

**EDWARD BYRNE MEMORIAL STATE AND LOCAL LAW
ENFORCEMENT ASSISTANCE FORMULA /
JUSTICE ASSISTANCE GRANT PROGRAM
Fiscal Year 2007 Second Year of Funding Request for Proposals**

APPLICATION INSTRUCTIONS AND REQUIREMENTS

**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: July 13, 2007

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MULTIJURISDICTIONAL DRUG TASK FORCES

Introduction

The Criminal Justice Services Division (CJSD) of the Oregon State Police is soliciting renewal applications of currently funded Multijurisdictional Drug Task Force programs for FY 2007. These funds are made available through the Edward Byrne Memorial State and Local Law Enforcement Assistance Formula / Justice Assistance Grant Program (Byrne/JAG Program) to support Multijurisdictional Drug Task Forces and related programs that advance the goals of Multijurisdictional Drug Task Forces.

This solicitation is for the second of two years of funding as described in last year's Request for Proposals (RFP). The second year of funding is based on the grantee's performance and compliance with award conditions during the first year.

State Administering Agency

As the State Administering Agency for the Byrne/JAG Program, CJSD collaborates with the Governor's Office in determining funding priority areas and authorizing distributions.

**Eligible Applicants and
Duration of Funding**

Grant funds are earmarked as non-competitive for current funded multijurisdictional drug task forces and will be allocated at the same level as FY 2006. Second year funding will begin on July 1, 2007 and end June 30, 2008.

Application Due Date

One original and three copies of the application must be **received (not post-marked) by 5:00 PM Friday, July 13, 2007**. 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.

**Criminal Justice Services Division
Oregon State Police
4760 Portland Road NE
Salem, OR 97305
Phone: (503) 378-4145**

Application Instructions and Requirements

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 renewal application.

Program Narrative

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.

Applicants are allowed to copy and submit Sections 2 (a. thru e.), Section 3, and Section 5 from the first year's application as the narrative content of the renewal application. Please make necessary revisions and/or modifications to any section/sub-section and include in the submission of the renewal application.

Proposed Program Budget Worksheet and Budget Narrative

A detailed budget must be prepared using the format of the Budget Worksheet provided in Appendix B. The Budget Worksheet should 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.

A 25 percent 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 renewal 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 percent.

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.

Application Review and Award Decisions

Review Process

CJSD staff and a review committee will oversee an impartial review of all renewal applications

Award Decisions

The grant award recommendations will be forwarded to the Governor's office, who will then make final award decisions. CJSD will then send decision letters and grant agreements (contracts) to the name and address of the authorized official for the task force program administering agency indicated on the cover sheet of the renewal application.

Award Conditions

State Administering Agency Award Conditions

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

Monitoring

CJSD will monitor whether grantees are operating their programs as described in their approved renewal applications, working toward the goals as reflected in their performance monitoring and as stated in their approved renewal

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.

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 Byrne/JAG Program, and to provide information to such entities as the Governor's Office, Legislature, DOJ / BJA, and Congress.

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.

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 Byrne / 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.

Federal Award Conditions

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

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/>

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.

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.

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.

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.

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 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.

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.

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.

Appendix A
FY 2007 Byrne / 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: _____

2nd Task force member agency: _____
Authorized official for task force member agency: _____
Signature of authorized official: _____

3rd Task force member agency: _____
Authorized official for task force member agency: _____
Signature of authorized official: _____

4th Task force member agency: _____
Authorized official for task force member agency: _____
Signature of authorized official: _____

5th 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 C
FY 2007 Byrne / Justice Assistance Grant Program
TASK FORCE PROGRAM CONFIDENTIAL FUNDS CERTIFICATION FORMAT

Reimbursement for expenses incurred by task force programs receiving Edward Byrne Memorial State and Local Law Enforcement Assistance Formula / 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/

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:

Signature of authorized official:

Date: _____