

BUREAU OF JUSTICE ASSISTANCE

UPHOLDING THE RULE OF LAW AND PREVENTING WRONGFUL CONVICTIONS PROGRAM FY19 COMPETITIVE GRANT ANNOUNCEMENT

Presenters:

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AGENDA

Overview of the Program

Category 1 Overview

Category 2 Overview

Application Materials

Questions and Answers

Upholding the Rule of Law and Preventing Wrongful Convictions (URLPWC) Program

Protects the integrity of the criminal justice system and improves the administration of justice through the consistent application of due process for all by:

- Advancing methodologies and policies that address the underlying causes of wrongful convictions.
- Supporting entities that seek to review convictions for possible miscarriages of justice, particularly claims involving known risk of error (e.g., eyewitness ID), and prevent future errors.
- Providing high-quality and efficient representation for defendants in post-conviction claims of innocence.
- Whenever possible, support the identification of the true perpetrators of these crimes.

Eligibility

- Eligible applicants are limited to:
 - State and local governments with authority over offices that work to prevent, identify, and correct false or wrongful convictions
 - State and local public defender offices
 - Nonprofit organizations (including tribal nonprofit organizations) dedicated to judicial verdicts that comport to the rule of law
 - Institutions of higher education (including tribal institutions of higher education)
- All applicants (or the partners conducting the work) must have demonstrable experience and competence in litigating post-conviction claims of innocence.
- All recipients and subrecipients (including any for-profit organization) must forgo any profit or management fee.

Eligibility (cont'd)

- BJA welcomes applications that involve two or more entities that would carry out the federal award; however, only one entity may be the applicant.
 - Note: a multi-entity partnership is required in Category 1.
- Any others must be proposed as subrecipients (subgrantees).
- The applicant must be the entity that would have primary responsibility for carrying out the award, including administering the funding.
- Under this solicitation, only one application by any particular applicant entity will be considered. An entity may, however, be proposed as a subrecipient (subgrantee) in more than one application.

Solicitation Overview

URLPWC funding will be used to support two categories:

1. Prosecutor/Conviction Integrity Unit-Led Partnerships with Wrongful Conviction Review (WCR) Entities

- WCR Entities = **eligible entities** that represent individuals with post-conviction claims of innocence
- Note: Partnership is **required with an eligible WCR entity.**

2. Wrongful Conviction-Review Entity-Led Strategy

Note: Partnership is **not** required.

Category 1: Prosecutor/Conviction Integrity Unit-Led Partnerships with WCR Entities

FOCUS: PREVENTING WRONGFUL CONVICTIONS AND REVIEWING POST-CONVICTION CLAIMS OF INNOCENCE

- Established or new conviction integrity units (CIUs) are encouraged to apply.
- Applications must propose to:
 - Assess the risk of and prevent wrongful convictions.
 - Review, investigate, and adjudicate individual cases of post-conviction and appeals claims of innocence.
- The following policies and procedures must be described:
 - Conflict of interest mitigation (.e.g., involvement of the original prosecutor)
 - Handling of prosecutorial misconduct (strong preference for referral)

Category 1: Prosecutor/Conviction Integrity Unit-Led Partnerships with WCR Entities (cont'd)

PARTNERSHIP WITH A WCR ENTITY IS REQUIRED

- **At least 30 percent of funds** must be directed to a WCR entity through a **subaward**, in support of the entity's efforts to provide high-quality and efficient post-conviction representation to defendants in post-conviction claims of innocence.
- An MOU/LOI must be included from the WCR entity.

Category 2: Wrongful Conviction Review Entity-Led Strategy

FOCUS: REVIEW OF POST-CONVICTION CLAIMS OF INNOCENCE

- Established or new entities are encouraged to apply. Funds will support entities to:
 - Review, investigate, and adjudicate individual claims of innocence and appeals.
 - Assess the risk for wrongful conviction among the reviewed cases and support the prevention of wrongful convictions.
- Partnership with a prosecutor's office or CIU is optional, but encouraged where appropriate. If the application includes a partnership, it must include a description of the policies and procedures re: COI and protection of defendant's rights.

Additional Application Considerations (Categories 1 & 2)

- Each applicant organization must demonstrate its capacity and commitment (and that of its key partners) to conduct this work, including demonstrable experience and competence with legal representation of post-conviction claims of innocence and appeal.
- All applicants must describe how they will devote resources to coordinate the intake screening, investigation, and representation of post-conviction and appeals innocence claims.
- As with all OJP-funded activities, applicants are encouraged to use data and scientific evidence to inform their proposals and program development.
 - See: www.crimesolutions.gov
 - See: <https://www.bja.gov/programs/crppe/index.html>

Training and Technical Assistance

- **All sites will have access to a national training and technical assistance (TTA) provider that will provide support to:**
 - Build sustainable partnerships.
 - Develop and implement wrongful conviction risk and review assessment processes.
 - Review high-risk cases.
 - Provide quality post-conviction and appeals legal representation.
 - Document the efficacy of grantees in seeking to overturn challenged convictions and identify appropriate suspects when convictions are overturned.
- Assistance will be provided via regional training, ongoing direct TA, online orientations, tools and promising practices, sample motions, etc.

Expected Deliverables

- Identify and report the number of post-conviction appeals claims of innocence cases reviewed and the stage of review.
- Document a systematic review of areas at risk for wrongful conviction.
- Produce a plan to mitigate the identified risks.
- Develop policies and procedures and/or identify training needs that will help prevent wrongful convictions.

NOTE: See Section D of the solicitation for information re: performance measures.

Performance Measures Requirement

- Applicants are not required to submit performance data with their applications.
- Performance measures information is included as an alert that successful applicants will be required to submit performance data as part of the reporting requirements under their awards.
- The application should demonstrate the applicant's understanding of the performance data reporting requirements for this grant program and detail how the applicant will gather the required data should it receive funding.

Upholding the Rule of Law and Preventing Wrongful Convictions (URLPWC) Program

<https://www.bja.gov/URLPWC/index.html>

Tips for Applying

- Applicants must register in and submit applications through Grants.gov. Registering is a one-time process but can take several weeks for first time registrants.
- Applicants must comply with all applicable System for Award Management (SAM) and unique entity identifier (DUNS) requirements.
- OJP encourages applicants to submit at least **72 hours** prior to the application due date to allow time to correct any problems that might occur.
- **Application due date: July 2, 2019 at 11:59 p.m. ET**

Tips for Applying

- The application must be submitted by an eligible type of applicant.
- The application must request funding within programmatic funding constraints (if applicable).
- The application must be responsive to the scope of the solicitation.
- The application must include all items designated as “critical elements.”
 - For a list of the critical elements for this solicitation, see “What an Application Should Include” under Section D. Application and Submission Information (page 11).

Questions & Answers

Please submit questions using the Q&A box and selecting all panelists.

Solicitation Link: <https://www.bja.gov/funding/URLPWC19.pdf>

Other BJA Funding Opportunities:

https://www.bja.gov/funding.aspx?utm_source=announcements_bja.gov&utm_medium=web

Application Assistance and Support



National Criminal Justice Reference Service (NCJRS) Response Center

<https://www.ncjrs.gov>

- Provides solicitation support and general assistance
- Links to all current OJP funding opportunities
- Funding Notices - subscribe to receive email notifications of new opportunities
 - Sign-up to receive the bi-weekly JUSTINFO newsletter as well as the weekly Funding News From NCJRS email.
 - Be sure to select “Grants/funding” as an area of interest in your NCJRS registration profile when you subscribe.
- **email** - grants@ncjrs.gov
- **web chat** - <https://webcontact.ncjrs.gov/ncjchat/chat.jsp>
- **toll free** at 800-851-3420;
- **TTY** at 301-240-6310 (hearing impaired only)

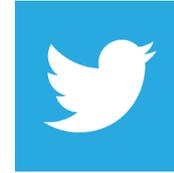
The NCJRS Response Center hours of operation are 10:00 a.m. to 6:00 p.m. eastern time, Monday through Friday.

Application Assistance

Grants.gov

- Provides technical assistance with submitting an application
 - **Customer Support Hotline** – 800-518-4726 or 606—545-5035
 - The Grants.gov Support Hotline operates 24 hours a day, 7 days a week, except on federal holidays.
 - **Email**
 - <https://www.grants.gov/web/grants/support.html>
 - support@grants.gov
- Provides information on available federal funding opportunities for various federal agencies.

Stay Connected!!



Social Media

- Facebook: <https://www.facebook.com/DOJBJA>
- Twitter: <https://twitter.com/DOJBJA>
- RSS: <https://www.bja.gov/Connect.aspx>

For information on funding opportunities, publications, and initiatives, visit **BJA's website** – <https://www.bja.gov>.

Recommended Resources

BJA Grant Applicant Education Series

A series of four previously recorded webinars designed to assist potential applicants interested in applying for BJA funding opportunities.

- Funding Opportunities for Your Community in 2019: An Overview of What's Ahead
- The First Steps to Applying, Prepare Now
- The Federal Funding Process: What New and Seasoned Applicants Should Consider
- Submitting Your Application: Avoid These Common Mistakes
- <https://www.bja.gov/funding/webinars.html>

Recommended Resources

OJP Funding Resource Center

- <https://ojp.gov/funding/index.htm>

2019 OJP Grant Application Resource Guide

- <https://ojp.gov/funding/Apply/Resources/Grant-App-Resource-Guide.htm>

DOJ Grants Financial Guide

- <https://ojp.gov/financilaiguide/DOJ/index.htm>

DOJ Grants Financial Management Online Training

- <https://ojpfgm.webfirst.com/>

NIJ's CrimeSolutions.gov

- <https://www.CrimeSolutions.gov>