

## FY10 JAG ABSTRACT

**Applicant Name:** The West Virginia Division of Criminal Justice Services

**Project Title:** The West Virginia Justice Assistance Grant Program

### Goals and Objectives:

The overall goals and objectives for the JAG grant funding are as follows:

#### Goal 1:

Justice Assistance Grant Program funds will be utilized to support the planning and administration of the formula grant program.

#### Objectives:

- A. To support staff positions dedicated to the planning, administration and monitoring of the grant program.

#### Goal 2:

Justice Assistance Grant Program funds will be utilized to support sub granted projects that seek to address each of the identified priority areas established by the West Virginia Justice Assistance Grant Program Funding Committee. The JAG Funding Committee has identified priority areas of: Domestic Violence; Sexual Offenses; Violent Crime; Substance Abuse; and Juvenile Issues.

#### Objectives:

- A. To initiate a competitive grant award process throughout the state of West Virginia that will solicit sub granted project proposals from the West Virginia criminal justice system that seek to address each priority area.
- B. To facilitate a meeting of the West Virginia Justice Assistance Grant Program Funding Committee who will review each sub grant project proposal and make a funding recommendation to the office of the Governor of West Virginia.

#### Performance Measures:

1. The number of awarded sub granted projects that address the priority areas established by the JAG Funding Committee.
  - a. All sub granted project information is maintained in a database dedicated to each fiscal year of JAG funding. The FY 09 JAG program will have its own database dedicated to tracking this information. Each sub granted project also have a hard copy program file that will identify the funding source and fiscal year as well as maintain the original copy of the sub grant application, signed grant contracts, approved budget and grant adjustment notices, monthly and quarterly progress and performance measure reporting and financial requests for reimbursement documentation and tracking.

#### Coordination Plans:

In an effort to coordinate criminal justice planning efforts and the administration of all federal funds awarded to West Virginia from the U.S. Department of Justice, DCJS has created a Programs Section. Programs staff serve as specialists for different program topic areas. These specialists work as a team to ensure that strategic planning for every aspect of the criminal justice system and resource allocation of all grant funds is coordinated and complimentary

# THE WEST VIRGINIA JUSTICE ASSISTANCE GRANT PROGRAM APPLICATION NARRATIVE/PRIORITY AREAS/STRATEGY (FISCAL YEAR 2010)

## SECTION I PROGRAM NARRATIVE

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As West Virginia's criminal justice planning agency, the Division of Criminal Justice Services (DCJS) of the Department of Military Affairs & Public Safety is responsible for administering the West Virginia Justice Assistance Grant Program and developing the West Virginia Justice Assistance Grant Program application/strategy.

DCJS first began developing and implementing a statewide, enhanced drug enforcement strategy in 1987, in response to the Drug Law Enforcement Program, the Edward Byrne Memorial State and Local Law Enforcement Block Grant Program and in later years, the Justice Assistance Grant Program. The priority areas/strategy are the framework by which the DCJS and the West Virginia Justice Assistance Grant Committee allots and distributes the funds each year and provides direction to State and local officials in addressing the drug and violent crime problem. The JAG Committee is made up of representatives from all facets of the criminal justice system in West Virginia.

The mission of the Justice Assistance Grant Committee is to enhance the quality of life in West Virginia through the fostering of a safe environment within our communities; to ensure a swift, efficient and effective justice system that is reflective of

the priorities of the community; to expand public awareness of the government system, and expand awareness of the public's rights and responsibilities within the system.

Seven priority areas are eligible for funding under the Justice Assistance Grant Program. Funds from this program enable State and local law enforcement agencies to expand activity in areas covered by State and local laws dealing with offenses similar to the Federal Controlled Substance Act and to improve the functioning of the criminal justice system with emphasis on violent crime and serious offenders.

The West Virginia Justice Assistance Grant Program Policy Board (now known as the JAG Committee) reviewed the crime problems in West Virginia and determined that the following criminal justice problems were the priorities for the next years:

### **Priority Area 1 – Substance Abuse**

The goal of this priority area is to reduce the amount of drugs being brought into and manufactured in West Virginia, and to reduce illicit drug use and violence associated with drugs in West Virginia by prevention, interdiction, intervention, enforcement and treatment (including co-occurring disorder treatment).

Programs to be funded under this priority area include but are not limited to: Prevention Resource Officer, Drug and Violent Crime Task Force, and Local Treatment of Offenders. These programs are designed to increase West Virginia's ability to reduce substance abuse, which is a major causal factor of many crimes in West Virginia. These programs are also designed to increase West Virginia's ability to reduce the amount of drugs being brought into and manufactured in West Virginia.

### **Priority Area 2 – Domestic Violence**

The goal of this priority area is to reduce domestic violence in West Virginia by increasing the uniformity of response by law enforcement and the court system, and by providing education and treatment programs for both victims and perpetrators.

Programs to be funded under this priority area may include but are not limited to: Domestic Violence Victim Advocates, Domestic Violence Assistant Prosecutors, educational programs and training for law enforcement and other criminal justice professionals. These programs are designed to increase the awareness of domestic violence, put strategies in place to combat domestic violence and reduce domestic violence by providing prevention, victim resources and counseling, and perpetrator treatment.

### **Priority Area 3 – Violent Crime**

The goal of this priority area is to reduce violent crime in West Virginia through prevention, investigation, enforcement, and prosecution programs.

Programs to be funded under this priority area include but are not limited to: Prevention Resource Officer and Drug and Violent Crime Task Force.

### **Priority Area 4 – Sexual Offenses**

The goal of this priority area is to reduce sexual offenses through awareness, increased reporting, and to lessen the impact of sexual offenses through better prevention, investigation, prosecution, counseling and treatment.

Programs to be funded under this priority area include but are not limited to: Child Advocacy Centers, Victim Advocates, Educational programs, prevention programs and training for law enforcement and other criminal justice professionals. These programs will help to lessen the impact of sexual assaults and educate victims as well as those who seek to serve them within criminal justice system in West Virginia.

### **Priority Area 5 – Juvenile Issues**

The goal of this priority area is to reduce juvenile delinquency in West Virginia by creating an atmosphere where youth are held accountable for their actions through federal, state and local agencies and communities developing cooperative drug, violent

crime and chronic offender prevention, intervention, enforcement and treatment programs.

Programs to be funded under this priority area include but are not limited to: Prevention Resource Officer, Child Advocacy Centers, Court Appointed Special Advocate Programs (CASA) and Local Treatment of Offenders. These programs are designed to provide prevention, intervention, enforcement and treatment services to reduce juvenile crime and victimization throughout the State.

### **Priority Area 6 – Information Sharing**

The goal of this priority area is to support local government and private non profit agencies in the enhancement of information sharing technology to better serve their needs in the criminal justice system.

### **Unfunded Priority Area – Homeland Security**

The West Virginia JAG Policy Board realizes the paramount importance of Homeland Security and the additional security challenges of post 9/11; however whether the threat is foreign terrorists or homegrown criminals the local criminal justice community has a continuing obligation to serve and protect. The U.S. Department of Homeland Security focuses solely on homeland security issues and with part of that focus comes funding. The JAG Policy Board wants to continue to ensure that adequate funding goes to the local criminal justice system and therefore homeland security will be a priority area in terms of cooperation within the system and not a funding priority.

## **JAG Goals and Objectives**

The overall goals and objectives for the JAG grant funding are as follows:

### **Goal 1:**

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### **Objectives:**

- A. To support staff positions dedicated to the planning, administration and monitoring of the grant program.

### **Goal 2:**

Justice Assistance Grant Program funds will be utilized to support sub granted projects that seek to address each of the identified priority areas established by the West Virginia Justice Assistance Grant Program Funding Committee. The JAG Funding Committee has identified priority areas of: Domestic Violence; Sexual Offenses; Violent Crime; Substance Abuse; and Juvenile Issues and Information Sharing.

### **Objectives:**

- A. To initiate a competitive grant award process throughout the state of West Virginia that will solicit sub granted project proposals from the West Virginia criminal justice system that seek to address each priority area.
- B. To facilitate a meeting of the West Virginia Justice Assistance Grant Program Funding Committee who will review each sub grant project proposal and make a funding recommendation to the office of the Governor of West Virginia.

## SECTION II

### DATA AND ANALYSIS OF NEED

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#### **Population Profile**

According to the most recent U.S. Bureau of the Census *Statistical Abstract of the States*, West Virginia has a population of approximately 1.8 million with 15.7% under 18 years of age and 22.7% over 65 years of age. About 3.4% of all babies are born to teens 15-19 years old. About 17.3% of West Virginia's population live below the poverty level compared to 12.7% nationally. 51.8% of our civilian population is employed compared to 63.8% nationally, and our average personal per capita income is \$35,059 compared to the national average of \$48,451 ranking WV 49<sup>th</sup> out of 50 states.

#### **Crime Profile**

The FBI's Crime in the United States for 2006 figures demonstrates that West Virginia's violent crime rate per 100,000 population was 279.7 while the property crime rate per 100,000 population was 2,621.5. The total crime index was 52,759 with violent crime making up 10.37% (5,087) of the total crimes. West Virginia's violent crime rate per 100,000 residents was 279.7. Violent crimes are murder, forcible rape, robbery and aggravated assault.

West Virginia underwent significant changes in 2000, in which Uniform Crime Reporting (UCR) became Incident Based Reporting (IBR). During the past several years, there were technical problems with both the repository, which is administered by the West Virginia State Police, and by local law enforcement reporting. The following data supports the need for the programs selected for funding under the Justice Assistance Grant Program Strategy:

## **Substance Abuse**

According to the 2006 West Virginia State Police Incident Based Reporting data there were 8,760 drug/narcotic violation offenses, a sharp increase from 4,305 in 2002. There were 398 drug equipment violations for the same period.

Crime in the US-FBI reported 4,100 arrests for drug abuse violations in 2006. These included state and/or local offenses relating to unlawful possession, sale, use, growing and manufacturing of narcotic drugs. Drug categories specified: opium or cocaine and their derivatives (morphine, heroin, codeine), marijuana, synthetic narcotics that can cause true addiction (Demerol, methadone), and dangerous non-narcotics (barbituates).

The following were the five most frequently seized drugs as reported by the West Virginia State Police Incident Based Reporting. Marijuana, 57,226.02 grams, Cocaine, 2,642.63 grams, Crack, 2,400.14 grams, Amphetamines /Methamphetamines, 444.66 grams, and Heroin, 119.58 grams.

Currently, the Justice Assistance Grant Program funds 14 multi-jurisdictional drug and violent crime task forces. For each offense charged the task force must identify a drug involved. During the most recent period of reporting, there were 3,243 drugs categorized. Crack represented the majority of these cases with marijuana and opiates, including tylox, lortab, percocet, dilaudid, morphine and oxycontin, making up the rest.

In 2006, Crime in the US-FBI reported 1,438 juvenile arrests in West Virginia. Of these arrests 172 were for drug violations. As reported in the 2003 WV Juvenile Detention Report, drug law violations were the 5<sup>th</sup> most frequent offense charged to juveniles detained in detention facilities. These violations totaled 105 in 2003.

The programs selected for funding under the Justice Assistance Grant Program that address substance abuse are designed to increase West Virginia's ability to reduce substance abuse, which is a major causal factor of many crimes in West Virginia. These programs are also designed to increase West Virginia's ability to reduce the amount of drugs being brought into and manufactured in West Virginia.

## **Domestic Violence**

The situation for female victims of domestic violence in West Virginia is similar to that of female victims nationwide. Even though West Virginia has historically had a low crime rate, crimes against women represent a significant number of reported crimes. Reported incidences of domestic violence have increased dramatically over the last fifteen years. The number of "reported" domestic violence incidents rose from 2,565 in 1989 to 13,558 in 2000, then back down slightly to 10,411 in 2003, and rose to a high of 13,661 in 2005 (West Virginia State Police, 2005). Court filings for domestic violence (12,812) were even higher than incidents reported to police in 2003 according to West Virginia Supreme Court of Appeals (WVSCA) Family Court statistics (WVSCA,2003). The number of unique victims served by 14 domestic violence programs participating in West Virginia Coalition Against Domestic Violence database in fiscal year 2004 was 18,579 (WVDCJS,2004). The extent of domestic violence abuse is both tragic and shocking. In 2005, simple assault made up the bulk of all domestic violence incidents, with 9,940 reported cases (72.8%). In addition, there were 1,441 felonious assaults (10.5%) and 33 (0.2%) domestic violence related homicides. In 2005, there were 73 reported homicides therefore domestic violence incidents accounted for 45.2% of all homicides(WVSP, 2005). Some aspects of the geography and Appalachian culture in West Virginia create unique difficulties for victims of domestic violence. Research into the distinctive needs of rural and/or Appalachian women who are victims of domestic violence is limited. The research in this area suggests that women victims of domestic violence face some challenges that are different from those faced by their more urban counterparts. Feyen suggested that rural women victims of domestic violence do, in fact, face unique problems, which may not be amenable to purely legal regulation or solution. These include: (1) law enforcement officers who are reluctant to

intervene, (2) lack of support to victims from churches, (3) physical isolation, including the absence of telephone lines and public transportation, (4) the resistance of local communities to acknowledge and confront the problem of domestic violence and (5) the lack of funding for services in rural communities (Feyen, 1989).

The programs selected for funding under the Justice Assistance Grant Program that address domestic violence are designed to increase the awareness of domestic violence, put strategies in place to combat domestic violence and reduce domestic violence by providing prevention, victim resources and counseling, and perpetrator treatment.

### **Violent Crime**

West Virginia's violent crime rate per 100,000 in 2006 was 279.7 according to Crime in the United States. In 2006, WV reported 5,087 violent crime offenses with 882 arrests. Seventy-five murders were reported, 389 forcible rapes, 853 robberies, and 3,770 aggravated assaults.

The programs selected for funding under the Justice Assistance Grant Program that address violent will help to reduce these offenses in West Virginia.

### **Sexual Offenses**

According to Crime in the United States 2006 Edition - FBI there were 373 offenses and 44 arrests for forcible rape. In 2006, as reported by the West Virginia State Police Incident Based Reporting, the top reported sex offenses where as follows: Forcible Fondling 37%, Forcible Rape 31%, Statutory Rape 17%, Sexual Assault with an object 15%, Forcible Sodomy 7%, and Incest 3%.

The programs selected for funding under the Justice Assistance Grant Program that address sexual offenses will help to reduce sexual offenses and provide services to victims of sexual offenses in West Virginia.

## **Juvenile Issues**

In 2006, as reported by the West Virginia State Police Incident Based Reporting, 1,438 juveniles were arrested.

In 2006 according to Crime in the US-FBI there were no murders reported for all juvenile arrestees. There were 3 forcible rapes, 8 robberies, 29 aggravated assaults, 52 burglaries, 160 larceny/thefts, 29 motor vehicle thefts, 2 arsons, 198 other assaults, and 172 drug violation offenses reported in West Virginia.

According to the Juvenile Probation in West Virginia 2004-2005 report there were 5,321 juveniles involved in 5,969 new cases. Of the juveniles involved, 3,178 were involved in delinquency cases, with 69.7% being male. 2,143 juveniles were involved in status offenses, with 58.3% being male.

The programs selected for funding under the Justice Assistance Grant Program that address juvenile issues are designed to provide prevention, intervention, enforcement and treatment services to reduce juvenile crime throughout the State.

## SECTION III

### RESOURCE NEEDS

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Prevention is one of the greatest needs of West Virginia's criminal justice system. Few of the State's scarce resources are spent on the prevention of drug and violent crime. In part, this is true because all available resources are so desperately needed for the brick and mortar and staffing of functions and facilities. Also, West Virginia's crime rate, although slowly increasing, continues to remain low, so prevention is seen as unnecessary. Another reason for not allocating resources to prevention is that prevention programs have not yet proven that they are effective enough to save money for the State. It is a DCJS long-term goal to change this perception about prevention efforts using national, state and local evaluations of prevention programs to prove long-term cost savings.

The apprehension of drug traffickers and drug involved offenders must remain a high priority. It is too early in the implementation process of our drug control strategy to develop a measurable correlation between rates of apprehension and subsequent increases in incarceration rates. We are presently in the process of utilizing impact and other predictive modeling techniques to better assess the future impact of the present emphasis on apprehension.

Resource limitations specifically affect the prosecution of drug offenses in West Virginia. Presently the responsibility for drug offense prosecution in West Virginia is shared between the federal government (with the two principal offices being the United States Attorney Offices for the Northern and Southern Districts of West Virginia) and the state government (with 55 separate county Prosecuting Attorney Offices.) Each county Prosecuting Attorney Office also is charged with numerous other responsibilities and most, if not all, such offices are presently understaffed and under funded.

As a result, there is neither the time nor ability for local Prosecuting Attorney Offices to effectively network and develop uniformity in the prosecution of drug and drug related cases. Each of the 55 offices has to individually develop plea agreements, as well as many other duties. At best there is a system of needless duplication of efforts, at worst; many of the local drug prosecution efforts are simply inadequate to meet the demands for effective prosecution. In the illegal drug distribution network nationwide, where there is substantial exodus to rural America, many of the front line offices defending against the onslaught of drug infiltration are unable to meet the attack. This is due either to lack of coordination of very limited resources, uncoordinated information gathering and sharing and needless duplication and repetition of critical legal research, pleadings and trial strategy development.

In response to the above, the West Virginia Prosecuting Attorney's Institute was established. The goal of this organization is to provide more effective prosecution in each of the 55 counties, individually, and collectively throughout the State of West Virginia.

Increasing caseloads and stagnant funding levels have created a strain on court staff to provide their criminal justice services in a timely and efficient manner. Probation officers and court officials complain of the need for increased information availability and sharing, increased staffing and a need to provide drug testing for probationers and parolees.

There is no acceptable level of family violence and the ultimate goal of the entire criminal justice system should be to protect the public, and in the process thereof minimize the impact of crime on the victims of such crime.

Training for criminal justice system personnel is one method of family violence prevention that can be both cost effective and efficient. The joint training of magistrates, law enforcement officers, and service providers – relative to the most appropriate way to deal with victims of crime is a need that has been expressed to

DCJS by various members of each of the previously mentioned groups. In particular, the West Virginia Coalition Against Domestic Violence is a strong advocate of joint training, resulting in uniform handling of domestic violence cases within West Virginia. The exact method of addressing the areas of Victim Assistance and/or Family Violence is at present a subject of debate. Combating family violence continues to be a priority in West Virginia because of our high arrest rates for domestic violence.

The statistics show that juvenile offenders are often punished less severely and tend to re-offend until stricter sanctions are imposed. The State of West Virginia was ill prepared for the rise in juvenile crime over the past nine years. Our juvenile detention and correctional facilities are consistently overcrowded. Due to this overcrowding, some juveniles who would be better served by a secure and restrictive environment are being placed back into community programs not fully capable of dealing with the extreme behaviors exhibited by these youth. Also, juvenile offenders are being placed in out of state facilities. When a youth is placed out of state, it limits the amount of intervention that can be provided to the youth and his/her caregivers in the home community in which the crime occurred. Programming or intervention is normally successful only if changes occur on all levels.

Juvenile Offenders are transferred to adult status continuously and add to the population which overcrowds the detention centers. These youth wait extended periods of time for their trials or could be awaiting appeals on other judicial matters. This often presents a serious threat to the pre-dispositional youth, who are lower-risk and are also in these centers. Within the framework of these many problems and changes made to the corrections system in West Virginia, the need for improvement of drug and alcohol treatment services remains. Intervention in the addiction process offers the highest probability of reducing the rate of recidivism among West Virginia inmates.

This lack of correctional placement alternatives backs up the criminal and juvenile justice systems and diverts resources from rehabilitation and treatment to warehousing. This diversion creates a need for treatment and rehabilitation programming in the facilities.

The Division of Corrections, Regional Jail Authority and the Division Juvenile Services has identified the provision of onsite-expanded drug counseling services at the State's adult and juvenile correction facilities as its highest priority relative to substance abuse. Emphasis on drug treatment and counseling for appropriate youth offenders is believed to hold the greatest potential for ensuring that they make a successful drug-free transition into society upon release.

Through the Office of Juvenile Justice & Delinquency Prevention (OJJDP), funding is provided to DCJS annually for juvenile delinquency prevention and intervention. These funds along with limited funds from the Departments of Education and Health and Human Resources are the only prevention programs sponsored by the state.

West Virginia underwent significant changes in 2000, in which Uniform Crime Reporting (UCR) became Incident Based Reporting (IBR). During the past several years, there were technical problems with both the repository, which is administered by the West Virginia State Police and by local law enforcement reporting. The West Virginia State Police are still working on rectifying those technical problems.

# SECTION IV

## SUB GRANT AWARD PROCESS

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The sub grant process for West Virginia's JAG program begins with the distribution of a statewide Request for Proposal (RFP). A paper brochure describing the JAG program, priority areas of funding, application and award process, is developed each year and distributed to all areas of the criminal justice system in West Virginia that may be interested in applying for JAG grant funds as well as on the agency website. A hard copy of the RFP is mailed to all mayors, county commissions, circuit judges, magistrate judges, Chiefs of Police, Sheriffs, public defenders, prosecutors offices, state criminal justice agencies like the WV Division of Corrections, WV Division of Juvenile Services, WV Supreme Court of Appeals, probation offices, WV Regional Jail Authority, The WV State Police, all known sexual assault, domestic violence and other victim services programs in the state, all know substance abuse prevention and treatment programs throughout the state, community correction programs, juvenile delinquency prevention programs, all criminal justice related non profit organizations in the state, the WV Housing Authority, and county boards of education. A deadline for receiving applications for funding is set and applications are received by DCJS staff. Each application is reviewed to assure each required component is provided by the applicant and the budget and budget narrative are correct in their calculations. Applications are photo copied and review binders for each JAG Funding Committee is made and provided to each committee member. A grant review meeting is held and facilitated by DCJS staff. The goal of this meeting is to review each grant application and make funding recommendations to the office of the Governor of the State of West Virginia. Thos recommendations are provided to the Governors Office in the form of a Investment Package that is reviewed by the Governor and his staff for his approval. Once funding is approved by the Governor, those funded applicants are presented with an award letter signed by the Governor. For the past several years, these awards have been presented to the applicants in person by the Governor himself. The next step of

the process is the drafting and execution of grant award contracts. A hard copy grant file is developed for each funded project. This file is maintained by DCJS staff and included the original grant application with a approved budget, the original grant contract with the proper signatures, all monthly progress reports and financial requests for reimbursement with supporting expenditure documentation along with the payment documentation from DCJS accounting staff, and any grant and/or budget adjustments requested and approved or denied by DCJS program staff. JAG grant funds are sub awarded to state and local agencies and non profit organizations on a reimbursement basis. Grant funds are obligated to the applicant agency. Expenses are incurred and submitted to DCJS with proper documentation for reimbursement on a monthly basis. These monthly reports include a progress report narrative and financial documentation of expenditures. Typically sub granted projects are awarded on a 12 month project period. At the end of the project period any unexpended sub granted funds are de-obligated from the sub grantee and accounted for in DCJS' tracking of each fiscal year JAG award to be re awarded to another applicant during the next grant cycle.

## SECTION IV

# STRATEGIC PLANNING PROCESS

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As the West Virginia's criminal justice planning agency, the Division of Criminal Justice Services (DCJS) is responsible for the coordination and planning of the State's criminal justice system. DCJS provides the coordination and staff resources for strategic planning. State, local, Federal, and community agencies provide invaluable input, insight and the actual staff and resources to carry out the elements of the strategy.

In an effort to coordinate criminal justice planning efforts and the administration of all federal funds awarded to West Virginia from the U.S. Department of Justice, DCJS has created a Programs Section. Programs staff serve as specialists for different program topic areas. These specialists work as a team to ensure that strategic

planning for every aspect of the criminal justice system and resource allocation of all grant funds is coordinated and complimentary, so that West Virginia's approach to combating drugs and violent crime is as effective and efficient as possible. DCJS produces plans and strategies for every aspect of the criminal justice system in West Virginia.

The Programs Section is charged with administering and coordinating all criminal justice initiatives, including, but not limited to:

- Justice Assistance Grant Program
- National Criminal History Improvement Program
- Victims of Crime Act Program
- Violence Against Women Act Program
- Rural Domestic Violence Program
- Juvenile Justice and Delinquency Prevention Grant Program (Title II, Title V, State Challenge, Innovative Local Law Enforcement and Community Policing Program, and Combating Underage Drinking)
- Juvenile Accountability Block Grant
- Violent Offender Incarceration
- Residential Substance Abuse Treatment
- Safe and Drug Free Communities
- Bulletproof Vest Partnership Act
- Criminal Justice Statistical Analysis Center (CJ SAC)
- Coverdell Forensic Science
- Project Safe Neighborhoods
- Court Security Fund (State Funded Grant Program)
- Community Corrections (State Funded Grant Program)

DCJS is also responsible for the training and certification of all law enforcement personnel in the state, and is responsible for the criminal justice statistics function of the state (Criminal Justice Statistical Analysis Center). As well as, coordination within the

agency, DCJS coordinates with all other state, local, county and Federal criminal justice, human services and educational agencies.

West Virginia used the Justice Assistance Grant Committee (formerly Justice Assistance Grant Policy Board) as the primary planning tool in developing this application/strategy. This committee acts in an advisory capacity in matters of policy making, strategy development and awarding of grant funds for the Justice Assistance Grant Program.

The JAG Committee held for held a planning meeting to strategize and develop the state priority areas for the Justice Assistance Grant Program. Individuals from various state and local agencies serve on the Justice Assistance Grant Committee and participated in the development process.

As shown below, the Committee as appointed includes a broad spectrum of officials from the areas called for and recommended by the Bureau of Justice Assistance.

<b>Justice Assistance Grant Program Board Member</b>	<b>Title/Agency Represented</b>
Dale Humphreys	Director, WV Division of Juvenile Services
Marly Wilcox Eddy	Board President, WV Foundation for Rape Information and Services
Mike Lacy	Director of Probation Services, WV Supreme Court of Appeals
Merrit Moore	Coordinator, Bureau for Behavioral Health and Health Facilities
Skip Holbrook	Chief of Police, City of Huntington, WV
Sue Julian	Coordinator, WV Coalition Against Domestic Violence

David Murphy

Colonel, WV Division of Natural Resources

Deanna Eder

Law Enforcement Coordinator, United States Attorney's  
Office, Southern District

Along with personnel participating in the planning and strategy development process, local, State, and Federal agencies have provided DCJS with reports and longitudinal data they have collected. This data is compiled and analyzed by the CJSAC for use in strategy development and planning. Incident Based Reporting Data provided by the West Virginia State Police was also used.

Copies of the application are forwarded to the Senate President and the Speaker of the House of Delegates to allow comment from the West Virginia Legislature. Members of the Senate and the House of Delegates are invaluable informational resources regarding public perception of crime and the criminal justice system in West Virginia.

The Anti-Drug Abuse Act of 1988 provided significant changes in Federal laws relating to the control of narcotics while appropriating funds to states for four mutually supporting purposes: enforcement of state narcotics laws, functional improvements within the criminal justice system, treatment and rehabilitation of drug abusers, and providing prevention and education to those identified as being at risk of becoming drug users.

These appropriations are administered by three agencies in West Virginia. Division of Criminal Justice Services (DCJS) administers the Justice Assistance Grant Program, the Department of Health and Human Resources, Office of Behavioral Health Services, Alcohol and Drug Abuse Program administers the Treatment component. The State Department of Education and the Division of Criminal Justice Services administer the Education and Safe and Drug-Free Communities programs, respectively.

To foster and enhance coordination of these three related programs, DCJS has contacted appropriate staff of these agencies to request their input and participation in the development of the West Virginia state strategy.

In addition, the very recent expansion of the West Virginia Division of Criminal Justice Services Statistical Analysis Center (SAC) is the establishment of an **Office of Research and Strategic Planning (ORSP) and the Justice Center for Evidence-Based Practice (JCEBP)**—both to be housed in the Division of Criminal Justice Services (DCJS). This organizational change is necessary to combine the unique talents and expertise of the CJSAC with the need for evidence-based decision-making to address critical crime and justice issues in the state including, but not limited to, the current prison overcrowding situation. The ORSP, with the creation of the JCEBP, will be designed to promote the use of evidence-based practices (EBP) in the administration of justice in the state of West Virginia.

The ORSP and JCEBP will facilitate the mission of the Division of Criminal Justice Services to protect the public through research, effective planning and coordination of services, and making proper funding decisions. Based on systematic reviews of scientific evidence on justice-related issues, the JCEBP will synthesize current research and help to translate this information to policymakers and system administrators and staff for use in arriving at policy decisions that promote best practices. The ORSP will provide technical research briefs on EBP issues, conduct systematic reviews of current scientific evidence, and offer workshops, trainings, and presentations to key stakeholder groups.

The creation of the Center also directly corresponds to—and supports—a series of recommendations from the Governor’s Commission on Prison Overcrowding which calls for the use of various evidence-based practices in the management of our state’s prison population. Specifically, some of the EBP recommendations of the Commission include the:

- application of the risk, need, and responsivity model of correctional intervention;
- use of the Level of Service/Case Management Inventory (LS/CMI) to accurately assess offender risks to the public;
- increased use of alternative community-based sanctions;
- systematic improvement of data collection and sharing among agencies; and
- greater research on the effectiveness of community-based programs operating in WV.

A planning meeting for the JAG Committee is scheduled for August of this year. The goal of this meeting is to begin the process of revising the JAG strategic plan. How the committee currently functions, program reporting, strategies in funding decisions with an emphasis on performance and evidence based practices, and program evaluation are some of the areas that will be addressed. The goal of this effort is to move the JAG program in West Virginia towards a more evidence and performance based funding strategy.

## SECTION V

# COLLECTION AND SUBMISSION OF PERFORMANCE MEASUREMENT DATA

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When the new Performance Measurement Tool was implemented for the JAG program, DCJS staff used the performance measures and supporting documents to create sub grant reporting forms. With the start of the FY09 grant cycle (July 2009) the new Performance Measure Reporting Forms were implemented for all JAG sub grants. Each quarter the project directors of the sub granted programs receive instruction on how to retrieve the Performance Measure Reports from the DCJS website and a deadline for submitting a hard copy of those reports to DCJS. Project directors are instructed to report on the program by Purpose Area (Prevention and Education, Crime

Victim, Law Enforcement etc...) and by budget allocation (Personnel, Training etc...). The Performance Measure Reports are received by DCJS staff and manually entered into the online Performance Measurement Tool. In the event that a sub granted project fails to submit the Performance Measure Report for a given quarter, because grant funds are disbursed monthly on a reimbursement basis, funds are held until the required reporting is submitted.

Section VI of the Program Narrative outlines four programs that the JAG Advisory Committee has approved for FY 2010 funding.

## SECTION VI

### PROGRAM EXAMPLES

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**NAME OF PROGRAM:** Child Advocacy Centers

**DESCRIPTION OF PROGRAM:**

As of result of this on-going evaluation of local needs it has been identified that child victims of sexual abuse, extreme physical abuse and life-threatening neglect have previously entered systems that were not always conducive to the uniqueness of a child while still being able to provide legally-sound information to protect the child and other potential victims. It was further identified that our communities lacked comprehensive, child-focused programs based in a facility that incorporates a multidisciplinary team approach to child victim services as they relate to the investigation and intervention phases of our community's response to child abuse allegations.

*One solution to the problem is the continued presence of several Children's Advocacy Centers and their project, "Heads Up – Childhood Victimization: Now and Beyond."* The project title reflects a two-fold need often experienced by abused children – 1) the need to have received a "heads up" in acquiring prompt, on-going, legally-sound and child-appropriate services during the investigation and intervention components of the community's response, especially the criminal justice system; and 2) the need to feel validated that they have a right to tell, are not to blame and can feel good about themselves resulting in the ability to hold their "heads up" in their community. The project title also reflects the two very important time periods the project will impact in the child victim's life – "now and beyond." The project's services are structured to lessen the negative short-term and long-term effects of childhood victimization that can result in self-harm and/or delinquent behaviors, including drug usage, during childhood and carry over into dysfunctional and/or criminal behavior in adulthood. It is crucial for the existence of this program and the services that the Children's Advocacy Center be responsible for creating and providing all its services – direct victim services and community education/awareness.

This program embraces the entire Children's Advocacy Center philosophy – child abuse is a community problem; combining knowledge and the wisdom of the disciplines will result in a more effective system response; and the system child victims enter must respect the uniqueness of each child and family. It strengthens each county's response to allegations of child abuse by providing a multidisciplinary team approach to forensic interviewing, forensic evaluating, case reviewing and case tracking, and other services needed while creating a safe environment for a child entering into the system designed to address child abuse allegations. The Children's Advocacy Center models taught to staff "maximize the opportunity for the child to describe what may have happened, minimize the potential for misinformation, and encourage collaboration among the professionals involved (Forensic Interviewing of Children, APSAC Practice Guidelines, p. 1)."

While the primary target of this program is children alleging sexual abuse, extreme physical abuse and life-threatening neglect, it will also promote community awareness and prevention through educational presentations to the community-at-large and identified at-risk populations.

Through the following goals and objectives of the “Heads Up – Childhood Victimization: Now and Beyond” program Children’s Advocacy Centers will join hands with the Justice Assistance Grant to prevent and control violent crime and serious offenders and to improve the functioning of our criminal justice system for our most vulnerable population, abused children.

**Goal**

To provide and coordinate more humane, culturally competent, site-based, MDT-centered investigations and interventions involving child abuse allegations that focus on the needs of alleged child victim and family; thus decreasing victim trauma, increasing offender accountability, & strengthening MDT support.

**Objective 1**

Retaining Director/Service Specialist to establish and provide Children Advocacy Center-related services and activities.

**Objective 2**

To ensure no child falls through the cracks by coordinating a MDT approach to services for 100% of CAC clients.

**Objective 3**

To provide on-site professional forensic interviews which are unduplicated to 90% of CPS and law enforcement referrals to CAC during the grant period.

**Objective 4**

To provide a Children's Advocacy Center model forensic evaluation to every child who is referred by the MDT (due to the need to gather more or precise information) during the grant year.

**Objective 5**

To ensure advocacy & support is available to 100% of CAC clients during the grant period.

**Objective 6**

To continue to maintain a child-appropriate/child-friendly Children's Advocacy Center site where the MDT can provide services through the grant period.

**Objective 7**

To provide assistance to every child who has to actively participate in civil or criminal court proceeding during the grant year.

**Objective 8**

To conduct at least 15 community education presentations to identify victims, increase community awareness of child abuse crimes, educate the community on victim rights and inform of availability of victims services during the grant year.

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**NAME OF PROGRAM:** Local Treatment of Offenders

**DESCRIPTION OF THE PROGRAM:**

This program will provide both assessments and group/individual substance abuse counseling. These services are provided to probation, work release and home confinement clients and to a lesser extent to jail inmates. The assessments and

counseling is performed by certified substance abuse counselors with some assistance from probation officers.

### **Goal 1**

To provide effective treatment to drug offenders so they can overcome their drug abuse and cease involvement in criminal activities.

### **Objective 1**

To provide effective treatment to drug offenders so they can overcome their drug abuse and cease involvement in criminal activities.

Critical elements for a drug treatment program include:

- Sound theoretical and empirical basis for its implementation.
- Administrative cooperation and support for the program.
- Clear treatment program design including screening process.
- Adequate post-release alternatives.
- Understanding of program limitations.
- Evaluation of program's effectiveness including criteria for successful termination.

## **DRUG ABUSE TREATMENT POLICIES AS SET FORTH BY THE JUSTICE ASSISTANCE GRANT PROGRAM POLICY BOARD**

The payment range for contracted professional counselors is \$15 - \$30 per hour. The hourly rate shall not exceed this range.

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**NAME OF PROGRAM:** Drug and Violent Crime Control Task Force

**DESCRIPTION OF THE PROGRAM:**

Multi-jurisdictional task forces have been a pioneering initiative in the battle against violent crime and drug abuse for several years. There are currently 15 organized task forces funded in part by the JAG program in West Virginia. Each local task force has a jurisdiction that might range from one county to five counties and one statewide task force. The task forces are comprised of officers at the local, county, state, and federal level. This type of representation allows the task forces to put resources together and provide a better and more effective way to fight drugs and violent crime in West Virginia.

**Goal**

The goal of the Drug and Violent Crime Task Force project is to field joint investigative teams consisting of state, federal and local investigators, which can effectively attack carefully targeted segments of the criminal element, pursuing them to their roots, regardless of jurisdictional boundaries. These task forces will be jointly controlled by representatives of the participating law enforcement agencies with final determinations being made by the United States Attorney in most cases. This approach will ensure that investigations are properly structured, resulting in maximum enforcement results and eliminating waste of enforcement resources.

**Objective 1**

Direct resources at broad problems, such as violent crime, gang related crime, weapons and drug trafficking and sale as well as other location specific crime problems identified by each task force.

**Objective 2**

Target the most significant crime threats, be they individual or organizational and to aggressively investigate and prosecute these targets, thereby enhancing the overall public safety in the task force area.

### **Objective 3**

Elimination of ineffective and/or wasteful investigative efforts, such that maximum benefit is derived from resources expended.

### **Objective 4**

Maximum recovery of criminal assets.

### **Activities**

While enforcement resources are always in limited supply, current fiscal conditions in West Virginia have rendered these resources more scarce than ever. The sharing and efficient management of those resources available is, therefore, critical to the success of this program. Key elements are as follows:

1. The use of clearly defined criteria to identify, select, and prioritize investigative targets.
2. The judicious assignment of cases for initiation of investigation and subsequent prosecution.
3. The use of established interdepartmental mechanisms for identification, acquisition, and assignment of resources and skills required in the investigative and prosecutorial process throughout the duration of cases initiated.
4. Coordination and monitoring of cases initiated to ensure proper timing of investigative and prosecutorial activities, and to facilitate timely decision making concerning case continuance, referrals, refocusing and closure.

## **TASK FORCE POLICIES AS SET FORTH THE JAG COMMITTEE:**

### 1. Personnel

Personnel positions will only be reimbursed at annual entry level salary and benefits up to a maximum of \$28,000 per position. Grantees must certify what entry level is for their department.

Applicants requesting a full-time officer's position must be prepared to hire an additional officer to "backfill" the vacated position. Reimbursement for salary expenses will begin once the grant position is backfilled.

Overtime will be available for full-time drug officers in situations where the department is picking up the salary expenses. Overtime is not available for part-time drug officers.

No grant-funded full-time drug officer will have other law enforcement assignments that will compromise his/her effectiveness on the task force.

The JAG Committee will consider requests for overtime at a rate of two hours per day not to exceed \$10,000 per year, per officer. (This overtime is available for officers working drugs on a full-time basis)

Task Force law enforcement personnel are required to attend "Narcotics Identification and Investigation Training" within one year from the time they start on the Task Force.

The Task Force Commander of each Task Force is required to attend the annual "Task Force Commanders School" sponsored by the U.S. Attorney's Office and the Division of Criminal Justice Services.

All Task Force trainings, meetings, etc. that are declared mandatory by the Division of Criminal Justice Services are just that. If a Task Force fails to attend the mandatory

training, meeting, etc., without good cause then a 5% overall reduction will occur with that Task Force's subsequent fiscal year grant funding.

## 2. Equipment

Requests for equipment will be considered, but must be proven to be essential to the project.

Equipment includes items that cost at least \$1,000 and have a life expectancy of one year or more.

## 5. Other

This category can include items that cost under \$1,000. Even if the item would normally be considered equipment, such as a t.v. or radio antenna, if it costs under \$1,000 - it will be considered "other".

Grant funds may not be used for the purchase of information and/or drugs. Although, grantees may use matching funds for this purpose.

6. In order to qualify for the multi-jurisdictional drug and violent crime task force project, several items are required:

An interagency agreement or Memorandum of Understanding (MOU) must be signed each year by the task force control board consisting of the heads of each department, and the federal representative before reimbursement can take place.

The JAG Committee strongly urges all task force projects and individual drug control projects to make submissions to West Virginia Intelligence Exchange (WVIX). This can drastically improve the investigation process.

## 7. Organization

Each task force must have a control board whose membership shall be made up of the head of each agency in the task force or his designee, as well as a federal law enforcement agency. In those jurisdictions which have an assistant drug prosecutor, the membership shall include the prosecutor, as well.

Control boards must meet at least quarterly and minutes shall be kept of these meetings and forwarded to the Division of Criminal Justice Services with the regular monthly progress reports.

An off-site and co-located office for each task force is strongly recommended. This designated location must have 24 hour/7days a week access to the office and equipment by all members. Each task force will be evaluated on an individualized case-by-case basis as to the effectiveness of their current site, and if necessary, may be required to move to an off-site and/or co-located office.

A task force must be officially and structurally in operation for one year prior to receiving grant funds. This year shall serve as a trial period as well as to test the level of commitment from the jurisdiction.

### Reporting

Timely and accurate reporting of statistics/information on the Monthly Task Force Progress Report is required of all Task Forces.

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**NAME OF PROGRAM:** Prevention Resource Officer Program

### **DESCRIPTION OF THE PROGRAM:**

The PRO program puts certified West Virginia police officers who are also certified Prevention Resource Officers in local middle and high schools. The officers maintain

an office in one school for 35-40 hours per week, attend extra- curricular activities, and facilitate classes on non-traditional educational topics such as: juvenile law, domestic violence, underage drinking, drug and alcohol prevention, and child abuse and neglect. The officers work on safety issues, prevention, and learning more about youth and interacting with them.

### **Goal**

To provide funding that will implement the PRO (Prevention Resource Officer) program. These officers will adhere to community policing principles, provide education to all areas of juvenile law, act as a deterrent to crime and be a positive role model and mentor for the youth in that community and school.

### **Program Objectives and Performance Measures:**

#### **Objectives:**

1. To educate students on juvenile crime and juvenile issues by providing instruction on non-traditional educational topics.
2. To provide advice to students who are at risk of becoming involved in juvenile crime.
3. To inform students of problems which lead to truancy, poor grades, drugs, and crime.
4. To increase awareness of at-risk youth concerning problems and consequences.
5. To act as a deterrent to juvenile crime in the school and in the community.
6. To act as a positive role model and mentor in the school and in the community. Therefore, minimizing negative stereotypes and allowing the officer to be known as an individual, rather than by their role.
7. Increase in DUI awareness through the Fatal Vision Program.

**GUIDELINE REQUIREMENTS FOR PREVENTION RESOURCE OFFICERS:**

1. PRO must be a current, state certified police officer and be employed by a city or county law enforcement agency.
2. PRO must complete required DCJS training and be a certified PRO before entering the school.
3. PRO must adhere to all established PRO guidelines.
4. DCJS requires law enforcement agency to employ one, full-time PRO officer per school.
5. PRO will be stationed in a middle or high school. The program is not designed to meet the needs of elementary age students. However, the officer is encouraged to visit the elementary school and establish communication with the teachers, administrators and students.
6. PRO must maintain an office in the assigned school and be present in that school at least 35 hours per week.
7. PRO must be available to facilitate non-traditional educational classes as requested.
8. City/County must submit to DCJS before the officer enters the school an Agreement between Law Enforcement and the County Board of Education.
9. PRO must be aware of and adhere to all school policies and school laws.

10. PRO must follow the School Smoking Policy. If the policy requires legal action at a certain point that is the point the PRO becomes involved. They are not to be involved at any discipline stage not requiring legal action with the exception of counseling or education.
11. PRO will respond to any criminal activity in the school. After the immediate response the officer is then encouraged to turn the investigation over to another officer within the department.
12. PRO must maintain a resource list containing the names and numbers of services available to youth, the school, and community.
13. PRO will directly report to the principal of the school the PRO is stationed in as well as their law enforcement supervisor.
14. PRO must submit classroom topics to the county school board, school principal, and classroom teacher for approval.
15. PRO must attend and present the PRO program at the first Faculty/Senate Meeting prior to the first day of school and must attend Faculty/Senate Meetings on a regular basis.
16. PRO must be familiar with and adhere to confidentiality requirements.
17. PRO must maintain and update annually a copy of the blueprints of their school. These blueprints must be in a secure area in the office of the PRO as well as on file with the head of the law enforcement agency which employs the PRO.
18. PRO must have a copy, be familiar with, and participate in the execution of the school crisis plan. This plan must be updated annually and kept in a secure area

in the office of the PRO as well as on file with the head of the law enforcement agency which employees the PRO.

19. PRO must maintain a written evacuation plan. This plan must be updated annually and kept in a secure area in the office of the PRO as well as on file with the head of the law enforcement agency which employees the PRO.
20. PRO must follow the Law Enforcement Code of Conduct as well as the Teacher's Code of Conduct at all times.
21. PRO must maintain individual and/or group files representing every student the PRO has had contact with and must be reported on the monthly demographic report. These files must be kept in a locked and secure manner in order to protect the confidentiality of all juveniles involved in this program.
22. PRO must maintain facilitation resources, materials, and lesson plans for chosen core curriculum.
23. PRO must maintain required annual baseline data which will be submitted to DCJS.
24. PRO must in cooperation with the Planning and Evaluation Team maintain a copy of the evaluation plan for the program and update it annually.
25. The Planning & Evaluation Team must include at least one parent and at least one student.
26. PRO must be certified or receive a training certificate before entering the school in one of the following instructional curriculums: Increasing Your Causative Power, Drug Abuse Resistance Education (D.A.R.E.), Life Skills, Keys to Inner-visions, Get Real About Violence/Here's Looking At You, or Conflict Resolution

(CORE). The PRO must choose one of the above approved instructional curriculums as the core curriculum for their program, but can be trained and use the other approved curriculums also.

27. PRO must complete or have completed required Conflict Resolution training within 12 months of receiving PRO certification.

28. PRO must have at least one-year field experience as a police officer.

29. PRO must be a child advocate, must enjoy working with youth and be willing to do so.

**\*\*\*DCJS strongly recommends, but does not require the PRO to wear a uniform and a gun while on duty on the school campus. National Training Programs encourage the weapon for the safety of the officers as well as students.**

**REQUIRED PROCEDURES FOR GRANT FUNDED PRO'S:**

- A. The Law Enforcement Agency shall select an officer to serve in the capacity of PRO, as per their hiring procedures.
- B. The PRO shall remain an employee of the city or county law enforcement agency and will be directly accountable to their law enforcement supervisor as well as the principal of the school.
- C. The PRO will work in conjunction with the school principal and other school staff in formulating programs, activities, safety, criminal apprehension and interdiction (prohibition forbidden), as well as serve as liaison between the school and the department. Investigation and further prosecution will be referred to the police department.

- D. PRO shall report directly for duty to the school building during assigned work times.
  - 1. The PRO will work a flexible eight-hour schedule and will not be required to attend extracurricular activities, but shall have the option to attend as needed.
  - 2. If overtime is necessary for activities to fulfill the PRO's overall goals and objectives, it must receive prior approval from the direct supervisor.
  
- E. PRO shall maintain an office/workspace in the school.
  
- F. The PRO will attempt to accommodate the requests from the school staff that are appropriate for the position and do not conflict with the police department Policy or Procedures.
  - 1. The PRO will provide instruction to students in various aspects of law enforcement and legal education as requested and supervised by the teacher.
  - 2. The PRO will abide by County School Board policies and school laws that relate to a Prevention Resource Officer unless they conflict with existing departmental policy.
  - 3. The PRO will consult with the school principal and staff to determine job functions for the position. These functions cannot conflict with police department policy and procedures or school laws and policies.
  - 4. The PRO will be required to attend Faculty/Senate Meetings regularly and is also encouraged to attend PTO meetings.

5. The PRO shall consult and coordinate all instructional activities and programs through the principal.
- 
- G. The PRO shall not function as school disciplinarian, or safety officer, except in cases of emergency. This includes the officer being directly involved in the incident or a crime has been committed. It is not the responsibility of the PRO to intervene with the normal disciplinary actions of the school or be used as a witness to disciplinary procedures in the school. The PRO will, at all times, be expected to act within the scope of authority granted by the law.
  - H. PRO will not perform duties that fall within the realm of existing school personnel, such as the principal, counselors or truancy officers. **The PRO will acknowledge the principal as the administrative leader of the school and the PRO is subject to directives and supervision of the principal at all times, while on school grounds.**
  - I. PRO will attempt to identify and prevent delinquent behavior through informal counseling and referral to existing school or community resources.
  - J. The PRO will foster a better relationship between students, teachers, and police officers. Public relations will be a critical part of the PRO's job; however, the role must be carefully balanced against the traditional law enforcement function.
    1. The PRO will provide information about crime prevention.
    2. The PRO will be aware of and adhere to existing referral services and will be able to address problems by utilizing available resources.

3. The PRO will be aware of substance abuse programs and will work with the school to reduce problems with drugs, alcohol, and violence prevention. The PRO will also work in coordination with the Safe and Drug Free School Coordinator.
4. The PRO will provide assistance and support to crime victims at the school.
5. The PRO will serve in the role of facilitator in regard to concepts and structure of the law.

## **PERFORMANCE MEASURES**

1. Reduction of juvenile crime in the community and in the school.
2. Reduction in first time juvenile offenders, and re-offenders.
3. Increase in school attendance.
4. Decrease in truancy.
5. Increase in student acceptance and value of the program (determined by student surveys).
6. Decrease in DUI arrest of juveniles in the community.
7. Types of classes conducted.

# The West Virginia FY 10 Justice Assistance Grant Program Contractual Pass Through Funding

The West Virginia Division of Criminal Justice Services will sub grant this portion of the awarded funding to projects that seek to address each of the identified priority areas established by the West Virginia Justice Assistance Grant Program Funding Committee. The JAG Funding Committee has identified priority areas of: Domestic Violence; Sexual Offenses; Violent Crime; Substance Abuse; Information Sharing and Juvenile Issues.

The process in planning for the implementation of the JAG grant funds is a business model that DCJS has established for the JAG program and consistent with most funding administered by the West Virginia Division of Criminal Justice Services (DCJS).

A statewide solicitation process ensures that these grant funds will be made available to all potential applicants within the state. A Request for Proposal (RFP) will be released announcing the availability of the JAG funds. Once the deadline has expired the applications received will be reviewed by DCJS staff and recommendations on funding will be drafted to be presented to the funding committee. The grant funding committee will meet to review proposals and make decisions on their recommendations to the Governors Office, who will ultimately make the final funding decisions.

Examples of the types of programs that the JAG program has funded in prior years are Multi-Jurisdictional Drug Task Forces, Prevention Resource Officers in Schools, Child Advocacy Centers, and Community Based Corrections Drug Treatment Programs.

# The West Virginia FY 10 Justice Assistance Grant Program Budget Narrative

The West Virginia JAG Program will be administered by the West Virginia Division of Criminal Justice Services/SAA. The total amount of funds set aside for administrative purposes for the FY 10 JAG Program is \$206,616.00 which is 10 percent of the Federal allocation of \$2,066,158.00. Below is a description of each budget category for West Virginia's JAG program with a narrative of how this funding will be utilized.

## **A. PERSONNEL: \$139,859.00**

The West Virginia Division of Criminal Justice Services – under the Department of Military Affairs and Public Safety – serves as West Virginia's criminal justice planning agency. In 1966, the Governor's Committee on Crime, Delinquency and Correction was created by executive order 7-A 66, and requested to develop a comprehensive plan that would direct efforts to improve the state's criminal justice system. As a result, the West Virginia Division of Criminal Justice Services (DCJS) was created as the statewide planning agency dedicated to the improvement of the state's criminal justice system. DCJS acts as staff to the Governor's Committee on Crime, Delinquency and Correction, and strives to reduce or prevent crime and improve public safety in West Virginia by coordinating the efforts and impact of the criminal justice system.

DCJS serves as the State Administrative Agency (SAA) for grant funded programs provided by the U.S. Department of Justice, as well as designated programs from the U.S. Department of Education, U.S. Department of Health and Human Services, other federal agencies as necessary, and the State of West Virginia. Our duties include, but are not limited to, assisting in the protection of the citizens of West Virginia through (1) research and statistics; (2) planning and coordination of services; (3) training and certification of law enforcement officers; (4) program development and implementation; and, (5) administration of grant funded programs emphasizing safety, prevention, coordination and the general enhancement of the criminal justice system as a whole.

DCJS' role in state government is unique in that our responsibilities bridge the gap between federal, state, and local units of government, as well as private/non-profit organizations and the general public. The Division is experienced in program administration that requires the coordination of all facets of the criminal and juvenile justice systems, including law enforcement, jails, courts, corrections, community supervision and victim services.

The following is a general summary of administrative responsibilities and duties of the West Virginia Justice Assistance Grant Program State Administrative Agency:

- Development and submission of West Virginia's application and other required reports to the U.S. Department of Justice, Bureau of Justice Assistance.
- Development of West Virginia's JAG Program grant application kit and administrative manual, which is mailed statewide.

- Meet and speak with local government officials, law enforcement and criminal justice professionals to identify criminal justice problems and needs in regards to their grant application.
- Assist potential grantees in development of grant applications and provide technical assistance to ensure grantees are in compliance with federal and state grant requirements, reporting procedures and proper record keeping.
- Review grant applications for compliance, accuracy and impact.
- Recommend applications and funding levels.
- Prepare investment package of recommended grant awards to the Governor for approval.
- Upon approval of grant awards by the Governor, process appropriate grant documents (contract, etc.) necessary for implementation of grants.
- Monitor grantees to ensure compliance with applicable guidelines and regulations, and to ensure that the objectives of the program are being met.
- Review and process progress reports, financial reports and back-up documentation for accuracy and compliance with federal and state regulations.
- Review requests by grantee for budget and programmatic adjustments and make recommendations for approval.
- Prepare required correspondence and documents.
- Prepare required documents for contract and budget modifications.
- Confer with federal and state representatives regarding the administration of grant programs.
- Make contact with grantees and criminal justice professionals by telephone, correspondence, e-mail and/or on-site visits.
- Maintain complete files on grants/grantees and other JAG issues.
- Present the JAG Program to local officials and criminal justice professionals.
- Attend, exhibit and make presentations at conferences, meetings, workshops, etc. both statewide and nationally concerning the JAG Program.
- Coordinate with other funding sources/agencies to administer statewide programs more efficiently and effectively.

Clerical and administrative staff also perform general administrative tasks for the JAG

## **B. FRINGE BENEFITS: \$52,777.00**

West Virginia Division of Criminal Justice Services' Fringe Benefits Administrative Costs for .05 Total FTE salary; disbursed to the Program Specialist.

See "A. Personnel" for description of type of activities associated with the administration of the Recovery Act JAG Program.

Benefits are based on FICA at 7.65%, [WV] Public Employees' Retirement System (PERS) at 10.5%, Workers Compensation (WC) at .73, and actuals for Public Employees Insurance Agency (PEIA). Percentages are applied to listed personnel annual salaries.

## **C. TRAVEL: \$3,600.00**

See "A. Personnel" for description of type of activities associated with the administration of the JAG Program.

## **D. EQUIPMENT: \$0.00**

See "A. Personnel" for description of type of activities associated with the administration of the JAG Program.

## **E. SUPPLIES: \$1,530.00**

See "A. Personnel" for description of type of activities associated with the administration of the JAG Program.

## **F. CONSTRUCTION: \$0.00**

There will be no construction costs associated with this proposal.

## **G. CONSULTANTS/CONTRACTS: \$1,859,542.00**

The West Virginia Division of Criminal Justice Services will sub grant this portion of the awarded funding to projects that seek to address each of the identified priority areas established by the West Virginia Justice Assistance Grant Program Funding Committee. The JAG Funding Committee has identified priority areas of: Domestic Violence; Sexual Offenses; Violent Crime; Substance Abuse; and Juvenile Issues.

The process in planning for the implementation of the JAG grant funds is a business model that DCJS has established for the JAG program and consistent with most funding administered by the West Virginia Division of Criminal Justice Services (DCJS).

A statewide solicitation process ensures that these grant funds will be made available to all potential applicants within the state. A Request for Proposal (RFP) will be released announcing the availability of the JAG funds. Once the deadline has expired the applications received will be reviewed by DCJS staff and recommendations on funding will be drafted to be presented to the funding committee. The grant funding committee will meet to review proposals and make decisions on their recommendations to the Governors Office, who will ultimately make the final funding decisions.

Examples of the types of programs that the JAG program has funded in prior years are Multi-Jurisdictional Drug Task Forces, Prevention Resource Officers in Schools, Child Advocacy Centers, and Community Based Corrections Drug Treatment Programs.

**G. OTHER COSTS: \$8,850.00**

See "A. Personnel" for description of activities associated with the administration of the JAG Program. These costs will be applied to activities in the administration of the JAG Program and include proportionate percentages of general office supplies and copy machine rentals (WV State agencies are require by law to rent).

**COST SUMMARY**

A. PERSONNEL:	\$139,859.00
B. FRINGE BENEFITS:	\$52,777.00
C. TRAVEL:	\$3,600.00
D. EQUIPMENT:	\$0.00
E. SUPPLIES:	\$1,530.00
F. CONSTRUCTION:	\$0.00
G. CONSULTANTS/CONTRACTS:	\$1,859,542.00
H. OTHER COSTS:	\$8,850.00
<b>FEDERAL REQUEST:</b>	<b>\$2,066,158.00</b>

# Budget Detail Worksheet

**Purpose:** The Budget Detail Worksheet may be used as a guide to assist you in the preparation of the budget and budget narrative. You may submit the budget and budget narrative using this form or in the format of your choice (plain sheets, your own form, or a variation of this form). However, all required information (including the budget narrative) must be provided. Any category of expense not applicable to your budget may be deleted.

**A. Personnel** - List each position by title and name of employee, if available. Show the annual salary rate and the percentage of time to be devoted to the project. Compensation paid for employees engaged in grant activities must be consistent with that paid for similar work within the applicant organization.

Name/Position	Computation	Cost
See Attachment for position	See Attachment for computations	\$139,859.00
<b>SUB-TOTAL</b>		\$139,859.00

**B. Fringe Benefits** - Fringe benefits should be based on actual known costs or an established formula. Fringe benefits are for the personnel listed in budget category (A) and only for the percentage of time devoted to the project. Fringe benefits on overtime hours are limited to FICA, Workman's Compensation, and Unemployment Compensation.

Name/Position	Computation	Cost
	See Attachment for computations	\$52,777.00
<b>SUB-TOTAL</b>		\$52,777.00
<b>Total Personnel &amp; Fringe Benefits</b>		\$192,636.00

**C. Travel** - Itemize travel expenses of project personnel by purpose (e.g., staff to training, field interviews, advisory group meeting, etc.). Show the basis of computation (e.g., six people to 3-day training at \$X airfare, \$X lodging, \$X subsistence). In training projects, travel and meals for trainees should be listed separately. Show the number of trainees and the unit costs involved. Identify the location of travel, if known. Indicate source of Travel Policies applied, Applicant or Federal Travel Regulations.

Purpose of Travel	Location	Item	Computation	Cost
Travel expenses for program staff to attend state and/ or <sup>+</sup>	TBA		2,000 x 1 staff	\$2,000.00
Expenses related to JAG sub grant monitoring			3,951mi x .405 / mi	\$1,600.00
Travel entry 3				
Travel entry 4				
Travel entry 5				
Travel entry 6				
Travel entry 7				
<b>TOTAL</b>				<u>\$3,600.00</u>

**D. Equipment** - List non-expendable items that are to be purchased. Non-expendable equipment is tangible property having a useful life of more than two years and an acquisition cost of \$5,000 or more per unit. (Note: Organization's own capitalization policy may be used for items costing less than \$5,000). Expendable items should be included either in the "supplies" category or in the "Other" category. Applicants should analyze the cost benefits of purchasing versus leasing equipment, especially high cost items and those subject to rapid technical advances. Rented or leased equipment costs should be listed in the "Contractual" category. Explain how the equipment is necessary for the success of the project. Attach a narrative describing the procurement method to be used.

Item	Computation	Cost
<b>TOTAL</b>		<u>\$0.00</u>

**E. Supplies** - List items by type (office supplies, postage, training materials, copying paper, and expendable equipment items costing less than \$5,000, such as books, hand held tape recorders) and show the basis for computation. (Note: Organization's own capitalization policy may be used for items costing less than \$5,000). Generally, supplies include any materials that are expendable or consumed during the course of the project.

Supply Items	Computation	Cost
General office supplies	\$31.88/month x 48 months	\$1,530.00
Postage		
supply item 3		
supply item 4		
supply item 5		
supply item 6		
supply item 7		
supply item 8		
supply item 9		
		<b>TOTAL</b> <u>\$1,530.00</u>

**F. Construction** - As a rule, construction costs are not allowable. In some cases, minor repairs or renovations may be allowable. Check with the program office before budgeting funds in this category.

Purpose	Description of Work	Cost
four lines per entry, use boxes below or an additional page for more space if required		
		<b>TOTAL</b> <u>\$0.00</u>

**G. Consultants/Contracts** - Indicate whether applicant's formal, written Procurement Policy or the Federal Acquisition Regulations are followed.

**Consultant Fees:** For each consultant enter the name, if known, service to be provided, hourly or daily fee (8-hour day), and estimated time on the project. Consultant fees in excess of \$450 per day require additional justification and prior approval from OJP.

Name of Consultant	Service Provided	Computation	Cost
			<i>Subtotal</i> \$0.00

**Consultant Expenses:** List all expenses to be paid from the grant to the individual consultants in addition to their fees (i.e., travel, meals, lodging, etc.)

Item	Location	Computation	Cost
			<i>Subtotal</i> \$0.00

**Contracts:** Provide a description of the product or service to be procured by contract and an estimate of the cost. Applicants are encouraged to promote free and open competition in awarding contracts. A separate justification must be provided for sole source contracts in excess of \$100,000.

Item	Cost
Funding to be passed through to units of state and local government and private non profit organizations to implement a JAG project. See attachment	\$1,859,542.00
maximum of four lines	
<i>Subtotal</i> \$1,859,542.0	
<b>TOTAL</b> \$1,859,542.0	

**H. Other Costs** - List items (e.g., rent, reproduction, telephone, janitorial or security services, and investigative or confidential funds) by major type and the basis of the computation. For example, provide the square footage and the cost per square foot for rent, or provide a monthly rental cost and how many months to rent.

Description	Computation	Cost
Postage	\$20.83/month x 48 months	\$1,000.00
Vehicle Operating Expenses	\$10.42/month x 48 months	\$500.00
Copier rental	\$12.50/month x 48 months	\$600.00
Rent	\$125/month x 48 months	\$6,000.00
Utilities related to office space	\$15.63/month x 48 months	\$750.00
<b>TOTAL</b>		<u>\$8,850.00</u>

**I. Indirect Costs** - Indirect costs are allowed only if the applicant has a Federally approved indirect cost rate. A copy of the rate approval, (a fully executed, negotiated agreement), must be attached. If the applicant does not have an approved rate, one can be requested by contacting the applicant's cognizant Federal agency, which will review all documentation and approve a rate for the applicant organization, or if the applicant's accounting system permits, costs may be allocated in the direct costs categories.

Description	Computation	Cost
one line per entry		
one line per entry		
<b>TOTAL</b>		<u>\$0.00</u>

**Budget Summary**- When you have completed the budget worksheet, transfer the totals for each category to the spaces below. Compute the total direct costs and the total project costs. Indicate the amount of Federal requested and the amount of non-Federal funds that will support the project.

<b>Budget Category</b>	<b>Amount</b>
<b>A. Personnel</b>	<u>\$139,859.00</u>
<b>B. Fringe Benefits</b>	<u>\$52,777.00</u>
<b>C. Travel</b>	<u>\$3,600.00</u>
<b>D. Equipment</b>	<u>\$0.00</u>
<b>E. Supplies</b>	<u>\$1,530.00</u>
<b>F. Construction</b>	<u>\$0.00</u>
<b>G. Consultants/Contracts</b>	<u>\$1,859,542.00</u>
<b>H. Other</b>	<u>\$8,850.00</u>
<b>Total Direct Costs</b>	<u>\$2,066,158.00</u>
<b>I. Indirect Costs</b>	<u>\$0.00</u>
<b>TOTAL PROJECT COSTS</b>	<u>\$2,066,158.00</u>
<b>Federal Request</b>	<u>\$2,066,158.00</u>
<b>Non-Federal Amount</b>	<u>\$0.00</u>

Administrative Budget for JAG 2010 Award

Staff	Salary/ Increment	PEIA	Admin Fees	Allocation	Salary Allocation	PERS Allocation
B. Bevers	29400	2876	250	0.3	8820	1103
L. Boggess	43380		250	0.1	4338	542
A. Dickenson	33756	4049	250	0.9	30380	3798
J. Estep	46692	7656	250	0.1	4669	584
N. Federspiel	68916	7656	250	0.1	6892	862
J. Metzger	33984	7656	250	1	33984	4248
T. Roderick	26160	2876	250	0.1	2616	327
G. Stewart	27732		250	0.2	5546	693
H. Richardson	34794	7633	250	1	34794	4349
A. Whipkey	28260	7656	250	0.1	2826	353
J. Epperly	49944	7656	250	0.1	4994	624
Totals				4	139,859	17,483

Salaries	139,859
Benefits	52,777
Supplies	1,530
Travel	3,600
Other Costs - Rent	6,000
Other Costs - Copier Rental	600
Other Costs - Postage	1,000
Other Costs - Vehicle Expense	500
Other Costs-Utilities	750

Total 206,616.00

FICA Allocation	W/C Allocation	PEIA Allocation	Admin Fee Allocation
675	28	863	75
332	14	0	25
2324	97	3644	225
357	15	766	25
527	22	766	25
2600	109	7656	250
200	8	288	25
424	18	0	50
2662	111	7633	250
216	9	766	25
382	16	766	25
10,699	447	23,148	1,000