



BJA Bureau of Justice Assistance Fact Sheet

Nancy E. Gist, Director

FY 1997 Local Law Enforcement Block Grants Program

The Omnibus Fiscal Year 1997 Appropriations Act, Public Law 104-208, provides \$523 million for the implementation of the Local Law Enforcement Block Grants (LLEBG) Program, to be administered by the Bureau of Justice Assistance (BJA), U.S. Department of Justice. The purpose of the LLEBG Program is to provide funds to units of local government to underwrite projects to reduce crime and improve public safety. These projects must be funded in accordance with the seven purpose areas described below.

Program Purpose Areas

LLEBG Program funds may be used for one or more of the following seven purpose areas:

- ❑ Law enforcement support for:
 - Hiring, training, and employing on a continuing basis new, additional law enforcement officers and necessary support personnel. (If funds are used for hiring law enforcement officers, there must be a net gain over the unit of local government's current appropriated budget in the number of law enforcement officers who perform nonadministrative public safety service.)
 - Paying overtime to presently employed law enforcement officers and necessary support personnel for the purpose of increasing the number of hours worked by such personnel.
 - Procuring equipment, technology, and other material directly related to basic law enforcement functions.
- ❑ Enhancing security measures in and around schools and in and around any other facility or location that the unit of local government considers a special risk for incidents of crime.
- ❑ Establishing or supporting drug courts. To be eligible for funding, a drug court program must include the following:
 - Continuing judicial supervision of nonviolent offenders with substance abuse problems.
 - Integrating the administration of other sanctions and services, which should include (i) mandatory periodic testing of each participant for the use of controlled substances or other addictive substances during any period of supervised release or probation; (ii) substance abuse treatment for each participant; (iii) probation or other supervised release involving possible prosecution, confinement, or incarceration because of noncompliance with program requirements or failure to show satisfactory progress; and (iv) programmatic offender management and aftercare services such as relapse prevention, vocational job training, and job and housing placement.
- ❑ Enhancing the adjudication of cases involving violent offenders, including cases involving violent juvenile offenders. For the purposes of this program, a violent offender is defined as a person charged with committing a Part I violent crime under the Uniform Crime Reports.
- ❑ Establishing, particularly in rural areas, a multijurisdictional task force composed of law

enforcement officials who represent units of local government. This task force will work with Federal law enforcement officials to prevent and control crime.

- ❑ Establishing crime prevention programs involving cooperation between community residents and law enforcement personnel to control, detect, or investigate crime or to prosecute criminals.
- ❑ Defraying the cost of indemnification insurance for law enforcement officers.

Prohibition on Use of Funds

LLEBG funds are not to be used to purchase, lease, rent, or acquire tanks or armored vehicles, fixed-wing aircraft, limousines, real estate, yachts, or any vehicle not used primarily for law enforcement. Funds also are not to be used to retain consultants. Construction of new facilities is also prohibited. In addition, Federal funds may not supplant State or local funds; they must increase the amount of funds that would be available otherwise from State and local sources.

Eligibility for Funds

Units of local government are eligible to apply for an award. Units of local government are counties, towns and townships, villages, cities, parishes, Indian tribes, and Alaskan Native villages that carry out substantial governmental duties.

Matching Funds Requirement

LLEBG funds may not exceed 90 percent of total program costs, and participation requires a cash match which will not be waived. Matching funds may be provided from the following sources: State and local government funds, the Housing and Community Development Act of 1974, the Appalachian Regional Development Act, the Equitable Sharing Program (Federal asset-forfeiture distributions), and private funds. All recipients must maintain records clearly showing the source, amount, and timing of all matching contributions.

Program Requirements for Units of Local Government

To be eligible for LLEBG funds, a jurisdiction must submit an application signed by its chief executive (e.g., mayor, county executive, or tribal chairman). In addition, each jurisdiction's chief executive must:

- ❑ Establish an advisory board to review the application. This board must be designated to make nonbinding recommendations for the jurisdiction's proposed use of LLEBG funds. The advisory board must include a member from at least each of the following: the local law enforcement agency, prosecutor's office, court system, and school system, as well as a nonprofit group (e.g., educational, religious, or community group) active in crime prevention or drug use prevention or treatment.
- ❑ Hold at least one public hearing regarding the proposed use of funds.
- ❑ Forward the application to the Governor or designated representative at least 20 days prior to submission to BJA, as required by statute.

The first two steps need not occur prior to applying for funds, but they must occur prior to the obligation of funds and the issuance of a Grant Adjustment Notice (GAN) by BJA.

If funds are spent on the hiring of additional law enforcement officers, units of local government must give suitable preference to members of the U.S. Armed Forces who were involuntarily separated or retired due to reductions in the U.S. Department of Defense.

Distribution of Awards

The Director of BJA will set aside funds for units of local government within a State. The amounts will be proportionate to the State's average annual number of Part I violent crimes compared to the number for all States for the 3 most recent calendar years of data from the Federal Bureau of Investigation. However, each State will receive a minimum award of 0.25 percent of the total amount available for formula distribution under the LLEBG Program.

Awards to units of local government will be proportionate to each local jurisdiction's average annual number of Part I violent crimes compared to the number for all local jurisdictions in the State for the 3 most recent calendar years.

- ❑ BJA will make awards directly to units of local government when award amounts are at least \$10,000. Each unit of local government eligible to apply for an award of \$10,000 or more will be notified by BJA.
- ❑ Each State will receive the remainder of its allocation for local applicants whose award amounts are less than \$10,000. BJA will make one aggregate

award directly to the State. The State will distribute these funds to State police departments that provide law enforcement services to units of local government and/or to units of local government whose allotment is less than \$10,000. All funds must be used to reduce crime and improve public safety.

Each recipient must establish a trust fund for program funds, which may accrue interest. All Federal funds (including interest) not expended 2 years from the date of the initial award are to be returned to BJA within 90 days of project termination.

Section 104(b)(9) of the Omnibus Fiscal Year 1997 Appropriations Act contains the following provision to accommodate potential funding disparities within jurisdictions:

- (A) Notwithstanding any other provision of this title, if —
- (i) the attorney general of a State certifies that a unit of local government under the jurisdiction of the State bears more than 50 percent of the costs of prosecution or incarceration that arise with respect to Part I violent crimes reported by a specified geographically constituent unit of local government, and
 - (ii) but for this paragraph, the amount of funds allocated under this section to —
 - (I) any one such specified geographically constituent unit of local government exceeds 200 percent of the amount allocated to the unit of local government certified pursuant to clause (i), or
 - (II) more than one such specified geographically constituent unit of local government [excluding units of local government referred to in subclause I and in paragraph (7)], exceeds 400 percent of the amount allocated to the unit of local government certified pursuant to clause (i) and the attorney general of the State determines that such allocation is likely to threaten the efficient administration of justice, then in order to qualify for payment under this title, the unit of local government certified pursuant to clause (i), together with any such specified geographically constituent units of local government described in clause (ii), shall submit to the Director a joint application for the aggregate of funds allocated to such units of local government. Such application shall specify the amount of such funds that are to be distributed to each of the units of local government and the purposes for which such funds are to be used. The units of local government involved may establish a joint local advisory board for the purposes of carrying out this paragraph.
- (B) In this paragraph, the term ‘geographically constituent unit of local government’ means a unit of local government

that has jurisdiction over areas located within the boundaries of an area over which a unit of local government certified pursuant to clause (i) has jurisdiction.

When a potential funding disparity exists in a county’s allocation compared with that of a single municipality (200 percent), the State attorney general need only certify that a county under the jurisdiction of the State bears more than 50 percent of prosecution or incarceration costs arising from Part I violent crimes reported by the municipality.

When a funding disparity exists in a county’s allocation compared with that of multiple municipalities (400 percent), the State attorney general must certify that the county bears more than 50 percent of prosecution or incarceration costs arising from Part I violent crimes reported by the municipalities, AND that funding allocated under the LLEBG Program would threaten the efficient administration of justice within the county.

If the attorney general certifies to the applicable circumstances, the involved jurisdictions will be required by statute to develop and submit a joint spending plan. The joint spending plan may be submitted after the jurisdictions have been funded. State attorney general certifications for fiscal year 1997 grant recipients are due to BJA by 5 p.m. eastern time July 11, 1997.

As required by section 615 of the Omnibus Fiscal Year 1997 Appropriations Act, LLEBG Program applicants must be in compliance with the following in order to receive an award for their entire eligible amount:

- ❑ Of the funds appropriated in this Act under the heading “OFFICE OF JUSTICE PROGRAMS State and Local Law Enforcement Assistance,” not more than 90 percent of the amount to be awarded to an entity under the Local Law Enforcement Block Grants shall be made available to such an entity when it is made known to the Federal official having authority to obligate or expend such funds that the entity that employs a public safety officer (as such term is defined in section 1204 of title I of the Omnibus Crime Control and Safe Streets Act of 1968) does not provide such a public safety officer who retires or is separated from service due to injury suffered as a direct and proximate result of a personal injury sustained in the line of duty while responding to an emergency situation or a hot pursuit (as such terms are defined by State law) with the same or better level of health insurance benefits that are paid by the entity at the time of retirement or separation.

Administration of Funds by States

The Governor shall designate a State agency to administer LLEBG funds. The designated State agency will be responsible for submitting the State's application, selecting subrecipients to receive funds, disbursing funds, and performing other administrative functions.

Deadline for Submissions

BJA will distribute application kits for local jurisdictions eligible for direct awards and State applicants no later than May 31, 1997. All applications must be received by July 11, 1997. BJA will begin making awards on a rolling basis as applications are received.

For More Information

To find out more about the LLEBG Program, contact the following offices:

Bureau of Justice Assistance

633 Indiana Avenue NW.

Washington, DC 20531

Tel: 202-305-2088

Fax: 202-514-5956

World Wide Web: <http://www.ojp.usdoj.gov/BJA>

Bureau of Justice Assistance Clearinghouse

P.O. Box 6000

Rockville, MD 20849-6000

Tel: 1-800-688-4252

Bulletin Board System: 301-738-8895

World Wide Web: <http://www.ncjrs.org>

Clearinghouse staff are available Monday through Friday, 8:30 a.m. to 7 p.m. eastern time. Ask them to place you on the BJA mailing list.

Department of Justice Response Center

1-800-421-6770 or 202-307-1480

Response Center staff are available Monday through Friday, 9 a.m. to 5 p.m. eastern time.

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