



Bureau of Justice Statistics Technical Report

July 2005, NCJ 209333

Justice Assistance Grant (JAG) Program, 2005

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As part of the Consolidated Appropriations Act of 2005, the 108th Congress merged the Edward Byrne Memorial Grant Program (Byrne) with the Local Law Enforcement Block Grant Program (LLEBG) to establish the Edward Byrne Memorial Justice Assistance Grant Program (JAG). The Bureau of Justice Assistance (BJA) administers the JAG program, and the Bureau of Justice Statistics (BJS) calculates the JAG formulas.

The total funds made available for FY 2005 JAG awards was \$495.5 million. The program has six purpose areas under which funds may be awarded:

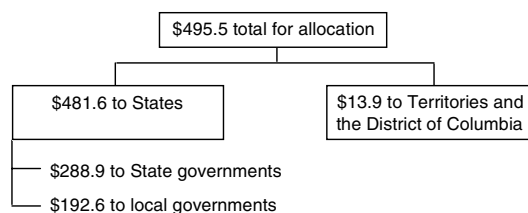
- Law enforcement programs
- Prosecution and court programs
- Prevention and education programs
- Corrections and community corrections programs
- Drug treatment programs
- Planning, evaluation, and technology improvement programs

JAG funds can be used to pay for personnel, overtime, and equipment.

This BJS Technical Report describes the steps in the JAG formula calculation process and presents summary results of the FY 2005 formula calculations.

Highlights

Distribution of FY 2005 JAG funds, in millions



- The total FY 2005 JAG funds for allocation was \$495.5 million.
- The five largest total State allocations, in millions of dollars, included California (\$58.4), Texas (\$35.2), Florida (\$32.8), New York (\$30.1), and Illinois (\$22.4).
- 2,190 local governments were eligible for awards. The five largest eligible awards, in millions of dollars, included New York City (\$8.7), Los Angeles (\$5.7), Chicago (\$5.7), Philadelphia (\$3.1), and Houston (\$2.7).

Formula calculation process

There are six steps in the JAG formula calculation process:

Step 1: Initial allocation to States and territories

In the first step, initial allocations to States and territories are calculated. Half of the available funds are allocated based on the State's or Territory's share of violent crime, and half of the funds are allocated based on the State's or Territory's share of population. Violent crime is computed as a 3-year average using figures published in the FBI's annual *Crime in the United States*. Population figures are from the Census Bureau.

For the FY 2005 JAG calculations, crime data were for 2000-02, and population data were for 2002.

Examples:

- California accounts for 14.6% of total violent crime and 12.0% of total population. California's initial allocation is 14.6% of 50% of \$495.5 million plus 12.0% of 50% of \$495.5 million, or about \$66 million.
- Vermont accounts for 0.05% of total violent crime and 0.21% of total population. Vermont's initial allocation is 0.05% of 50% of \$495.5 million plus 0.21% of 50% of \$495.5 million, or about \$637,000.

Step 2: De minimus awards

All States and territories receive a de minimus award equal to 0.25% of the total JAG allocation (\$1,238,750 each, or \$69,370,000 total, for FY 2005). If a State's or Territory's initial allocation based on crime and population (from Step 1) is less than the de minimus, the State or territory receives the de minimus as their total JAG allocation.

Examples:

- California's initial allocation of \$66 million exceeds the de minimus value, so California will receive the de minimus plus an award based on their share of total violent crime and population.
- Vermont's initial allocation of \$637,000 is less than the de minimus value, so Vermont's total JAG allocation will be \$1,238,750.

Step 3: Recalculation of crime and population based awards

The crime and population data for States and territories receiving only the de minimus award (from Step 2) are removed from the pool, and remaining JAG funds (less the de minimus awards) are reallocated based on violent crime and population. The resulting award is then added to the de minimus.

Examples:

- Vermont received only the de minimus award, so Vermont's crime and population data are removed from the pool.
- After removing the de minimus States, California accounts for 14.7% of total violent crime and 12.1% of population. Their new JAG allocation is equal to 14.7% of 50% of \$426.13 million plus 12.1% of 50% of \$426.13 million, plus the de minimus award, or about \$58.3 million.

Step 4: 60/40 split to State and local governments

Except for the Territories and the District of Columbia, 60% of the total allocation to a State is retained by State government, and 40% is set-aside for local governments.

Examples:

- California State government retains 60% of \$58.3 million, or about \$35 million. The remaining 40%, or \$23.3 million, is set aside for distribution to local governments in California.
- Vermont State government retains 60% of the de minimus, or \$743,250. The remaining 40%, or \$495,500, is set aside for distribution to local governments in Vermont.

Step 5: Calculation of State "dollars per crime" and "threshold"

Awards to local governments are based on their share of the average of violent crimes the State reported to the FBI over 3 years. The minimum local award amount under the JAG program is \$10,000. To determine whether a local government is eligible for a JAG award, it is necessary to calculate the amount of crime for a minimum award in that State.

Dividing the total local set-aside for a State by the 3-year average of violent crimes reported within the State results in the number of dollars available for each violent crime. Dividing the minimum \$10,000 award amount by the number of dollars available per crime results in the threshold amount of crime necessary in order to be eligible for a JAG award.

Examples:

- California has \$23.3 million set-aside for local governments. The sum of 3-year average violent crimes reported by jurisdictions in California is 210,215 crimes. Dividing the set-aside by total crime results in the number of dollars available for each

crime: \$23.3 million/210,215 crimes = \$111 per crime. Therefore, a local California jurisdiction needs a 3-year average of at least 90 violent crimes (\$10,000/\$111) to be eligible for a JAG award.

- Vermont has \$495,500 set-aside for local governments. The sum of 3-year average violent crimes reported is 640 crimes. Dollars per crime in Vermont equal \$495,500/640 crimes or \$774 per crime. The threshold is 13 violent crimes (\$10,000/\$774) to be eligible for a JAG award.

Step 6: Determination of local governments eligible for JAG awards

The JAG legislation specifies that allocations to local governments are based on their share of the total violent crime reported by like units of government within the State. However, the 'Transitional Rule' at § 505(d)(2)(B) specifies that allocations to units of local government for FY 2005 through FY 2007 will follow the LLEBG formula.

Within each State, local governments meeting the threshold for the minimum JAG award are eligible for an award based on the local government's share of the State total 3-year average violent crimes reported to the FBI.

Examples:

- Oakland, California, has a 3-year average of 5,343 violent crimes, or 2.5% of all violent crimes reported by jurisdictions in California. Oakland exceeds the State threshold of 90 violent crimes. They are eligible for 2.5% of the \$23.3 million set-aside for local governments in California, or about \$590,000.
- The City of Morristown, Vermont, has a 3-year average of five violent crimes. They do not meet the State threshold of 13 violent crimes, so they are ineligible for a JAG award. Their crime – less than 1% of all violent crime in Vermont – accounts for about \$4,000 of award funds. These funds are transferred to the State for redistribution.

Results of the FY 2005 JAG formula

In FY 2005, \$288.9 million of the \$495.5 million available was allocated to the 50 States (table 1). In addition, the District of Columbia was eligible for \$3.0 million, and Puerto Rico was eligible for \$5.9 million (table 2). American Samoa, Guam, the Northern Mariana Islands, and the Virgin Islands were each eligible for \$1.2 million.

In FY 2005 \$192.6 million was allotted to local governments. A total of 2,190 local governments met the threshold number of crimes necessary to receive a JAG award and were eligible for \$163.7 million. The balance of unawarded local allocated funds (\$28.9 million) have been returned to the States for redistribution to State police and local governments.

Table 2. Territories and District of Columbia allocations, FY 2005

Territories and D.C.	Award amount
Total	\$13,927,900
American Samoa	\$1,238,750
Northern Mariana	1,238,750
Guam	1,238,750
Puerto Rico	5,933,430
Virgin Islands	1,238,750
District of Columbia	\$3,039,470

Table 1. State and local allocation amounts, FY 2005

State	Initial allocations to –		Dollars per crime	Threshold of violent crimes	Eligible local awards		Balance to State for redistribution
	State governments	Local governments			Number of eligible local awards	Eligible local award amounts	
Total	\$288,943,259	\$192,628,841	--	--	2,190	\$163,739,001	\$28,889,840
Alabama	\$4,543,164	\$3,028,776	\$148.65	67.27	43	\$2,337,869	\$690,097
Alaska	743,250	495,500	147.21	67.93	5	316,594	178,906
Arizona	5,711,941	3,807,961	117.39	85.19	36	3,575,103	232,858
Arkansas	2,999,348	1,999,565	174.69	57.24	38	1,534,210	465,355
California	35,015,830	23,343,886	111.04	90.06	273	22,234,174	1,109,712
Colorado	4,095,619	2,730,413	188.83	52.96	30	2,336,803	393,610
Connecticut	3,264,814	2,176,542	196.29	50.94	28	1,785,272	391,270
Delaware	1,547,850	1,031,900	182.96	54.66	8	519,549	512,351
Florida	19,699,894	13,133,263	101.08	98.93	150	12,300,960	832,303
Georgia	8,159,689	5,439,793	137.40	72.78	81	4,500,412	939,381
Hawaii	1,569,980	1,046,653	324.85	30.78	4	1,046,653	0
Idaho	1,632,112	1,088,075	318.90	31.36	21	813,187	274,888
Illinois	13,427,061	8,951,374	125.90	79.43	62	8,054,550	896,824
Indiana	5,429,828	3,619,885	172.15	58.09	39	3,015,461	604,424
Iowa	2,757,934	1,838,623	232.59	42.99	22	1,475,271	363,352
Kansas	2,883,315	1,922,210	170.57	58.63	25	1,496,411	425,799
Kentucky	3,557,778	2,371,852	163.41	61.19	29	1,488,162	883,690
Louisiana	5,423,724	3,615,816	121.49	82.31	55	3,161,824	453,992
Maine	1,442,276	961,518	682.17	14.66	20	529,816	431,702
Maryland	6,893,931	4,595,954	108.90	91.82	29	4,258,538	337,416
Massachusetts	6,319,362	4,212,908	128.92	77.57	66	3,502,628	710,280
Michigan	10,090,238	6,726,825	123.27	81.12	76	5,595,321	1,131,504
Minnesota	4,168,433	2,778,955	208.71	47.91	37	2,054,735	724,220
Mississippi	2,908,051	1,938,701	243.30	41.10	37	1,510,327	428,374
Missouri	5,882,059	3,921,373	133.99	74.63	40	2,984,000	937,373
Montana	1,400,598	933,732	310.55	32.20	24	710,549	223,183
Nebraska	1,991,068	1,327,379	246.42	40.58	7	1,137,471	189,908
Nevada	2,793,249	1,862,166	151.59	65.97	9	1,754,691	107,475
New Hampshire	1,496,791	997,860	639.45	15.64	23	645,631	352,229
New Jersey	7,439,564	4,959,710	152.63	65.52	75	4,048,944	910,766
New Mexico	2,805,233	1,870,155	133.57	74.87	32	1,618,266	251,889
New York	18,078,583	12,052,389	117.69	84.97	38	10,875,639	1,176,750
North Carolina	7,976,154	5,317,436	134.06	74.59	89	4,480,698	836,738
North Dakota	743,250	495,500	1014.68	9.86	10	374,415	121,085
Ohio	9,304,224	6,202,816	163.86	61.03	57	5,240,740	962,076
Oklahoma	3,848,295	2,565,530	144.92	69.00	31	1,907,946	657,584
Oregon	3,281,202	2,187,468	192.76	51.88	26	1,771,746	415,722
Pennsylvania	10,707,341	7,138,227	146.63	68.20	51	5,124,558	2,013,669
Rhode Island	1,497,139	998,093	316.92	31.55	12	860,654	137,439
South Carolina	5,392,842	3,595,228	120.02	83.32	71	3,185,744	409,484
South Dakota	743,250	495,500	295.44	33.85	8	354,921	140,579
Tennessee	7,008,724	4,672,483	112.56	88.84	60	3,953,164	719,319
Texas	21,120,388	14,080,259	116.84	85.59	130	12,459,825	1,620,434
Utah	2,260,758	1,507,172	279.39	35.79	20	1,213,951	293,221
Vermont	743,250	495,500	773.61	12.93	8	220,995	274,505
Virginia	5,816,923	3,877,949	189.65	52.73	53	3,306,399	571,550
Washington	5,331,947	3,554,631	167.18	59.82	48	3,091,069	463,562
West Virginia	1,987,602	1,325,068	237.92	42.03	18	522,318	802,750
Wisconsin	4,264,153	2,842,769	225.63	44.32	24	2,157,835	684,934
Wyoming	743,250	495,500	377.09	26.52	12	293,002	202,498

Additional JAG provisions

Passthrough requirement

States may only retain award amounts that bear the same ratio of "total expenditures on criminal justice by the State government in the most recently completed fiscal year to ... the total expenditure on criminal justice by the State government and units of local government within the State in such year."

Disparate jurisdictions

In some cases, a disparity may exist between funding eligibility of a county and associated municipalities. A potential disparity exists when a unit of local government (such as a county) bears more than 50% of the costs of prosecution or incarceration that arise in association with violent crimes reported by a constituent unit of local government (such as a municipality), and funds eligible to any one constituent unit of local government exceeds 150% of the amount eligible to the larger unit of local government, or 400% for multiple units of government.

To qualify for payment, the unit of local government, together with any such specified geographically contiguous local government, must submit a joint application to the Attorney General for the aggregate of funds allocated to the units of local government.

Provisions not yet implemented

The 'Transitional Rule' found at § 505(d)(2)(B) specifies that allocations to units of local government for FY 2005 through FY 2007 will follow the LLEBG formula. In the absence of congressional action, the following provisions will take effect for FY 2008 and subsequent JAG calculations.

Non-reporting jurisdictions

Local governments that have not reported at least 3 years of Part I crime data to the FBI within the immediately

preceding 10 years will be ineligible for JAG funding.

Local allocations based on crime in like units of government

The allocation of JAG funds to local governments will be based on the local government's share of 3-year average violent crimes reported by like units of government (for example, other cities, townships, and counties) within the State.

Maximum allocation to local units of government

Units of local government may not receive a JAG award that "exceeds such units total expenditures on criminal justice services for the most recently completed fiscal year for which data are available." Award amounts in excess of total expenditures "shall be allocated proportionately among units of local government whose allocations ... do not exceed their total expenditures on such services."

Methodology

The data used to calculate the allocation amounts are provided by the FBI's Uniform Crime Reporting (UCR) program and the Governments Division at the Census Bureau. The most recent State-level violent crime data are obtained from the FBI's *Crime in the United States* (CIUS) on an annual basis. Data for local jurisdictions are obtained in an electronic format directly from the FBI. For FY 2005, data through 2002 were used.

The sum of the UCR violent crimes for all local governments within a State will not equal the amount reported by that State in the FBI's annual publication. BJS uses the published UCR State figures, which represent official FBI estimates of crime in a State. The FBI imputes crime data to adjust for nonreporting local agencies. These imputed values attributed to nonreporting local jurisdictions do not appear on the electronic datafile provided to BJS and are not used in the formula calculation.

The Bureau of Justice Statistics is the statistical agency of the U.S. Department of Justice. Lawrence A. Greenfeld is director.

Matthew J. Hickman, BJS Statistician, wrote this report under the supervision of Steven K. Smith. Matthew Hanson of the Bureau of Justice Assistance reviewed the report. Tom Hester of BJS edited it.

July 2005, NCJ 209333

Office of Justice Programs
Partnerships for Safer Communities
<http://www.ojp.usdoj.gov>

Sources of additional information

The text of H.R. 3036, "Department of Justice Appropriations Authorization Act, FY 2004 through 2006," can be found at the Library of Congress website <<http://thomas.loc.gov>>. Refer to Title II, Subpart 1, "Edward Byrne Memorial Justice Assistance Grant Program." Formula details are found in Section 505. The provisions of H.R. 3036 are implemented by Public Law 108-447, "Consolidated Appropriations Act, 2005." PL 108-447 can be found at the Library of Congress website.

More information about the JAG program and application process can be found on the Bureau of Justice Assistance (BJA) website: <<http://www.ojp.usdoj.gov/BJA>>. The Edward Byrne Memorial Justice Assistance Grant (JAG) Program was proposed to streamline justice funding and grant administration. Administered by the BJA, the JAG Program allows States, tribes, and local governments to support a broad range of activities to prevent and control crime, based on local needs and conditions. JAG blends the previous Byrne Formula and Local Law Enforcement Block Grant (LLEBG) Programs.