



## ***Internet Application Solicitation***

### **Community Gun Violence Prosecution Program**



**Registration Period Opens:  
May 15, 2001**

**Application System Opens:  
June 13, 2001**

**Application Deadline:  
July 20, 2001**

**BJA**

**Bureau of Justice Assistance**

Office of Justice Programs ■ U.S. Department of Justice

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## ***About This Grant Program***

The **Community Gun Violence Prosecution Program** will be administered completely *online* via the Internet using the Office of Justice Programs (OJP) Grants Management System (GMS).

Potential applicants should go to the Bureau of Justice Assistance (BJA) Web site at [www.ojp.usdoj.gov/BJA](http://www.ojp.usdoj.gov/BJA) and click the *Community Gun Violence Prosecution Program* link for important program guidance, Frequently Asked Questions (FAQs), application deadlines, and technical information regarding the online application process.

Because this program will be administered online, applicants will need access to the Internet to receive and submit application information and materials. If you do not have Internet access, please call the National Center for Rural Law Enforcement at 1-800-635-6310.

## ***Background***

Over the past several years, jurisdictions around the country have hired additional law enforcement officers to help combat the violent crime problems they are facing. The presence of these new officers in our communities, along with other effective strategies and partnerships among state, local, and federal agencies, continues to have a demonstrated impact on violent crime. However, this significant infusion of law enforcement resources, while helping to curb violence in our communities, has increased the burden on the prosecutorial sector of the criminal justice system. This burden is largely felt in local communities where resources are limited. OJP's prosecutor hiring initiative is a logical extension of the successful community policing concept and provides a much needed enhancement to the criminal justice system.

The Executive Office for United States Attorneys (EOUSA) is currently administering a federal firearms prosecution initiative that provides resources for hiring federal prosecutors who will be dedicated to prosecuting federal firearms violations (e.g., felons carrying guns in commission of violent or drug-related federal crimes, illegal firearms sales, and registration violations). Although the Community Gun Violence Prosecution Program primarily

addresses the growing caseload of local gun-related violent crime, and 95 percent of all violent crime is prosecuted at the local level, the program is also intended to complement the federal initiative by targeting firearm-related prosecutions and giving prosecutors the resources necessary to capably and aggressively enforce existing firearms statutes at the local level. This program will emphasize coordination between the EOUSA and OJP initiatives.

## ***Implementation of the Community Gun Violence Prosecution Program***

BJA has developed the following plan to implement the \$75 million Community Gun Violence Prosecution Program authorized by Congress in its Conference Agreement on the Fiscal Year 2001 Appropriations Act. The goals of this program are (1) to allocate resources directly to chief prosecutors across the country in order for them to assign assistant prosecutors who are dedicated to the prosecution of firearm-related violent crime, (2) to improve the long-term ability of prosecution agencies to more fully address the issue of firearm-related violent crime within their jurisdictions, and (3) to deter firearm-related violent crime through the swift certainty of prosecution. Resources provided under this program are intended to assist jurisdictions in paying the salary and benefits costs of hiring prosecutors who will be dedicated to prosecuting firearm-related violence matters for a 3-year period. Jurisdictions will be required to certify a good faith effort to retain these prosecutors for a minimum of 1 year beyond the conclusion of the grant period.

## ***What This Program Targets***

This program will provide funding directly to chief prosecutors to hire assistant prosecutors who will focus their attention on the prosecution of cases involving violent crimes committed with guns and other violations of gun statutes involving drug trafficking and gang-related crimes in high firearm-related violence areas. OJP has identified "high firearm-related violence areas" by using the most current data available indicating the following: Uniform Crime Reports (UCR) Part I violent crime data (which includes murder, nonnegligent manslaughter, forcible rape, robbery, and aggravated assault) as

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reported to the Federal Bureau of Investigation (FBI), as well as the number and rate of firearm-related homicides. An assumption made is that homicides committed with firearms, including those involving instances of domestic violence, are a benchmark for gun violence generally within a jurisdiction and that many other violent crimes will involve the use of a firearm.

To ensure that all jurisdictions are given ample consideration for funding under this program and that none are omitted due to incomplete or inaccurate reporting by other agencies, BJA is asking applicant agencies to supply us with data directly. In this manner, BJA intends to ensure that funding reaches those jurisdictions where gun-related violence is most prevalent. BJA has also designed the program to ensure that funding reaches both large and small jurisdictions: approximately 50 percent of the funds available will be awarded to large jurisdictions, those that serve populations at or above 150,000, and the remaining funds will be awarded to jurisdictions that serve populations under 150,000, depending on the number of selected jurisdictions that actually seek grants within each category.

This program will allow flexibility to state and local jurisdictions in their allocation of prosecutors hired under this program to prosecute firearm-related violence cases and related criminal cases, depending on the specific needs of the jurisdiction. If an applicant chooses, it may use its newly hired prosecutors to “backfill” the positions of an equal number of more experienced prosecutors who are not currently engaged in violent crime prosecutions—provided that the grantee certifies that these veteran prosecutors will be redeployed on firearm-related violent crime prosecutions.

## ***Amount and Length of Awards***

Grant resources will cover 80 percent of the total salary and benefits costs of full-time prosecutors hired under this program, up to a maximum of \$40,000 per year per prosecutor, for 3 years. Grant funds may not be used to hire contract attorneys. Grantees are responsible for all other costs associated with this hiring program.

Because our data indicate that large jurisdictions typically experience a higher incidence of gun-related violent homicides and violent crime and are usually staffed with larger prosecutor offices, each large jurisdiction applicant (serving populations of or greater than 150,000) may request funding for up to four prosecutors under this program. Smaller jurisdictions may request funding for one or two prosecutors.

## ***Who Is Eligible and Selection Criteria***

Funding for hiring prosecutors under this program is available to all state, county, city, and tribal public prosecutor offices, including state attorney general offices, that have responsibility for prosecuting matters involving “**firearm-related violent crime**,” as this term is defined below, and that comply with all of the application requirements. **Only one application per office per jurisdiction is allowed.** Because there is a limited source of funding available under this program, sites will be selected according to the rate of firearm-related violence occurring within their respective jurisdictions. To determine the level of local eligibility for funding, the combination of the number of Part I offenses reported to the FBI under UCR for the applicant jurisdiction **AND** the number of firearm-related homicides committed within that jurisdiction will be considered, along with population and number of cases prosecuted.

We recognize that individual jurisdictions with smaller prosecutor offices may feel unable to comply with this program’s requirements. Therefore, consideration will be given to applications cosponsored by two or more such agencies that are willing and able to share both the cost of hiring the new prosecutor, as well as the administrative and oversight responsibility for such position, and will also be able to cross-designate the assistant prosecutor so he or she can handle prosecution matters for each agency.

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## Application Requirements

As noted previously, this Community Gun Violence Prosecution Program has three distinct goals: (1) to allocate resources directly to chief prosecutors across the country in order for them to assign assistant prosecutors who are dedicated to the prosecution of gun-related violent crime, (2) to improve the long-term ability of prosecution agencies to more fully address the issue of firearm-related violent crime within their jurisdictions, and (3) to deter firearm-related violent crime through the swift certainty of prosecution and better coordination among law enforcement agencies.

For the purposes of this program, “**firearm-related violent crime**” is defined as the combination of Part I offenses reported under the UCR and the number of firearm-related homicides committed within the applicant’s jurisdiction. A firearm-related homicide includes any homicide in which (1) a firearm was the instrument used to commit the offense, (2) the perpetrator of the crime was armed with a firearm or had one readily available, or (3) a firearm was an integral part of the offense.

The chief prosecutor for the jurisdiction applying is considered the applicant for purposes of this solicitation (if required by statute, the jurisdiction’s chief executive officer may also be the applicant). For funding determination, all applicants are required to submit the following information:

1. The current population served by the applicant’s office. A chart with population data can be found on the Community Gun Violence Prosecution page on the BJA Web site ([www.ojp.usdoj.gov/BJA](http://www.ojp.usdoj.gov/BJA)).
  2. The number of full-time prosecutors already appropriated in the applicant’s office.
  3. The number of prosecutors to be hired and the total cost per position for the 3-year period.
  4. The number of UCR Part I offenses committed within the applicant’s area of jurisdiction for the year 1999. If 1999 data are not available, the jurisdiction may use data covering the most recently reported year prior to 1999.
- BJA’s Web site ([www.ojp.usdoj.gov/BJA](http://www.ojp.usdoj.gov/BJA)) provides links to UCR data, or the data can be accessed directly at [www.fbi.gov/ucr/Cius\\_99/99crime/99c2\\_13.pdf](http://www.fbi.gov/ucr/Cius_99/99crime/99c2_13.pdf) for state-level data or [www.fbi.gov/ucr/Cius\\_99/99crime/99c2\\_14.pdf](http://www.fbi.gov/ucr/Cius_99/99crime/99c2_14.pdf) for local data (e.g., counties, cities). **Note:** These addresses are case sensitive; please be sure to capitalize the “C” in the “Cius” portion of the URL.
5. The number of firearm-related homicides within the applicant’s area of jurisdiction that was included in the applicant’s response to #4 above.
  6. The number of prosecutions brought by the applicant’s office in 1999 for firearm-related crimes of violence for incidents reported in #4 above.
  7. The number of prosecutions brought by the applicant’s office in 1999 for illegal firearms trafficking offenses and illegal firearms possession offenses.
  8. Certification that the applicant will fully cooperate with the U.S. Department of Justice in determining the effects and impacts of implementation of this program.
  9. Certification that the applicant will make good faith efforts to coordinate the gun prosecution strategy with the U.S. Attorney for the applicant’s district and with other community justice initiatives (such as Weed & Seed, SafeCities Network, and ATF’s Youth Crime Gun Interdiction Initiative). Applicants are especially encouraged to coordinate these efforts with other ongoing gun prosecution and law enforcement strategies in existing Weed & Seed target areas.
  10. A Memorandum of Agreement (MOA) jointly signed by all cosponsoring jurisdictions that choose to share the expense and use of prosecutors hired under this program. One jurisdiction must be the applicant agency.
  11. Certification that applicants will make a good faith effort to retain the prosecutor(s) hired under this program for a minimum of 1 year following the conclusion of the grant period.

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12. A 3-year strategy for enhancing firearm-related prosecutions in the applicant’s jurisdiction—specifying how having additional prosecutors will lead to increased prosecution targeting firearm-related violent crime and other gun felonies. This strategy should be no longer than five pages. Successful applicants will be required to measure and report the outcomes produced as a result of adding these prosecutors to the applicant’s staff.

The chief prosecutor of the office seeking this grant must certify that the information provided in response to the above requests is true and accurate to the best of his or her knowledge.

## **Administrative Provisions**

### **Assurances**

The online application includes Standard Assurances that must be accepted by the applicant’s certifying official. It is the responsibility of the recipient of the federal funds to fully understand and comply with these requirements. Failure to comply may result in the withholding of funds, termination of the award, or other sanctions.

### **Supplanting Prohibition**

Federal funds must be used to supplement existing funds for program activities and may not replace (supplant) nonfederal funds that have been appropriated for the same purpose. Potential supplanting will be the subject of monitoring, and auditing violations can result in a range of penalties, including suspension of future funds under this program, suspension or debarment from federal grants, recoupment of monies provided under this grant, and civil and/or criminal penalties.

### **Certifications Regarding Lobbying; Debarment, Suspension, and Other Responsibility Matters; and Drug-Free Workplace Requirement**

As part of the online application process, the authorized certifying official indicates acceptance of the Certification Regarding Lobbying; Debarment, Suspension, and Other Responsibility Matters; and

the Drug-Free Workplace Requirement forms. By accepting this certification, the applicant agrees to comply with the following requirements:

- , **Lobbying:** The applicant and its subgrantees, contractors, and subcontractors will not use federal funds for lobbying, unless specifically authorized by federal statute, and will disclose any lobbying activities.
- , **Debarment:** The applicant and its principals have not been debarred or suspended from federal benefits and/or no such proceedings have been initiated against them; have not been convicted of, indicted for, or criminally or civilly charged by a government entity for fraud, violation of antitrust statutes, embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property; and have not had a public transaction terminated for cause or default.
- , **Drug-Free Workplace:** The applicant will or will continue to provide a drug-free workplace. Accepting this requirement commits the applicant to compliance with the certification requirements under 28 C.F.R. Part 69, New Restrictions on Lobbying, and 28 C.F.R. 67, Government-Wide Debarment and Suspension (Nonprocurement) and Government-Wide Requirements for Drug-Free Workplace (Grants). The certification will be treated as a material representation of the facts on which reliance will be placed by the U.S. Department of Justice in making awards.

### **Civil Rights Compliance**

All recipients of federal grant funds are required to comply with nondiscrimination requirements contained in various federal laws. In the event that a court or administrative agency makes a finding of discrimination on the grounds of race, color, religion, national origin, gender, disability, or age against a recipient of funds after a due process hearing, the recipient must agree to forward a copy of the finding to the Office of Civil Rights of the Office of Justice Programs. Applicants should consult the Standard Assurances online to understand the applicable legal and administrative requirements.

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## Reporting Requirements

The following reporting requirements have been established to assist OJP in monitoring program implementation:

- , **Financial Status Report:** Financial status reports (SF 269A) are due quarterly on the 45th day following the end of each calendar quarter. A report must be submitted every quarter the award is active even if there has been no financial activity during the reporting period. The final report is due 120 days after the end date of the award. The Office of the Comptroller will provide a copy of this form in the initial award package. Future awards and fund drawdowns may be withheld if the progress and financial status reports are delinquent.
- , **Single Audit Report:** Recipients who expend \$300,000 or more of federal funds during their fiscal year are required to submit an organization-wide financial and compliance audit report. The audit must be performed in accordance with the U.S. General Accounting Office Government Auditing Standards. The audit report is due to the Federal Audit Clearinghouse within 9 months after the end of the recipient's fiscal year.
- , **Semiannual Progress Report:** Recipients of funding are required to submit a semiannual progress report. The progress report will describe activities during the reporting period and the status or the accomplishment of objectives as set forth in the approved application for funding. The report shall include the total number of firearm-related cases entering the applicant's office during the entering the applicant's xthe categories of (1) gun-related violent crimes, (2) illegal firearms trafficking cases, and (3) illegal firearms possession cases), the number of those cases prosecuted, the dispositions of those cases, the length of time taken to reach disposition, and the number of those cases assigned to the prosecutors hired by funds under this program. The report shall also include the number of firearms cases or matters that involved a significant degree of coordination with federal law enforcement agents and/or prosecutors. Progress reports must be submitted within 30 days after the end of the reporting

periods. The reporting periods are January 1 through June 30 and July 1 through December 31 for the duration of the award. A final report that provides a summary of progress toward achieving the goals and objectives of the award, significant results, and any products developed under the award is due 120 days after the end date of the award.

## Suspension or Termination of Funding

The Office of Justice Programs may suspend, in whole or in part, terminate funding for, or impose another sanction on a grantee for the following reasons:

- , Failure to comply substantially with the requirements or statutory objectives of the applicable sections of the Omnibus Crime Control and Safe Streets Act of 1968, as amended; the Juvenile Justice and Delinquency Prevention Act of 1974, as amended; the Victims Compensation and Assistance Act, as amended; and the Violent Crime Control and Law Enforcement Act of 1994, as amended, program guidelines issued thereunder, or other provisions of federal law.
- , Failure to make satisfactory progress toward the goals or strategies set forth in the applicant's proposal.
- , Failure to adhere to the grant requirements, standard conditions, or special conditions.
- , Proposing or implementing substantial plan changes to the extent that, if originally submitted, the application would not have been selected for funding.
- , Failure to submit reports.
- , Filing a false certification in this application or other report or document.

Before imposing sanctions, the Office of Justice Programs will provide reasonable notice to the grantee of its intent to impose sanctions and will attempt to resolve the problem informally. Hearing and appeal procedures will follow those in U.S. Department of Justice regulations in 28 C.F.R. Part 18.

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## **Submission and Deadline**

As noted previously, this Community Gun Violence Prosecution Program will be completely administered **online** using the OJP GMS. This system has been programmed to accept applications for this program **beginning on or about June 13, 2001**. The application, all requested data, and all certifications must be submitted **online** no later than **July 20, 2001**.

For those agencies that have not already registered with GMS for other programs (and for which a unique user identification number has been provided to that agency), **GMS registration is required** and may be done **beginning on or about May 15, 2001**, by accessing **[www.ojp.usdoj.gov/BJA](http://www.ojp.usdoj.gov/BJA)**. This GMS registration must be completed in order to submit an application for funds under this program and does not take the place of the application process.

## **For More Information**

**BJA Home Page**  
**[www.ojp.usdoj.gov/BJA](http://www.ojp.usdoj.gov/BJA)**

To save time, please check the FAQs before calling for assistance.

For assistance with development of a gun prosecution initiative or grant requirements:

**BJA Program Development Division**  
202-514-5943

**U.S. Department of Justice Response Center**  
1-800-421-6770 or 202-307-1480

For all computer-related questions and issues:

1-888-549-9901, Option #3

For assistance with Internet access:

**National Center for Rural Law Enforcement**  
1-800-635-6310

Applicants will receive an electronic postcard acknowledging BJA's receipt of the application within 4 to 6 weeks of the submission deadline.

For general information about BJA programs and technical assistance, contact the BJA Clearinghouse at 1-800-688-4252 or access the BJA World Wide Web home page at **[www.ojp.usdoj.gov/BJA](http://www.ojp.usdoj.gov/BJA)**.

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