

TO: BSCC Chair and Members

DATE: April 9, 2015

SUBJECT: Edward Byrne Memorial Justice Assistance Grant (JAG): Redistribution of Unspent Fiscal Year 2012 and 2013 Funds: Requesting Approval.

AGENDA ITEM: I

ACTION: X

RESOURCE PERSON: Daryle McDaniel & Colleen Curtin

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Summary: BSCC staff has identified \$981,922 in JAG funds left over from federal fiscal years (FFY) 2012 and 2013, that are available for reallocation. These represent the cumulative amount of funds left over from 41 of the 155 awards made during those cycles, or 2 percent of the funds. As the State Administering Agency for the JAG funds, the BSCC has the discretion to decide whether or how to reallocate these funds. This agenda item requests approval to reallocate these funds to the next highest scoring proposals from the FY 2014 JAG competitive process.

Background:

Leftover funds. In July 2012, the JAG Program was transferred from the California Emergency Management Agency (Cal EMA) to the BSCC. Historically, Cal EMA had administered JAG as a non-competitive, formula-based allocation to all 58 counties. Because the Board had not yet completed its comprehensive strategic planning process for JAG (which included a statewide survey, public hearings and a series of executive steering committee meetings) and, in the interest of moving the funds to the counties as quickly as possible, the Board approved the continued use of Cal EMA's non-competitive distribution model for FY 2012 and FY 2013.

California's JAG allocation for FY 2012 was \$20,085,136. As the FFY came to a close, BSCC staff calculated that approximately \$400,000 would go unspent by a number of the grantees awarded funds that year. On September 25, 2013 the Board approved staff recommendation to redirect that \$400,000 to the existing Anti-Human Trafficking Task Force Program (see Attachment I-1). This redirection did not occur, and the funds went unused. Once the grants were closed, BSCC staff identified \$419,881 left over by grantees from FY 2012 (2 percent of the total award).

California's JAG allocation for FY 2013 was \$19,428,598. When the grants recently closed, staff identified \$562,041 left over by grantees from FY 2013 (3 percent of the total award). The total amount in leftover JAG funds for both FY 2012 and 2013 is \$981,922.

How to redistribute the funds. While reviewing options on how to use the available JAG funds from FY 2012 and FY 2013, staff considered that the funding allocation process that was used in FY 2012 and FY 2013 no longer applies, because the BSCC has now completed its comprehensive strategic planning process for JAG.

In 2014, an Executive Steering Committee (ESC) was formed, which developed a Request for Proposal, rated the proposals that were submitted and developed three ranked lists (one each for small,

medium and large county categories). On February 12, 2015 the Board approved the JAG ESC’s recommendation to fund 32 counties’ proposals, based on their scores from the newly implemented competitive process.

In reallocating the FY 2012 and 2013 funds, staff recommends using a combined list from the FY 2014 competitive process (representing the grouping of counties into small, medium and large categories) and moving down the list to the next highest scoring proposals, irrespective of category. After the funds were awarded to the highest scoring proposals during the 2014 scoring process (approved by the Board in February of 2015), the next highest scoring proposal on the ranked list was a joint proposal from Nevada and Sierra Counties, with a score of 333.6 points. After Nevada/Sierra, the next proposal on the ranked list was submitted by Merced County, with a score of 294.6 points.

Due to their place in the rankings, each of the Nevada/Sierra and Merced proposals received only partial funding in FY 2014. The leftover funds from FY 2012 and 2013, therefore, can be used to augment these awards, as follows:

- 1) Available funds will be used first to augment the award to Nevada/Sierra Counties to its full requested amount;
- 2) Remaining available funds will be used to augment the award to Merced County for an increased partial award.

The proposed changes are laid out in the following table:

County	A) Existing Partial Award	B) Plus Additional Annual Funds	x 3 Year Grant Cycle	C) New Annual Award	D) Total 3 Year Grant Award
Nevada/Sierra (joint)	\$51,481	\$168,519	\$505,557	\$220,000	\$660,000
Merced	\$59,845	\$158,788	\$476,365	\$218,633	\$655,899
Total Available Funds			\$981,922		

On March 12, 2015 BSCC staff received written confirmation from the U.S. Department of Justice (USDOJ) Bureau of Justice Assistance (the federal administering agency for JAG) that BSCC has the authority to reallocate unspent JAG funds from prior fiscal years to worthy applicants (see Attachment I-2). Since the FY 2012 funds will expire on September 30, 2015, and as suggested by USDOJ, BSCC staff will request an extension to ensure that the counties have sufficient time to spend them.

Recommendation/Action Needed:

1. Staff recommends Board approval of the recommendation to use the scores from the FY 2014 JAG competitive process to reallocate \$981,822 in available JAG funds from FY 2012 and FY 2013 as follows:
 - a. \$168,519 annually for the three-year grant cycle to Nevada/Sierra Counties (for a total of \$505,557); and

- b. \$158,788 annually for the three-year grant cycle to Merced County (for a total of \$476,365).
2. Staff requests permission from the Board to apply to the U.S. DOJ Bureau of Justice Assistance for an extension of the FY 2012 JAG funds.
3. Should either of these counties decline its augmentation, staff requests permission to offer the funds to the county ranked next highest on the 2014 JAG ranked list.

Attachments:

- I-1: Agenda Item A, BSCC Board Meeting, September 25, 2013
- I-2: Email from USDOJ, Bureau of Justice Assistance, State Policy Advisor Gale Farquhar