdictional Task Forces to address the drug problem in a more holistic manner by recognizing the risk posed to children by illegal drug activities" (9).

Key issues addressed by Oregon DEC programs include: Removal of children from drug endangering environments, medical and dental health evaluation and services, drug and toxic chemical exposure screening, mental health evaluation and services, and addiction treatment and restoration of families whenever possible.

Applicants can obtain information on training through a local DEC program, or through the Oregon Alliance for DEC, when a local program has not yet been established (15).

## VII. Application Instructions and Requirements

### A. Application Length and Format

Applications should consist of the Cover Sheet, Proposed Program Narrative, Plan for Assessing Program Implementation and Monitoring Program Performance, Proposed Program Budget Worksheet and Narrative, and the Plan for Program Sustainability. Applications must not exceed fifteen pages, exclusive of the cover sheet, and have a maximum additional eight pages of appendices. No part of sections VII.B.1 through 5 may be submitted as an appendix, with the exception of the Memorandum of Understanding.

Applications must be submitted on single-sided, 8½ x 11-inch paper, using one-inch margins, and typed double spaced with a standard 12-point font.

### B. Application Contents

#### 1. Cover Sheet

Identifying information must be provided using the cover sheet format in Appendix A. This sheet must be completed in full and placed at the beginning of the proposal.

#### 2. Proposed Program Narrative

A proposed task force program narrative must be provided that separately identifies and addresses each of items a through (e) below:

### a. Program Description

The task force program to be paid in full, or in part, by the grant must be described. The description should be presented in a way that helps stakeholders (such as administrators, staff, evaluators, funding agencies, advocacy groups, citizens, and elected officials) to understand and communicate about the task force program and how it seeks to disrupt illegal drug activities in the jurisdictions to be served.

Applicants must specify the:

- i) Goals, or what the task force program is intended to accomplish and for which jurisdictions. The goals must be consistent with the goals of the JAG Program.
- ii) Member agencies that have been identified, and the interagency agreements regarding the administrative and operational responsibilities established for each.
- iii) Resources to be dedicated by each member agency, such as funding, staff, volunteers, time, space, equipment, vehicles, criminal intelligence support systems, and other essential inputs.
- iv) Program elements, such as policies and procedures and other attributes of the program (including those related to the recommended factors that promote task force program success.

- v) Planned activities, including day-to-day operations, surveillance, communications, and presentations to be conducted by each member agency.
- vi) Implementation timeline for activities related to program planning and operation, assessment and monitoring, and reporting that will take place each month throughout the anticipated grant period (up to two years). Appendix B provides a sample format to be used for this purpose. The timeline will be used both in reviewing the application and as a benchmark against which to measure progress during the grant period.

Applicants should carefully consider the feasibility of implementing the task force program, in terms of whether the true collaborative involvement of proposed member agencies can be fully garnered, and whether the specific administrative, staffing, and operational program components can be fully achieved. Applicants selected for funding will be expected to demonstrate involvement of all proposed members in all proposed program components, and should conduct formal planning meetings prior to submitting the proposal.

**b. Demonstration of Need for the Program**

Applicants must demonstrate a compelling need for the task force program in order to maintain or improve public safety. The need for the program must be substantiated with:

- i) Data reflecting the scope of the problem of illegal drug manufacture, distribution, and use, and related

criminal problems for adults and juveniles within the proposed jurisdictions (local threat assessment).

- ii) Data reflecting the absence or inadequacy of law enforcement, prosecution, and / or court services related to processing multijurisdictional cases.

Qualitative information (such as that from interviews or other key informants on barriers to obtaining needed services within the proposed jurisdictions) may be submitted to explain and enrich quantitative data that substantiate the need for the task force program. However, qualitative data should not be the sole justification for the proposal.

**c. Applicant Previous Experience**

Applicants with previous experience in a task force program involving more than one jurisdiction, a High Intensity Drug Trafficking Area initiative, a drug court, and / or other regional effort targeting illegal drug activities should briefly describe:

- i) The specific program and any administrative or participatory role played by the applicant (including collaboration with other law enforcement agencies, prosecutors, courts, tribes, and State and Federal agencies).
- ii) Whether and how previous involvement of the applicant in this program resulted in reduced availability, deterred use, and / or increased public awareness of illegal drugs.

Applicants having received previous support through CJSD for any program described above should cite the grant award(s) and date(s).

**d. Evidence of Collaboration in Planning and Implementation**

Collaboration is a key factor in planning and implementing a successful task force program. Applicants must develop the proposal through a collaborative process that involves member agencies and other agencies and organizations that will be impacted by the program, and must describe the nature and extent of this collaborative planning. To the extent possible, the planning group membership should mirror the diversity of the jurisdictions to be targeted by the task force program.

Applicants must also implement the proposed task force program in a collaborative context, and must append to the proposal the Memorandum of Understanding that serves as an operational agreement among member agencies. The Memorandum of Understanding must clearly state the goals of the task force program, list all member agencies and the specific roles and responsibilities of each, and describe the plan for the distribution of forfeited assets.

An authorized official from each proposed task force program member agency must sign both the cover sheet of the application and the Memorandum of Understanding. Failure to include all signatures will result in the application not being accepted for review.

**e. Evidence of Staff Professional and Cultural Competency**

The professional preparation and experience of identified or planned task force program staff must be described in relation to the knowledge and skills needed to manage and operate the program.

The preparation and experience of identified or planned staff must also be described in relation to the ability to work with and provide services to the culturally and otherwise diverse populations in the proposed jurisdictions. These populations may include, but are not limited to, those who are cultural / ethnic minorities, racial minorities, non-English speaking, migrant farm workers, physically or mentally impaired, and lesbian / homosexual / bisexual. Developing and implementing culturally competent workforce relationships and services may take time and training, and should be accounted for in the program timeline as needed.

If there is a need or plan for professional or cultural competency training, the specific type(s) and source(s) of training(s) to be obtained should be described for each member agency. Training is an allowable expense under the JAG Program, and may be included in the Budget.

### **3. Plan for Assessing Program Implementation and Monitoring Program Performance**

Applicants must submit a plan for assessing the implementation and monitoring the performance of the proposed task force program. Data and other information gathered through this plan should be used for program improvement efforts and for reporting on progress to CJSD during the funding period. Applicants are encouraged to use a staff member experienced in evaluation or a contracted evaluation consultant to develop the assessment / monitoring plan and to serve as lead evaluator during the grant period.

Federal, State, and local funding agencies are increasingly asking applicants to use a logic model to explain the chain of events involved in a proposed program. Appendix C provides an example of a task force program logic model that includes inputs, outputs, intermediate outcomes, and impact. In this model, the inputs describe what goes into the program, the outputs describe the activities conducted by the program, the intermediate outcomes describe the results of the program activities, and the intended impact reflects the program goals.

Logic models are particularly helpful in conceptualizing evaluations, and applicants are encouraged to use one of the collaborative planning meetings to create a logic model for the proposed program before developing the assessment / monitoring plan. Although this is not required, it will also help ensure that all member agencies have the same understanding of what the program will entail.

The implementation assessment can be limited to documenting whether the inputs (such as funding, staff, equipment, interagency agreements, policies and procedures, criminal intelligence support systems, and other essential elements) that were planned for the program are in place and being used as intended.

The performance monitoring should be designed to document whether the program is making progress toward achieving its stated goals, as reflected in outputs (such as arrests, seizures, and other program activities) and intermediate outcomes (such as cases accepted for prosecution, convictions, and other results of program activities).

The Narcotics Task Force Performance Measures Project, a collaborative effort between DOJ / BJA and states, is currently developing a national performance measurement system for task force programs. A subset of the list of outputs and intermediate outcomes identified through this collaboration to date has been adopted for use in this Oregon JAG Program solicitation. When developing the performance monitoring plan, applicants must include measures from this list as instructed in Appendix D. However, additional measures may also be included by applicants as needed to best reflect the goals of the proposed program.

For the assessment / monitoring plan, applicants must specify the:

- i) Types of implementation and performance data to be collected.
- ii) Collection schedule for each type of implementation and performance data.
- iii) Existing and newly planned sources for each type of implementation and performance data, including confirmation of access to or ability to develop these sources.
- iv) Previous experience of the applicant agency in collecting, analyzing, and reporting program data, and the administrative and other arrangements that will need to be made in order to successfully complete the assessment / monitoring.
- v) Affiliation, training, and experience of a program staff member or contracted consultant who will serve as lead evaluator.
- vi) Opportunities for program stakeholders (member and non-member agencies impacted by the task force program) to provide input into and receive information resulting from the assessment / monitoring.
- vii) Anticipated expenses related to the assessment / monitoring. Applicants should be careful not to underestimate the amount of time it will take to successfully complete the assessment / monitoring during the grant period. All expenses, including the estimated amount of time or percent of Full Time Equivalent to be

dedicated by the lead evaluator, are allowable under the JAG Program, and may be included in the Budget.

After the awards have been made, CJSD may provide evaluation technical assistance to grantees in order to finalize the details of the assessment / monitoring plans.

To the extent necessary and appropriate, grantees may also be expected to contribute task force program performance measurement data to Federal, State, and local agencies.

#### **4. Proposed Program Budget Worksheet and Budget Narrative**

A detailed budget must be prepared using the format of the Budget Worksheet provided in Appendix E. The Budget Worksheet must be placed at the beginning of this section of the proposal, and be followed by a Budget Narrative that explains the need for each item.

Categories of expenses included on the Budget Worksheet are personnel salaries, contractual / consultant services, rent and utilities, supplies, travel / training / conferences, equipment, administration, evaluation, and other expenses that do not fall under one of the above categories.

The Budget Worksheet must show how the cost of each item was calculated, and must account for grant funds requested in this application, match funds, and all other sources of funds to be used for the proposed program. Because of space limitations on the Budget Worksheet, details of funds to be contributed by each task force

program member agency may be provided in the Budget Narrative.

As noted on page two of this Request for Proposals, a 25% cash match is required. This may be a commitment from State and / or local government, fees, forfeitures, or other non-Federal sources of funding. The availability and sources of the cash match funds must be documented in the application. The authorized official for the task force program administering agency (as identified on the cover page) will be responsible for ensuring the acquisition and expenditure of all cash match funds during the grant period.

The required amount of match funds should be calculated by dividing the requested grant amount by three. For example, a grant request of \$200,000 would require match funds of \$66,667. Of the resulting total of \$266,667 in grant plus match funds, the \$66,667 in match funds would represent the required 25%.

Federal funds, in-kind services, and other non-cash contributions may not be used to fulfill the match requirement. Match and grant funds both constitute program funds, and all conditions that apply to grant funds also apply to match funds. All funds designated as match are restricted to the same uses as grant funds and must be expended within the grant period. Grantees must ensure that match funds are identified in a manner that guarantees their accountability during an audit. If state funds are used for the purposes of the match requirement, a letter of support from the County must be included with a statement that services will not be

decreased to the general population in order to support the program.

### **5. Plan for Program Sustainability**

Applicants must describe their plan to identify sources of continuation funding for the proposed task force program. Continuation funding can be sought through reallocation of resources internal to the grantee and member agencies and / or through external sources (such as Federal, State, local, or foundation). A program that has well documented implementation and performance will have the best chance of obtaining continuation support.

## **VIII. Application Review and Award Decisions**

### **A. Review Process**

CJSD will oversee an impartial review of all applications received by 5:00 PM on Friday, May 19, 2006. Each application will initially be examined for responsiveness to the guidelines provided in this Request for Proposals related to timeliness, page length and format, and contents. An application will be deemed non-responsive if it is submitted late, exceeds 15 pages (plus eight pages of appendices), does not conform to the margin and font requirements, or has a missing or incomplete Cover Sheet, Proposed Program Narrative, Plan for Assessing Program Implementation and Monitoring Program Performance, Proposed Budget Worksheet and Narrative, or Plan for Sustainability. Only those applications deemed responsive will be considered for further review.

The Governor's Drug and Violent Crime Advisory Board will assist CJSD in making grant award recommendations.



All applications that are deemed responsive to the guidelines will be scored by CJSD and members of the Advisory Board. Applications will be scored based on a maximum of 100 points. The possible maximum score for each application section will be as follows:

- **55 points** – Proposed Program Narrative
  - *20 points* - Program Description
  - *10 points* - Demonstration of Need for the Program
  - *05 points* - Applicant Previous Experience
  - *10 points* - Evidence of Collaboration in Planning and Implementation
  - *10 points* - Evidence of Staff Professional and Cultural Competency
- **20 points** – Plan for Assessing Program Implementation and Monitoring Program Performance
- **15 points** – Proposed Budget Worksheet and Budget Narrative
- **10 points** – Plan for Sustainability

After scoring, the geographical distribution of applicants with the highest scores may also be considered in the review process.

### **B. Award Decisions**

The grant award recommendations will be forwarded to the Governor, who will then make final award decisions. CJSD will send decision letters by postal mail on or about June 1, 2006 to the name and address of the authorized official for the task force program administering

agency indicated on the cover sheet of the application.

## **IX. Award Conditions**

### **A. State Administering Agency Award Conditions**

Grantees of the JAG Program must agree to the following grant award conditions set forth by CJSD.

#### **1. Monitoring**

CJSD will monitor whether grantees are operating their programs as described in their approved applications, working toward the goals as reflected in their performance monitoring and as stated in their approved applications or as modified in collaboration with CJSD, and following appropriate fiscal procedures. To assist CJSD in this process, grantees must submit regularly scheduled progress reports and participate in periodic communications and occasional site visits with CJSD.

#### **2. Progress Reports**

Grantees must submit quarterly, annual, and final cumulative program progress reports to CJSD as scheduled.

Progress reports must include:

- i) Data and narrative information on program activities conducted, assessment / monitoring plan activities completed, and progress made toward furthering the goals of the program during the period covered by the report. This information should be reported in relation to the timeline and assessment / monitoring plan proposed by the applicant.

ii) A description of problems encountered during the reporting period in conducting program activities, implementing the assessment / monitoring plan, or furthering the goals of the program, and the steps taken to solve these problems. These steps might require changes in such areas as policies and procedures, use of resources, and internal or external relationships. (Note that substantial program changes must be approved by CJSD.)

In addition to assisting CJSD in monitoring grantees, the progress and cumulative reports may be used by CJSD to assist other agencies implementing task force programs, to justify continued funding of the JAG Program, and to provide information to such entities as the Governor's Office, Legislature, DOJ / BJA, and Congress.

### 3. Requests for Reimbursement

Reimbursements will be made to grantees only for goods or services identified in the approved application budget, and only for actual expenses incurred during the grant period. All requests for reimbursement must include supporting documentation to substantiate claims of expenses incurred. Payments will be withheld when any documentation is not provided and / or any progress report is outstanding. Reimbursements will be made to grantees no more than quarterly unless otherwise determined by CJSD.

### 4. Due Dates for Progress Reports and Requests for Reimbursement

Progress reports and requests for reimbursement will be due within 30

days of the end of each quarter of the grant period as follows:

<b>Quarter:</b>	<b>Due Date:</b>
January 1–March 31	April 30
April 1–June 30	July 31
July 1–September 30	October 31
October 1–December 31	January 31

Annual and final cumulative reports will be due three months following the end of the reporting period, on September 30 of each year.

### 5. Grant Suspension or Termination

Following reasonable notice to grantees and attempts to resolve problems informally, CJSD may suspend funding in whole or in part, terminate funding, or impose another sanction for any of the following reasons:

- Failure of the program to become operational within 60 days of the effective date of the grant, with failure to provide reasons for the delay and the steps taken to initiate the program. An extension to 90 days may be allowed only under unusual circumstances.
- Failure of the program to comply substantially with the requirements or statutory objectives of the JAG Program guidelines issued hereunder, or other provisions of federal law.
- Failure of the program to make satisfactory progress toward the approved goals as reflected in the performance monitoring.
- Failure of the program to adhere to the requirements of the grant award and standard or special conditions.

- Proposing or implementing substantial changes that result in a program that would not have been selected if it had been subjected to the original review of applications.
- Failure of the program to comply substantially with any other applicable Federal or State statute, regulation, or guideline.

### **B. Federal Award Conditions**

Grantees of the JAG Program must also agree to the following Federal grant award conditions set forth by DOJ / BJA.

#### **1. Reimbursement for Expenses**

Reimbursement for expenses incurred for the program must meet the requirements of the most current edition of the *Financial Guide* published by the Department of Justice, Office of Justice Programs, Office of the Comptroller. The *Financial Guide* may be obtained at <http://www.ojp.usdoj.gov/FinGuide/>

#### **2. Confidential Funds Certification**

The authorized official of the task force program administering agency must certify that he or she has read, understands, and agrees to abide by all of the conditions for confidential funds set forth in the most current edition of the *Financial Guide*, Chapter Eight. Appendix F provides the format for the Confidential Funds Certification to be signed and submitted with the application.

#### **3. Unallowable Costs**

Grantees may not use or budget grant award funds for the following items:

- Land acquisition.

- Construction of non-penal or correctional buildings.
- Indirect costs.
- Vehicles.
- Meals not associated with overnight travel. An exception is made for breakfast and dinner as long as the employee is on travel status for a minimum of two hours before the beginning of their regularly scheduled work shift or after the end of their regularly scheduled work shift.
- Meals provided at conferences or training seminars.
- Tips, meal service or related items (i.e., napkins, plates, forks, spoons, and knives) beverages, snacks, candy, food items or bar charges.
- Entertainment, honoraria, gifts, gift certificates, movies, arcades, recreation, or sporting events.
- Fundraising campaigns, endowment drives, or solicitation of gifts and bequests.
- Personal items such as makeovers, membership dues, flowers, cards, social events or promotion of church attendance.
- Grant writing.
- Visas or passport charges.
- Compensation to federal employees.
- Bonuses or commissions.

- Military-type equipment such as armored vehicles, explosive devices, and other types of hardware, excluding automatic weapons.
- Lobbying or attempts to influence members of Congress, the Oregon Legislature, City Councils, County Commissions, or other legislative bodies.
- Corporate formation.
- Interest, interest on non-bearing items, or the cost of money.
- Laundry charges.
- Expenses related to the maintenance or sale of forfeited or seized property.
- Expenses related to clandestine lab clean-up.
- Stipends or incentives.
- Transportation tax.

This is not intended to be an exhaustive list of unallowable items. CJSD reserves the right to modify this list as it deems necessary.

#### **4. Supplanting**

Grantees must use award funds to supplement, not supplant, existing funds. Neither Federal grant nor match funds may replace funds that have already been appropriated, or would otherwise be available, for the proposed program.

#### **5. Drug-Free Work Place, Debarment, and Lobbying**

Grantees must maintain a drug-free workplace, prohibit the use of Federal grant funds by persons debarred or suspended from receiving these funds, and prohibit the use of Federal grant funds for lobbying Members of Congress.

#### **6. Civil Rights Compliance**

Grantees are required to comply with the nondiscrimination requirements of:

- Services to Limited English-Proficient Persons. National origin discrimination includes discrimination on the basis of Limited English Proficient Persons (LEP). To ensure compliance with Title VI and the Safe Streets Act, recipients are required to take reasonable steps to ensure that LEP persons have meaningful access to their programs. Meaningful access may entail providing language assistance services, including oral and written translation, where necessary. The U.S. Department of Justice has issued guidance for grantees to assist them in complying with Title VI requirements. The guidance document can be accessed on the Internet at [www.lep.gov](http://www.lep.gov) or by contacting the OJP Office for Civil Rights at (202) 307-0690.
- Title VI of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000d et seq. (prohibiting discrimination in programs or activities on the basis of race, color, and national origin)
- Omnibus Crime Control and Safe Streets Act of 1968, as amended, 42

U.S.C. §3789d(c) (1) (prohibiting discrimination in employment practices or in programs and activities on the basis of race, color, religion, national origin, and gender).

- Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794 et seq. (prohibiting discrimination in employment practices or in programs and activities on the basis of disability).
- Title II of the Americans with Disabilities Act of 1990, 42 U.S.C. § 12131 (prohibiting discrimination in services, programs, and activities on the basis of disability).
- The Age Discrimination Act of 1975, 42 U.S.C. § 6101-07 (prohibiting discrimination in programs and activities on the basis of age).
- Title IX of the Education Amendments of 1972, 20 U.S.C § 1681 et seq. (prohibiting discrimination in educational programs or activities on the basis of gender).
- If required to formulate an Equal Employment Opportunity Program, grantees must maintain a current copy on file that meets the applicable requirements.

### **7. Single Audit Report**

Grantees who expend \$500,000 or more of Federal funds during their fiscal year are required to submit an organization-wide financial and compliance audit report.

### **8. National Environmental Policy Act Compliance**

This special condition facilitates compliance with the provisions of the National Environmental Policy Act (NEPA) relating to clandestine methamphetamine laboratory operations, including the identification, seizure, or closure of clandestine methamphetamine laboratories [hereinafter, "meth lab operations"]. No monies from this award may be obligated to support meth lab operations unless the grantee implements this special condition.

The Office of Justice Programs (OJP), in consultation with the Bureau of Justice Assistance, the Drug Enforcement Administration, and the Office for Community Oriented Policing Services, prepared a Program-level Environmental Assessment (Assessment) governing meth lab operations. The Assessment describes the adverse environmental, health, and safety impacts likely to be encountered by law enforcement agencies as they implement specific actions under their methamphetamine laboratory operations. Consistent with the assessment, the following terms and conditions shall apply to the grantee for any OJP funded methlab operations:

A. The grantee shall ensure compliance by OJP funded sub-grantees with federal, state, and local environmental, health, and safety laws and regulations applicable to meth lab operations, to include the disposal of the chemicals, equipment, and wastes resulting from those operations.

B. The grantee shall have a Mitigation Plan in place that identifies and

documents the processes and points of accountability within its state. This plan will be used to ensure that the adverse environmental, health, and safety impacts delineated in the Assessment are mitigated in a manner consistent with the requirements of this condition.

C. The grantee shall monitor OJP funded meth lab operations to ensure that they comply with the following nine mitigation measures identified in the Assessment and whose implementation is addressed in the grantee's Mitigation Plan. These mitigation measures must be included as special conditions in all subgrants: (See Part II of this special condition)

- Provide medical screening of personnel assigned or to be assigned by the grantee to the seizure or closure of clandestine methamphetamine laboratories;
- Provide Occupational Safety and Health Administration (OSHA) required initial and refresher training for law enforcement officials and all other personnel assigned to either the seizure or closure of clandestine methamphetamine laboratories;
- As determined by their specified duties, equip the personnel with OSHA required protective wear and other required safety equipment;
- Assign properly trained personnel to prepare a comprehensive contamination report on each seized/closed laboratory;
- Utilize qualified disposal personnel to remove all chemicals and associated glassware, equipment, and contaminated materials and wastes from the site(s) of each seized laboratory;
- Dispose of the chemicals, equipment, and contaminated materials and wastes at properly licensed disposal facilities or, when allowable, at properly licensed recycling facilities;
- Monitor the transport, disposal, and recycling components of subparagraphs numbered 5 and 6 immediately above in order to ensure proper compliance;
- Have in place and implement a written agreement with the responsible state environmental agency. This agreement must provide that the responsible state environmental agency agrees to (i) timely evaluate the environmental condition at and around the site of a closed clandestine laboratory and (ii) coordinate with the responsible party, property owner, or others to ensure that any residual contamination is remediated, if determined necessary by the state environmental agency and in accordance with existing state and federal requirements; and
- Have in place and implement a written agreement with the responsible state or local service agencies to properly respond to any minor, as defined by state law, at the site. This agreement must ensure immediate response by qualified personnel who can (i) respond to the potential health needs of any minor at the site; (ii) take that minor into protective custody unless the minor

is criminally involved in the meth lab activities or is subject to arrest for other criminal violations; (iii) ensure immediate medical testing for methamphetamine toxicity; and (iv)

arrange for any follow-up medical tests, examinations, or health care made necessary as a result of methamphetamine toxicity.

## X. References

- (1) U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance (2005) Edward Byrne Memorial Local Law Enforcement Assistant Grant Program.  
<http://www.ojp.usdoj.gov/BJA/grant/byrne.html>
- (2) U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance (2006) Edward Byrne Memorial Justice Assistance Grant Program.  
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- (3) Hickman, M.J. (2005) Justice Assistance Grant (JAG) Program, 2005. U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistics Technical Report.  
<http://www.ojp.usdoj.gov/bjs/pub/pdf/jagp05.pdf>
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- (7) Brooks, R. (2005) *Statement for the Record, Subcommittee on Criminal Justice, Drug Policy, and Human Resources Committee on Government Reform, United States House of Representatives*.  
<http://www.natlnarc.org/PositionPapers/TestimonySoudersCommittee.pdf>
- (8) U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance (2000) Multijurisdictional Task Forces: Synthesis of State and Local Evaluation Findings. IN: Creating a New Criminal Justice System for the 21<sup>st</sup> Century: Findings and Results from State and Local Program Evaluations. Washington DC: U.S. Department of Justice.  
<http://www.ncjrs.org/pdffiles1/bja/178936.pdf>
- (9) California State University Sacramento (2003) Evaluation of Multi-Jurisdictional Drug Task Forces in California. Conducted for the California Office of Criminal Justice Planning.  
[http://www.oes.ca.gov/Operational/OESHome.nsf/PDF/Evaluation%20of%20Multi-Jurisdictional%20Drug%20Task%20Forces%20in%20California%20-%20Final%20Report%20of%20CSU%20Sacramento/\\$file/MJTFrpt.pdf](http://www.oes.ca.gov/Operational/OESHome.nsf/PDF/Evaluation%20of%20Multi-Jurisdictional%20Drug%20Task%20Forces%20in%20California%20-%20Final%20Report%20of%20CSU%20Sacramento/$file/MJTFrpt.pdf)



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[http://www.ojp.usdoj.gov/BJA/evaluation/psi\\_mtf/](http://www.ojp.usdoj.gov/BJA/evaluation/psi_mtf/)

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<http://www.iir.com/centf/#narc>

(12) U.S. Department of Homeland Security, Office of State and Local Training (2006) *Drug Force Task Supervisor School*.  
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<http://www.mctft.com>

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<http://www.ocjc.state.or.us/PSReview/GvrnrPSRvwLegEd20050126.pdf>

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<http://www.oregondec.org/>

**Appendix A**  
**FY 2006-2008 Justice Assistance Grant Program**  
**TASK FORCE PROGRAM COVER SHEET FORMAT**

**Task Force Program Title:** \_\_\_\_\_  
**Task Force Program Administering Agency:** \_\_\_\_\_  
**Address:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Federal grant funds requested:** \$ \_\_\_\_\_  
**Required minimum match:** \$ \_\_\_\_\_  
**Other match provided:** \$ \_\_\_\_\_  
**Total cost of the program:** \$ \_\_\_\_\_

**Source of Match:** \_\_\_\_\_

**Program contact:** \_\_\_\_\_ **e-mail address:** \_\_\_\_\_  
**Phone:** (\_\_\_\_) \_\_\_\_\_ **fax:** (\_\_\_\_) \_\_\_\_\_

**Fiscal contact:** \_\_\_\_\_ **e-mail address:** \_\_\_\_\_  
**Phone:** (\_\_\_\_) \_\_\_\_\_ **fax:** (\_\_\_\_) \_\_\_\_\_

**Administering agency Federal Tax Identification Number:** \_\_\_\_\_

**Authorized official for task force administering agency:** \_\_\_\_\_  
**Signature of authorized official:** \_\_\_\_\_

**2<sup>nd</sup> Task force member agency:** \_\_\_\_\_  
**Authorized official for task force member agency:** \_\_\_\_\_  
**Signature of authorized official:** \_\_\_\_\_

**3<sup>rd</sup> Task force member agency:** \_\_\_\_\_  
**Authorized official for task force member agency:** \_\_\_\_\_  
**Signature of authorized official:** \_\_\_\_\_

**4<sup>th</sup> Task force member agency:** \_\_\_\_\_  
**Authorized official for task force member agency:** \_\_\_\_\_  
**Signature of authorized official:** \_\_\_\_\_

**5<sup>th</sup> Task force member agency:** \_\_\_\_\_  
**Authorized official for task force member agency:** \_\_\_\_\_  
**Signature of authorized official:** \_\_\_\_\_

*Please add an additional sheet for additional member agencies as needed.*

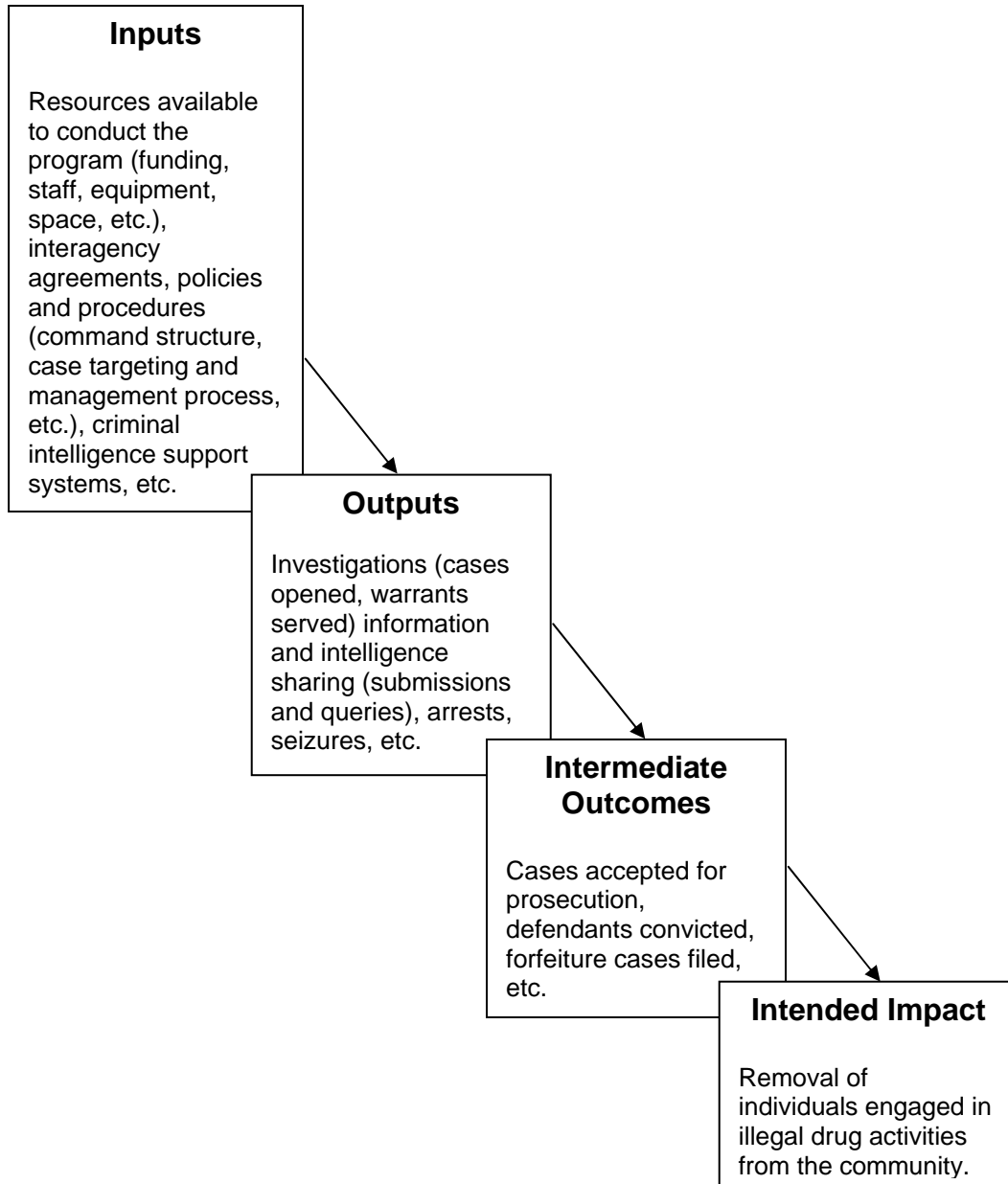
**Appendix B**  
**FY 2006-2008 Justice Assistance Grant Program**  
**TASK FORCE PROGRAM IMPLEMENTATION TIMELINE FORMAT**

Activity *	Month in Program Year 1: FY 2006-2007												Month in Program Year 2: FY 2007-2008											
	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J
<b>Program Planning and Operation</b>																								
Finalize Administrative / Operational Arrangements																								
Identify / Hire Staff and Consultants																								
Purchase Equipment and Supplies																								
Train Staff																								
Begin Program Operations																								
Hold Member Agency Meetings																								
Hold Meetings with Non-Member Agencies																								
<b>Program Assessment and Monitoring</b>																								
Test / Modify Data Collection Methods																								
Develop Database																								
Collect Data: Implementation Assessment																								
Collect Data: Performance Monitoring																								
Enter Data																								
Analyze Data																								
<b>Progress Reports</b>																								
Quarterly Reports Due																								
First Year Annual Report Due																								
Final Cumulative Report Due																								Sept 2008

\* These activities are examples only; applicants may include these and / or others as appropriate.

**Appendix C**  
**FY 2006-2008 Justice Assistance Grant Program**  
**TASK FORCE PROGRAM LOGIC MODEL EXAMPLE**

In this example of a task force program logic model, the inputs describe what goes into the program, the outputs describe the activities conducted by the program, the intermediate outcomes describe the results of the program activities, and the intended impact reflects the program goals.



**Appendix D**  
**FY 2006-2008 Justice Assistance Grant Program**  
**TASK FORCE PROGRAM PERFORMANCE MEASURES**

The following **outputs and intermediate outcomes** are derived from a list of task force program performance measures currently under development by DOJ / BJA. Applicants for Oregon JAG Program funding must incorporate these measures into the proposed performance monitoring plan. Those outputs and / or intermediate outcomes listed below that are not relevant to the proposed program should be noted at the end of the performance monitoring plan.

From the outputs related to **investigations, seizures, and information and intelligence sharing**, applicants must include each of the following measures:

**Investigations**

- Number of cases opened
- Number of search warrants served
- Number of individuals arrested
- Number of deconfliction events
- Number of cases closed not resulting from arrest or prosecution
- Number of assists to outside agencies

**Seizures**

- Drug seizure amounts and values (by drug type)
- Number of labs seized (by drug type)
- Number of firearms seized
- Number of cannabis-growing operations seized
- Value of assets seized

**Information and intelligence sharing**

Criminal intelligence

- Number of submissions to an intelligence database
- Number of queries resulting in investigative action

Referrals

- Number of tips / leads referred to other agencies (other than counterterrorism)
- Number of drug-endangered child referrals to appropriate child services agencies

Education and awareness

- Number of prevention / awareness trainings conducted
- Number of citizen / community-initiated investigations
- Number of trainings to law enforcement agencies by type (including number of participants)

**Appendix D (continued)**  
**FY 2006-2008 Justice Assistance Grant Program**  
**TASK FORCE PROGRAM PERFORMANCE MEASURES**

From the intermediate outcomes related to **prosecution and conviction**, and **forfeitures**, applicants must include each of the following measures:

**Prosecution and conviction**

- Number of State cases accepted for prosecution
- Number of Federal cases accepted for prosecution
- Number of defendants convicted in State cases
- Number of defendants convicted in Federal cases

**Forfeitures**

- Number of State forfeiture cases filed
- Number of Federal forfeiture cases filed
- Value of assets forfeited (cash, vehicles, real property, etc.)

Applicants are also encouraged to include other outputs and intermediate outcomes, beyond those identified above, in the performance monitoring plan.



**Appendix F**  
**FY 2006-2008 Justice Assistance Grant Program**  
**CONFIDENTIAL FUNDS CERTIFICATION FORMAT**

Reimbursement for expenses incurred by task force programs receiving Edward Byrne Memorial Justice Assistance Grant Program funding must meet the conditions for the use of confidential funds described in the most current edition of the *Financial Guide* published by the Department of Justice, Office of Justice Programs, Office of the Comptroller, Chapter Eight. The *Financial Guide* may be obtained at [www.ojp.usdoj.gov/FinGuide/](http://www.ojp.usdoj.gov/FinGuide/)

The authorized official for the task force administering agency must sign and date this form as follows:

**This is to certify that I have read, understand, and agree to abide by all of the conditions for confidential funds set forth in the most current edition of the *Financial Guide*.**

**Task force program title:**

---

**Authorized official for task force program administering agency:**

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**Signature of authorized official:**

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**Date:** \_\_\_\_\_