

Appendix M: Compliance Plans and Resources Certification

U.S. DEPARTMENT OF JUSTICE OFFICE OF JUSTICE PROGRAMS

CERTIFICATION OF ADEQUATE PLANS AND RESOURCES TO MAINTAIN COMPLIANCE WITH CORE REQUIREMENTS OF THE JUVENILE JUSTICE AND DELINQUENCY PREVENTION ACT FORMULA GRANT PROGRAM PURSUANT TO 28 C.F.R. § 31.303

On behalf of the applicant, the _____ [STATE/TERRITORY NAME]
_____ [AGENCY NAME], and in support of this application for a Title II, Part B
formula grant under the Juvenile Justice and Delinquency Prevention Act, I certify under penalty
of perjury to the U.S. Department of Justice ("Department"), Office of Justice Programs ("OJP"),
Office of Juvenile Justice and Delinquency Prevention ("OJJDP") that all of the following are true
and correct:

- (1) I have the authority to make the following representations on behalf of myself and the applicant. I understand that these representations will be relied upon as material in any OJP decision to make an award to the Applicant based on its application.
- (2) In a compliance determination dated _____, OJJDP found that for purposes of federal fiscal year ("FY") _____ [PRIOR FISCAL YEAR] funding, _____ [STATE/TERRITORY NAME] was in compliance with the following core requirement(s)¹³ of the Title II, Part B Formula Grants Program, based on the state's compliance data covering the period October 1, 2015, to September 30, 2016:
 - _____ Deinstitutionalization of status offenders (34 U.S.C. § 11133(a) (11))
 - _____ Separation of juveniles from adult inmates (34 U.S.C. § 11133(a) (12))
 - _____ Removal of juveniles from adult jails and lockups (34 U.S.C. § 11133(a) (13))
- (3) Based on the above-referenced compliance determination, the State submits this certification in lieu of providing a full plan describing how the core requirement(s) identified above in paragraph (2) will be met, as permitted under 28 C.F.R. § 31.303.¹⁴
- (4) The _____ [AGENCY NAME] has in place an adequate plan and has adequate resources available for maintaining compliance with the core requirement(s) identified above in paragraph (2), in FY 20____ [CURRENT FISCAL YEAR].

-- Continued --

¹³ States must satisfy 28 state plan requirements prescribed by the JJDP Act at 34 U.S.C. § 11133(a) to receive a Title II, Part B formula grant award. Within the 28 state plan requirements, there are four requirements that are deemed to be "core" because the state's annual formula grant allocation will be reduced by 20 percent for each core requirement with which the state is determined not to be in compliance. These core requirements are: deinstitutionalization of status offenders, separation of juveniles from adult inmates, removal of juveniles from adult jails and lockups, and addressing disproportionate minority contact. See 34 U.S.C. §§ 11133(a)(11), (12), (13), and (22).

¹⁴ Although addressing disproportionate minority contact also is a core requirement of the Formula Grants Program (see footnote 1), 28 C.F.R. § 31.303 does not permit states in compliance with this requirement to provide an assurance in lieu of a full compliance plan that the state has the resources in place to maintain compliance.

