

Information Regarding a Change to the Body-Worn Camera Policy and Implementation Program FY 2018 Competitive Grant Announcement

May 7, 2018

This solicitation has been updated with a clarification that changes the description for Category 2 (BJA-2018-13884) to include **both** small and mid-sized law enforcement agencies with 250 or less sworn officers, as opposed to the original Category 2 description of “more than 50 sworn officers but less than 250.”

Thank you for your attention to this change.

U.S. Department of Justice
Office of Justice Programs
Bureau of Justice Assistance



The [U.S. Department of Justice](#) (DOJ), [Office of Justice Programs](#) (OJP) [Bureau of Justice Assistance](#) (BJA) is seeking applications for the fiscal year (FY) 2018 Body-Worn Camera Policy and Implementation Program. This program furthers the Department's mission by promoting the safety of law enforcement officers and citizens.

Body-Worn Camera Policy and Implementation Program FY 2018 Competitive Grant Announcement Applications Due: May 31, 2018

Eligibility

Eligible applicants are limited to public agencies of state government, units of local government, and federally recognized Indian tribal governments that perform law enforcement functions (as determined by the Secretary of the Interior), or any department, agency, or instrumentality of the foregoing that performs criminal justice functions (including combinations of the preceding entities).

All recipients and subrecipients (including any for-profit organization) must forgo any profit or management fee.

BJA welcomes applications under which two or more entities would carry out the federal award; however, only one entity may be the applicant. Any others must be proposed as subrecipients (subgrantees).¹ The applicant must be the entity that would have primary responsibility for carrying out the award, including administering the funding and managing the entire project. 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.

If clarification as to an entity's eligibility is needed, applicants are encouraged to contact the National Criminal Justice Reference Service (NCJRS) to confirm their eligibility before developing a full application. BJA will consider any supporting documentation relevant to the determination of eligibility.

¹ For additional information on subawards, see "Budget and Associated Documentation" under [Section D. Application and Submission Information](#).

BJA may elect to fund applications submitted under this FY 2018 solicitation in future fiscal years, dependent on, among other considerations, the merit of the applications and on the availability of appropriations.

Deadline

Applicants must register with Grants.gov at <https://www.grants.gov/web/grants/register.html> prior to submitting an application. All applications are due by 11:59 p.m. eastern time on May 31, 2018.

To be considered timely, an applicant must submit the application by the deadline using Grants.gov, and the applicant must have received a validation message from Grants.gov that indicates successful and timely submission. OJP urges applicants to submit applications at least 72 hours prior to the application due date, to allow time for the applicant to receive validation messages or rejection notifications from Grants.gov, and to correct in a timely fashion any problems that may have caused a rejection notification.

OJP encourages all applicants to read this [Important Notice: Applying for Grants in Grants.gov](#).

For additional information, see [How To Apply](#) in [Section D. Application and Submission Information](#).

Contact Information

For technical assistance with submitting an application, contact the Grants.gov Customer Support Hotline at 800-518-4726, 606-545-5035, at <https://www.grants.gov/web/grants/support.html>, or at support@grants.gov. The Grants.gov Support Hotline operates 24 hours a day, 7 days a week, except on federal holidays.

An applicant that experiences unforeseen Grants.gov technical issues beyond its control that prevent it from submitting its application by the deadline must email the contact identified below **within 24 hours after the application deadline** to request approval to submit its application after the deadline. Additional information on reporting technical issues appears under "Experiencing Unforeseen Grants.gov Technical Issues" in the [How To Apply](#) section.

For assistance with any unforeseen Grants.gov technical issues beyond an applicant's control that prevent it from submitting its application by the deadline, or any other requirement of this solicitation, contact the National Criminal Justice Reference Service (NCJRS) Response Center: toll-free at 800-851-3420; via TTY at 301-240-6310 (hearing impaired only); email grants@ncjrs.gov; fax to 301-240-5830; or web chat at <https://webcontact.ncjrs.gov/ncjchat/chat.jsp>. The NCJRS Response Center hours of operation are 10:00 a.m. to 6:00 p.m. eastern time, Monday through Friday, and 10:00 a.m. to 8:00 p.m. eastern time on the solicitation close date. [Applicants may also view the FY 2018 Solicitation Frequently Asked Questions \(FAQs\)](#).

Grants.gov number assigned to this solicitation: BJA-2018-13574

Release date: May 1, 2018

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Body-Worn Camera Policy and Implementation Program CFDA # 16.835

A. Program Description

Overview

Law enforcement agencies across the United States and throughout the world are using body-worn cameras (BWCs) as a promising tool to improve evidentiary outcomes, and enhance the safety of, and improve interactions between, both officers and the public. The FY 2018 BWC Policy and Implementation Program (PIP) directly supports a key priorities of the Department of Justice by promoting the safety of law enforcement officers and citizens. BWCs can provide critical visual and audio records of interactions. A growing body of research findings indicate that the presence of BWCs can reduce the use of force by assisting in the de-escalation of conflicts. Research also suggests that BWCs can have a moderating effect on citizens and can help strengthen accountability and transparency in citizen-police interactions.

Statutory Authority

Awards under this solicitation will be made under statutory authority provided by Consolidated Appropriations Act, 2018, Pub. L. 115-141, 132 Stat. 348.

Program-Specific Information

This competitive solicitation is for law enforcement agencies seeking to pilot, establish, or enhance BWC policy and implementation programs. The FY 2018 BWC PIP will support the implementation of body-worn camera programs in law enforcement agencies across the country. The BWC PIP addresses the development and implementation of policies and practices for effective program adoption, and includes factors such as the purchase, deployment, and maintenance of camera systems and equipment; data storage and access; and privacy considerations. While BWC equipment may be purchased, award recipients must first demonstrate a commitment and adherence to a strong BWC policy framework, including comprehensive policy adoption and requisite training.

When BWC programs effectively incorporate policy, training, and well-planned implementation, law enforcement agencies' use of BWCs have been shown to be a promising practice that can improve their capacities to gather evidence and improve safety of law enforcement officers and citizens. BWCs also are proving to be an important tool to assist broader law enforcement, problem-solving, and community-engagement strategies within jurisdictions. BWCs can be highly effective resources, providing an unalterable audio and visual record of interactions that capture empirical evidence in the event of a crime, police-citizen interaction, or use-of-force incident.

While research and practices relating to BWCs continue to develop, the outlook is promising. Current implementation methods vary widely, and BWC deployment is often a complex balance between overarching public safety objectives and technological, logistical, and policy challenges. Police membership organizations, including the Police Executive Research Forum (PERF) and the International Association of Chiefs of Police (IACP), have provided resources to help practitioners with successful BWC deployment. DOJ components, including BJA, the

National Institute of Justice (NIJ), and the Office of Community Oriented Policing Services (COPS Office) have produced helpful guidance as well. Useful resources include:

- BJA Body-Worn Camera Toolkit: www.bja.gov/bwc
- IACP Resources: www.theiacp.org (search “Body Worn Camera”)
- COPS Office and PERF: https://cops.usdoj.gov/html/dispatch/10-2014/body_worn_camera_program.asp
- OJP Diagnostics Center Reference for Research on Body Worn Cameras: <https://www.ojpdiagnosticcenter.org/content/center-evidence-based-crime-policy-gmu-releases-new-report-body-worn-cameras> and
- National Institute of Justice Resources: www.nij.gov/topics/law-enforcement/technology/Pages/body-worn-cameras.aspx

Objectives and Deliverables

BJA is soliciting applications from law enforcement agencies, or any department, agency, or instrumentality of the foregoing that performs criminal justice functions, to develop comprehensive, evidence-based, and problem-solving approaches that incorporate BWCs into their law enforcement practices. The implementation may take the form of a pilot program of limited scope, a first-time program, or an enhancement of an existing BWC program.

Regardless of the program type and size, proposed BWC programs are expected to include the following objectives:

- Implement a new or enhance an existing BWC program following the development of a planned and phased approach that first achieves broad stakeholder, local political leadership, and community engagement, and then leverages partnership input to address policy, training, deployment, and procurement requirements;
- Implement operational procedures and tracking mechanisms that address the use, review, access, storage, retention, redaction, and expungement of digital voice and audio evidence;
- Demonstrate commitment to leveraging the evidentiary value of BWCs and digital multimedia evidence (DME) into daily administrative and field operations in a manner that promotes improvements of criminal justice outcomes;
- Train officers, administrators, and associated agencies requiring access to DME; and
- Implement appropriate policies that address BWC privacy matters that involve, at a minimum, legal liabilities concerning the release of information on civil rights, victims’ rights, domestic violence, and juveniles.

Communication with stakeholders who will be affected by BWC use is considered vital. Program funds are expected to support necessary communication with other justice stakeholders. BJA requires that applicants develop internal and external communications strategies that are designed to promote the value and benefit of BWCs to other stakeholders. These include BWCs’ value in providing unalterable digital evidence and for mitigating risks inherent in policing and public safety. Award recipients will also assure communication with community groups and organizations to assure that BWCs are implemented in a manner that optimizes transparency and accountability in police-citizen encounters.

In addition, BWC policies and practices should, at a minimum, address technology usage, evidence acquisition, officer safety, data storage and retention, as well as privacy issues, accountability, and discipline. Public record laws, which allow public access to information held by government agencies, including law enforcement, should also be evaluated and, when practicable, modified to protect the privacy of the individuals whose records they hold. These policies and practices should increase transparency and accessibility, provide appropriate access to information, allow for public posting of policy and procedures, and encourage community interaction. Applicants should describe the existing or intended methods of measuring the success of the BWC program, and how they will be able to sustain the BWC program beyond the grant period.

Funds for the expansion of existing programs should be used to support the requesting agency with the purchase of additional body-worn cameras, the associated hardware, software licenses, and contractual agreements directly related to program creation or expansion. These funds are **not** available merely to fund ongoing maintenance and equipment support services for pre-existing cameras. Any maintenance or support services, whether supported with federal or matching funds (See “Budget Information”), must be applied to the additional cameras being requested as part of this grant.

The objectives and deliverables are directly related to the performance measures that demonstrate the results of the work completed, as discussed in [Section D. Application and Submission Information](#), under Program Narrative.

Special Condition for Policy Development

Award recipients will be required to successfully demonstrate that they have developed BWC policies that are purposeful, deliberative, and comprehensive.

Agencies that are funded for deploying BWCs for the first time shall be required to work with the BJA-funded BWC training and technical assistance (TTA) provider as part of the policy development process. They must demonstrate appropriate policy development and internal law enforcement adoption **prior** to full funding being released by BJA for BWC procurement and implementation. Agencies are also encouraged to utilize the services of the TTA provider to assist in any areas of BWC implementation.

Agencies that are funded for expanding existing BWC programs that already have BWC policies in place will be required to work with the TTA provider to review and establish that their policy development processes have been purposeful, deliberative, and comprehensive. Agencies will have access to only 10 percent of federal award funds for preliminary policy development and planning efforts prior to this review. Matching funds should only be encumbered after an approved budget has been processed by BJA and received by the award recipient.

The primary tool for policy development review is the BWC Policy Review Scorecard, which can be found on BJA’s website at <https://www.bja.gov/bwc/pdfs/BWC-Scorecard-Instructions-and-Template.pdf>. Award recipients are required to complete the scorecard process through the TTA provider prior to the release of funds for implementation.

Applicants are also encouraged to contact the TTA provider, via the contact information found on the TTA website at <http://www.bwctta.com/>, prior to application submission, to ensure they understand the potential impacts of a BWC program. The BWC Program does not cover long-

term program and storage costs, and BJA wants to ensure that agencies understand the potential impact on the individual agency and agency budget

The TTA provider is **not** authorized to provide assistance in terms of recommending BWC vendors, equipment, contracts, or pricing plans. Award recipients will be required to comply with federal procurement regulations and should seek to engage in competitive bidding processes, with rare exceptions for sole source bidding. If questions arise in the post-award period regarding acceptable procurement and contract issues, recipients should contact their designated BJA BWC PIP Program Manager and **not** the BWC TTA provider.

Reimbursement for Previously Purchased Cameras, Other Equipment, and Contracts
BJA will make awards only to new and expanding BWC programs. Applications that seek reimbursement for previously purchased components will **not** be considered for this solicitation. See the Pre-Award Cost Approvals section on page 17.

Data Storage Costs

To ensure agencies establish program continuity, this program does not allow for federal reimbursement of data storage costs. However, BJA recognizes that BWC systems are often bundled or sold as software-as-a-service (SAAS) with no line-item distinction to data storage costs; therefore, procurements with bundled costs, specifically no line-item storage costs, are permissible for reimbursement, and the agency will not be asked to break out the costs. Storage costs may be proposed as matching funds.

CATEGORY 1: IMPLEMENTATION OR EXPANSION OF BWC PROGRAMS THROUGH STATE OR REGIONAL CONSORTIA. Competition ID: BJA-2018-13883

This funding category seeks to leverage economies of scale and enables component agencies to leverage partnerships, collaboration, and joint-acquisition strategies to establish new or expand existing BWC programs.

Category 1 is reserved for programs where multiple agencies would work together to carry out BWC PIP implementation under an established consortium. However, only the consortium lead agency may officially act in the capacity of the applicant. All other entities in the consortium must be proposed subrecipients ("subgrantees").² A priority consideration under this category would be a lead applicant with a solid performance history with grant administration, collaborative partnerships, and procurement experience with technology.

Eligible applicants may include state agencies (e.g., state police, State Administering Agencies), regional law enforcement authorities, or major city or county agencies, acting on behalf of a joint partnership or consortia. A listing of State Administering Agencies recognized by OJP can be found at <https://ojp.gov/saa/>.

Funding Range

There is a maximum allowable request of \$1,400,000 for this category and a minimum request of \$200,000. The applicant must plan to purchase at least 150 BWCs across the participating agencies. Agencies requiring less than 50 BWCs and those that do not

² For additional information on subawards, see "Budget and Associated Documentation" under [Section D. Application and Submission Information](#).

meet the minimum funding threshold are encouraged to partner with other criminal justice agencies to combine projects and have one of the agencies act as the applicant while the partner agencies act as subgrantees.

Funding Metric

Applicants for this category may request no more than \$1,500 in federal funds for each camera to be deployed in this phase of their BWC programs, up to the funding category maximum (see above). Though funds are correlated to the number of cameras, **awarded funds may also be used for any part of BWC PIP**, other than line-item data storage costs, which can only be covered with matching funds. BWC systems that are bundled or sold as software-as-a-service (SAAS) with no line-item distinction to data storage costs are permissible to support with federal funding.

Primary and Subrecipient Partnership Requirements

Applications received under Category 1 must be submitted by the primary agency that will be responsible for all administrative, fiscal, and reporting requirements associated with BWC PIP. The primary agency will manage subgrantees, including their contribution to the required reporting of data (e.g., purchase of cameras). The application should reflect the total budget to implement the BWC program across all participating agencies. The participating agencies must be identified, along with the budgetary costs associated with each agency, and the number of cameras anticipated to be purchased by each agency. This information must be clearly documented as a single comprehensive budget.

In addition, documentation, in the form of either a letter of support or a memorandum of understanding (MOU), must be provided for each subrecipient agency specified in the application. Such documentation must be provided on agency letterhead with a signature (electronic signature is acceptable) of the authorized agency representative (e.g., law enforcement executive or chief fiscal officer) acting on behalf of the subgrantee. Applications under Category 1 must fully specify all subrecipient agencies. "To be determined" designations are **not** allowable under this funding category and will result in the application **not** being considered for funding.

CATEGORY 2: IMPLEMENTATION OR EXPANSION OF BWC PROGRAMS FOR SMALL and MID-SIZED AGENCIES. Competition ID: BJA-2018-13884

This funding category seeks to establish new or expand existing BWC programs in small and mid-sized law enforcement agencies with 250 or less sworn officers.

Funding Range

Applicants may request no more than \$400,000 under this category.

Funding Metric:

Applicants for this category may request no more than \$1,500 in federal funds for each camera to be deployed in this phase of their BWC program, up to the funding category maximum (see above). Though funds are correlated to the number of cameras, **awarded funds may also be used for any part of BWC PIP**, other than line-item data storage costs, which can only be covered with matching funds. BWC systems that are bundled or sold as software-as-a-service (SAAS) with no line-item distinction to data storage costs are permissible to support with federal funding.

CATEGORY 3: IMPLEMENTATION OR EXPANSION OF BWC PROGRAMS FOR LARGE AGENCIES. Competition ID: BJA-2018-13885

This funding category seeks to establish new or expand existing BWC programs in large police agencies with more than 250 and up to 1,000 sworn officers.

Funding Range

Applicants may request no more than \$600,000 under this category.

Funding Metric:

Applicants for this category may request no more than \$1,500 in federal funds for each camera to be deployed in this phase of their BWC program, up to the funding category maximum (see above). Though funds are correlated to the number of cameras, **awarded funds may also be used for any part of BWC PIP**, other than line-item data storage costs, which can only be covered with matching funds. BWC systems that are bundled or sold as software-as-a-service (SAAS) with no line-item distinction to data storage costs are permissible to support with federal funding.

CATEGORY 4: IMPLEMENTATION OR EXPANSION OF BWC PROGRAMS FOR EXTRA-LARGE AGENCIES. Competition ID: BJA-2018-13886

This funding category seeks to establish new or expand existing BWC programs in extra-large police agencies with more than 1,000 sworn officers.

Funding Range:

Applicants may request no more than \$1,000,000 under this category.

Funding Metric:

Applicants for this category may request no more than \$1,500 in federal funds for each camera to be deployed in this phase of their BWC program, up to the funding category maximum (see above). Though funds are correlated to the number of cameras, **awarded funds may also be used for any part of the BWC program**, other than line-item data storage costs, which can only be covered with matching funds. BWC systems that are bundled or sold as software-as-a-service (SAAS) with no line-item distinction to data storage costs are permissible to support with federal funding.

Camera-based Funding Metric Formula and Examples

Each of the categories discussed above has a funding limit. However, on an individual basis, applicants will be restricted in the amount of funds they can request relative to the number of cameras they propose to purchase. The following formulas should be used in determining an agency's specific "\$1,500 camera metric":

$$\text{Number of Cameras in Project} \times \text{\$1,500} = \text{Max. Requested Funds}$$

$$\text{Max. Requested Funds} + \text{Matching Funds} = \text{Total Program Cost}$$

Note: \$1,500 is **not** the expected cost of a body-worn camera. Paired with the matching funds, it

is the expected total program costs for one (1) camera system to include: camera, storage, software, licenses, services, policy development, training, etc.

Example 1:

An agency may request \$150,000 in funding for a 100-camera program (\$1,500 X 100) while actually only spending \$100,000 of awarded funds on cameras; the other \$50,000 could be spent on planning and training staff. Additionally, the soft-match requirements could be met by line-item data storage and other agency costs, and partner program expenses such as those incurred to support training of prosecutors, defense bar, or for community outreach.

Example 2:

An established state agency (e.g., the state police or a State Administrating Agency) or an established regional policing consortium (e.g. the greater municipal police authority or the tri-county regional police information service bureau) could apply under Category 1. The established state or regional agency would act as the administrative lead applicant and assume responsibility for grant administration. The established state or regional agency need not actually deploy BWCs within its agency. There is a maximum allowable request of \$1,400,000 and a minimum request of \$200,000.

Example 3:

An agency that applies for \$100,000 in federal funds will have to identify a minimum of \$100,000 of in-kind or cash matching funds (see page 17). This means the total program cost is at least \$200,000 for this example. Agencies that apply on behalf of themselves and/or partner agencies must include detailed information on costs for all agencies participating and assure that matching funds collectively amount to at least 50 percent (i.e., a dollar for dollar match with federal funds).

Considerations for Implementation

Applicants are strongly encouraged to review existing research and practice literature concerning BWCs and demonstrate a thorough understanding and appreciation of the issues being discussed in the literature and should incorporate the most important program design elements in their proposals.

All applicants must describe a detailed, phased implementation plan for achieving the objectives of BWC PIP as part of their program narrative (see page 21). The following objectives should be included in the narrative:

- Best practices for implementing BWC programs to improve officer and citizen safety and to mitigate fiscal risk;
- Addressing officer concerns (e.g., privacy, safety, administrative uses);
- The evidentiary value of BWCs;
- Technical specifications and considerations;
- Use of digital data for training and program evaluation purposes;

- Ensuring effective partnerships with associated criminal justice agencies like prosecutors and the judiciary to support effective implementation;
- Privacy considerations for citizens, including bystanders and victims;
- Communication strategies for managing expectations within law enforcement agencies and of the public.

Because the primary focus of BWC PIP is implementation, evidence of cross-agency collaboration and a high level of commitment from participating agencies and entities should be received and documented (via MOUs or other appropriate mechanisms) prior to applying for funding under this solicitation. Such commitment should be described in the application and submitted as attachments with the application.

Pre-implementation applicants are expected to focus on the planning of efforts and tasks.

Applicants planning to expand existing implementations are expected to document their accomplishments and/or describe plans to enhance collaboration.

Considerations for Procurement

If awarded, recipients must ensure all funds, federal and match, expended through procurement processes are done using fair, competitive processes. Agencies shall not rely solely on informal testing of equipment (e.g., testing pre-purchased equipment while on-loan) to determine equipment selection. An award recipient's testing and evaluation of equipment performance alone does not meet federal procurement standards. For more information on federal procurement, please see <http://ojp.gov/financialguide/DOJ/index.htm>. BJA has developed a [BWC Request for Proposals template](#) that takes into account many of the primary considerations when procuring a BWC system. This requirement does not apply to funds that are for non-procurement-based expenditures such as officer training time.

Mandatory Application Requirements

Tip: Start this process early; previous applications have scored well but were rejected due to failure to produce the following documents:

1) Prosecutor Involvement

Attach document(s) that demonstrate significant involvement of the local and/or state prosecutor's office, meaning that the prosecutor's office has a direct role with law enforcement in establishing relevant policy and system requirements that effect the prosecution, evidence management, redaction, and retention specifications. Documentation of the prosecutor's involvement and commitment to the applicant's program is a key factor that will be assessed through peer review and by BJA management. Demonstration of this involvement is best documented by any one of the following methods:

- a. Documented proof of established, active, and mutually attended governance boards or committees focused on BWC policy and implementation;
- b. Production of executed (signed) memoranda-of-understanding (MOUs), letters of intent, service level agreements, or other mutually signed documents **that clearly state the involvement and commitment** between the relevant parties; and/or
- c. A signed letter or MOU from the prosecutor's office expressing commitment to

cooperate with the applicant on BWC implementation.

The documentation of prosecutor involvement should be a standalone document and added as an attachment to the application submission.

2) Review of BWC Digital Footage for Enhancing Officer Safety

Attach documentation on agency letterhead signed by authorized agency official (law enforcement or administrative executive) that affirms that the applicant, if awarded grant funds, will periodically review and assess BWC digital footage for purposes of refining BWC use in a manner that optimizes officer safety. This requirement will be evaluated as part of the application peer-review process and may be subsequently subject to verification for award recipients. Research suggest that BWC programs, when appropriately implemented, can mitigate risks of injury and other adverse outcomes for both law enforcement officers and citizens.

The documentation of BWC digital footage review should be a standalone document and added as an attachment to the application submission.

Priority Considerations for Application Scoring

(1) Partnership Economies of Scale

Priority consideration will be given to applicants that demonstrate cost reductions through economies of scale, such as establishing or utilizing shared resources. Examples of shared resources could be:

- a. State, county, or regionally managed BWC system with a shared repository or other BWC services;
- b. Shared contracts that meet procurement requirements and increase the buying power through combined purchases. Economies of scale should be designed to maximize cost savings and increase interoperability between agencies and jurisdictions;
- c. Minimized duplication of effort and infrastructure, such as providing a prosecutor who works with multiple law enforcement agencies with a single process for evidence submission, review, and management; and
- d. Multiple law enforcement agencies collaborating together on a single application.

When combining applications, one agency should act as the designated applicant, but the agency size should be the combined number of sworn officers from all represented agencies. Specifically, if agency A has 200 sworn officers and agency B has 100 sworn officers, together, the applicants could submit for as much as \$600,000, the same as a large agency with 300 officers.

Evidence of partnerships and commitment should be demonstrated in writing as attachments and will not be counted against the maximum page limitation.

(2) Technical Considerations:

For priority consideration, the applicant should affirm that the minimum technical requirements will be used in order to maximize the usefulness of BWC technology.

Priority consideration will be given to applicants that incorporate the [18 core operating characteristics](#), found on the National Institute of Justice (NIJ) website, in their procurement of BWC technology. These minimum operating characteristics and associated audio/video specifications are available in current commercial products and are based on technical resources about criminal justice use of video.^{3,4}

(3) Partnership Outreach:

BJA recognizes that law enforcement agencies must cooperate with other criminal justice stakeholders, as well as the communities they serve, in order to implement effective BWC programs. Prosecutors, in particular, will heavily impact the BWC program as they will view and evaluate digital evidence as part of their decision-making process. Applicants should clearly document their efforts to reach out to and involve external stakeholders in their BWC policy development and implementation programs. Applicants that specifically budget funds for outreach, training, or collaboration with prosecutors' offices will be given priority consideration. Applicants that attach letters from local prosecutors (or state level equivalents) will also be given priority consideration.

Program Development Expectations

As a guideline, in months 1–9, BWC PIP award recipients will be expected to review and develop policies and training programs. The results of these activities will be assessed through the Policy Review Scorecard developed by BJA. For reference purposes, the [Scorecard](#) used in previous grant cycles is provided on the [BJA Body-Worn Camera Toolkit](#). The Policy Review Scorecard used for FY 2018 may be amended and updated to reflect the latest BWC policy, practice, and technology developments.

Scorecard information will be considered and addressed by BJA and the TTA provider as part of the assessment process, which will be used as a precondition for the release of grant funds for equipment purchase drawdown. The scorecard is intended to assure deliberate and comprehensive BWC program evaluation, including relevant implementation of policies, MOUs, correspondence, and other supporting documentation. As every agency faces different challenges and applicable laws, BJA will not prescribe set standards for policies and procedures. However, awardees will be held responsible to develop policies that conform to applicable federal, state, local, and tribal laws and regulations.

The TTA provider will work with the award recipient to document and validate the policy development process. It will make recommendations to BJA that the recipient has met the policy development requirements. Ten percent of federal funds will be available to agencies for general planning and outreach purposes. BJA will administratively hold 90 percent of funds until the scorecard is reviewed and approved. All funds will be released at the time the scorecard is approved, provided there are no other special hold conditions placed on award recipients (e.g., special fiscal or reporting conditions set for awarded agencies with pre-award high risk status).

³ Home Office Centre for Applied Science and Technology, *Body-Worn Video Technical Guidance*, May 2014, www.bwvsg.com/wp-content/uploads/2013/07/body-worn-video-technical-guidance-1414.pdf.

⁴ Scientific Working Group on Imaging Technology, *Recommendations and Guidelines for Using Closed-Circuit Television Security Systems in Commercial Institutions*, Version 3.0, June 8, 2012, www.swgit.org/pdf/Section%204%20Recommendations%20and%20Guidelines%20for%20Using%20Closed-Circuit%20Television%20Security%20Systems%20in%20Commercial%20Institutions?docID=48.

After completion of the policy development process and evaluation, BWC PIP award recipients will be expected to deploy BWCs, continue their training efforts, and collect outcome measures to assess their BWC implementation. Those entities prepared to demonstrate their implemented BWC policies that address the requisite areas may request drawdown for non-planning expenses outside of the timeframes provided, but only within the grant period.

Agencies seeking to expand existing BWC programs **and** that already have existing BWC policies (or agencies that plan to adopt model policies or policies that are required or recommended by state proclamation) may be granted expedited scorecard approval on a case-by-case basis. However, for all cases, assurances must be made that the policy development process has been deliberate, comprehensive, and carried out in consultation with the key stakeholders affected by BWC program implementation.

Evidence-based Programs or Practices

OJP strongly emphasizes the use of data and evidence in policy making and program development in criminal justice, juvenile justice, and crime victim services. OJP is committed to:

- Improving the quantity and quality of evidence OJP generates;
- Integrating evidence into program, practice, and policy decisions within OJP and the field;
- Improving the translation of evidence into practice.

OJP considers programs and practices to be evidence-based when their effectiveness has been demonstrated by causal evidence, generally obtained through one or more outcome evaluations. Causal evidence documents a relationship between an activity or intervention (including technology) and its intended outcome, including measuring the direction and size of a change, and the extent to which a change may be attributed to the activity or intervention. Causal evidence depends on the use of scientific methods to rule out, to the extent possible, alternative explanations for the documented change. The strength of causal evidence, based on the factors described above, will influence the degree to which OJP considers a program or practice to be evidence-based.

The OJP CrimeSolutions.gov website at <https://www.crimesolutions.gov> is one resource that applicants may use to find information about evidence-based programs in criminal justice, juvenile justice, and crime victim services.

Information Regarding Potential Evaluation of Programs and Activities

The Department of Justice has prioritized the use of evidence-based programming and deems it critical to continue to build and expand the evidence informing criminal and juvenile justice programs to reach the highest level of rigor possible. Therefore, applicants should note that the Office of Justice Programs may conduct or support an evaluation of the programs and activities funded under this solicitation. Recipients and sub-recipients will be expected to cooperate with program-related assessments or evaluation efforts, including through the collection and provision of information or data requested by OJP (or its designee) for the assessment or evaluation of any activities and/or outcomes of those activities funded under this solicitation. The information or data requested may be in addition to any other financial or performance data already required under this program.

B. Federal Award Information

BJA expects to make up to 28 awards, with an estimated total amount of \$20,000,000. All awards will be for a 36-month period of performance, to begin on October 1, 2018.

The actual number of awards may vary based on the number and quality of applications submitted for each category. The following breakdown provides funding estimates by category:

- **Category 1: Implementation Or Expansion of BWC through State or Regional Consortia**– BJA estimates that 5 awards will be made in this category for a total of \$7,000,000.
- **Category 2: Implementation Or Expansion of BWC Programs for Mid-sized Agencies** – BJA estimates that 12 awards will be made in this category for a total of \$4,000,000.
- **Category 3: Implementation Or Expansion of BWC Programs for Large Agencies** – BJA estimates that 8 awards will be made in this category for a total of \$6,000,000.
- **Category 4: Implementation Or Expansion of BWC Programs for Extra Large Agencies** – BJA estimates that 3 awards will be made in this category for a total of \$3,000,000.

BJA may, in certain cases, provide additional funding in future years to awards under this solicitation, through continuation awards. In making decisions regarding continuation awards, OJP will consider, among other factors, the availability of appropriations, OJP's strategic priorities, and OJP's assessment of both the management of the award (for example, timeliness and quality of progress reports), and the progress of the work funded under the award.

All awards are subject to the availability of appropriated funds and to any modifications or additional requirements that may be imposed by law.

Type of Award

BJA expects to make any award under this solicitation in the form of a grant. See [Administrative, National Policy, and Other Legal Requirements](#), under [Section F. Federal Award Administration Information](#), for a brief discussion of important statutes, regulations, and award conditions that apply to many (or in some cases, all) OJP grants.

Financial Management and System of Internal Controls

Award recipients and subrecipients (including recipients or subrecipients that are pass-through entities⁵) must, as described in the Part 200 Uniform Requirements⁶ as set out at 2 C.F.R. 200.303:

- (a) Establish and maintain effective internal control over the Federal award that provides reasonable assurance that [the recipient (and any subrecipient)] is managing the Federal award in compliance with Federal statutes, regulations, and the terms and conditions of the Federal award. These internal controls

⁵ For purposes of this solicitation, the phrase "pass-through entity" includes any recipient or subrecipient that provides a subaward ("subgrant") to a subrecipient (subgrantee) to carry out part of the funded award or program. Additional information on proposed subawards is listed under [What an Application Should Include](#), Section D of this solicitation.

⁶ The "Part 200 Uniform Requirements" means the DOJ regulation at 2 C.F.R Part 2800, which adopts (with certain modifications) the provisions of 2 C.F.R. Part 200.

should be in compliance with guidance in “Standards for Internal Control in the Federal Government” issued by the Comptroller General of the United States and the “Internal Control Integrated Framework”, issued by the Committee of Sponsoring Organizations of the Treadway Commission (COSO).

- (b) Comply with Federal statutes, regulations, and the terms and conditions of the Federal awards.
- (c) Evaluate and monitor [the recipient’s (and any subrecipient’s)] compliance with statutes, regulations, and the terms and conditions of Federal awards.
- (d) Take prompt action when instances of noncompliance are identified including noncompliance identified in audit findings.
- (e) Take reasonable measures to safeguard protected personally identifiable information and other information the Federal awarding agency or pass-through entity designates as sensitive or [the recipient (or any subrecipient)] considers sensitive consistent with applicable Federal, state, local, and tribal laws regarding privacy and obligations of confidentiality.

To help ensure that applicants understand the applicable administrative requirements and cost principles, OJP encourages prospective applicants to enroll, at no charge, in the DOJ Grants

Financial Management Online Training, available at <https://ojpfgm.webfirst.com>. (This training is required for all OJP award recipients.)

Also, applicants should be aware that OJP collects information from applicants on their financial management and systems of internal controls (among other information) which is used to make award decisions. Under [Section D. Application and Submission Information](#), applicants may access and review a questionnaire – the [OJP Financial Management and System of Internal Controls Questionnaire](#) – that OJP requires **all** applicants (other than an individual applying in his/her personal capacity) to download, complete, and submit as part of the application.

Budget Information

Cost Sharing or Matching Requirement (cash or in-kind)

Federal funds awarded under this solicitation may not cover more than 50 percent of the total costs of the project. An applicant must identify the source of the 50 percent non-federal portion⁷ of the total project costs and how it will use match funds. If an award recipient’s proposed match exceeds the required match amount, and OJP approves the budget, the total match amount incorporated into the approved budget becomes mandatory and subject to audit. (“Match” funds may be used only for purposes that would be allowable for the federal funds.) Recipients may satisfy this match requirement with either cash or in-kind services. See the DOJ Grants Financial Guide at <https://ojp.gov/financialguide/DOJ/PostawardRequirements/chapter3.3b.htm> for examples of “in-kind” services. The formula for calculating the match is:

⁷ Indian tribes and tribal organizations that otherwise are eligible for an award may be able to apply certain types of funds received from the federal government (for example, certain funds received under an Indian “self-determination contract”) to satisfy all or part of a required “non-federal” match.

$$\frac{\text{Federal Award Amount}}{\text{Federal Share Percentage}} = \text{Adjusted (Total) Project Costs}$$

Required Recipient's Share Percentage x Adjusted Project Cost = Required Match

Example: 50% match requirement: for a federal award amount of \$350,000, calculate match as follows:

$$\frac{\$350,000}{50\%} = \$700,000 \quad 50\% \times \$700,000 = \$350,000 \text{ match}$$

For additional information on cost sharing and match, see the DOJ Grants Financial Guide at <https://ojp.gov/financialguide/DOJ/PostawardRequirements/chapter3.3b.htm>.

Pre-award Costs (also known as Pre-agreement Costs)

Pre-agreement costs are costs incurred by the applicant prior to the start date of the period of performance of the federal award.

OJP does **not** typically approve pre-award costs; an applicant must request and obtain the prior written approval of OJP for all such costs. All such costs incurred prior to award and prior to approval of the costs are incurred at the sole risk of the applicant. (Generally, no applicant should incur project costs *before* submitting an application requesting federal funding for those costs.) Should there be extenuating circumstances that make it appropriate for OJP to consider approving pre-award costs, the applicant may contact the point of contact listed on the title page of this solicitation for the requirements concerning written requests for approval. If approved in advance by OJP, award funds may be used for pre-award costs, consistent with the recipient's approved budget and applicable cost principles. See the section on Costs Requiring Prior Approval in the DOJ Grants Financial Guide at <https://ojp.gov/financialguide/DOJ/index.htm> for more information.

Limitation on Use of Award Funds for Employee Compensation; Waiver

With respect to any award of more than \$250,000 made under this solicitation, a recipient may not use federal funds to pay total cash compensation (salary plus cash bonuses) to any employee of the recipient at a rate that exceeds 110 percent of the maximum annual salary payable to a member of the federal government's Senior Executive Service (SES) at an agency with a Certified SES Performance Appraisal System for that year.⁸ The 2018 salary table for SES employees is available on the Office of Personnel Management website at <https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/18Tables/exec/html/ES.aspx>. Note: A recipient may compensate an employee at a greater rate, provided the amount in excess of this compensation limitation is paid with non-federal funds. (Non-federal funds used for any such additional compensation will not be considered matching funds, where match requirements apply.) If only a portion of an employee's time is charged to an OJP award, the maximum allowable compensation is equal to the percentage of time worked times the maximum salary limitation.

The Assistant Attorney General for OJP may exercise discretion to waive, on an individual basis, this limitation on compensation rates allowable under an award. An applicant that

⁸ OJP does not apply this limitation on the use of award funds to the nonprofit organizations listed in Appendix VIII to 2 C.F.R. Part 200.

requests a waiver should include a detailed justification in the budget narrative of its application. An applicant that does not submit a waiver request and justification with its application should anticipate that OJP will require the applicant to adjust and resubmit the budget.

The justification should address, in the context of the work the individual would do under the award, the particular qualifications and expertise of the individual, the uniqueness of a service the individual will provide, the individual's specific knowledge of the proposed program or project, and a statement that explains whether and how the individual's salary under the award would be commensurate with the regular and customary rate for an individual with his/her qualifications and expertise, and for the work he/she would do under the award.

Prior Approval, Planning, and Reporting of Conference/Meeting/Training Costs

OJP strongly encourages every applicant that proposes to use award funds for any conference-, meeting-, or training-related activity (or similar event) to review carefully—before submitting an application—the OJP and DOJ policy and guidance on approval, planning, and reporting of such events, available at

<https://www.ojp.gov/financialguide/DOJ/PostawardRequirements/chapter3.10a.htm>. OJP policy and guidance (1) encourage minimization of conference, meeting, and training costs; (2) require prior written approval (which may affect project timelines) of most conference, meeting, and training costs for cooperative agreement recipients, as well as some conference, meeting, and training costs for grant recipients; and (3) set cost limits, which include a general prohibition of all food and beverage costs.

All BWC PIP applicants must identify funding within their submitted budgets (federal funds or agency match) for two staff members to attend one mandatory national BWC PIP meeting in a location to be determined. BJA expects to host one mandatory national BWC PIP Conference in the first year of the grant cycle. For proposed budget planning and calculation purposes, applicants should assume the national meeting will take place in Washington, DC.

Costs Associated with Language Assistance (if applicable)

If an applicant proposes a program or activity that would deliver services or benefits to individuals, the costs of taking reasonable steps to provide meaningful access to those services or benefits for individuals with limited English proficiency may be allowable. Reasonable steps to provide meaningful access to services or benefits may include interpretation or translation services, where appropriate.

For additional information, see the "Civil Rights Compliance" section under "[Overview of Legal Requirements Generally Applicable to OJP Grants and Cooperative Agreements - FY 2018 Awards](#)" in the OJP Funding Resource Center at <https://ojp.gov/funding/index.htm>.

C. Eligibility Information

For eligibility information, see title page.

For information on cost sharing or match requirements, see [Section B. Federal Award Information](#).

D. Application and Submission Information

What an Application Should Include

This section describes in detail what an application should include. An applicant should anticipate that if it fails to submit an application that contains all of the specified elements, it may negatively affect the review of its application; and, should a decision be made to make an award, it may result in the inclusion of award conditions that preclude the recipient from accessing or using award funds until the recipient satisfies the conditions and OJP makes the funds available.

Moreover, an applicant should anticipate that an application that OJP determines is nonresponsive to the scope of the solicitation, or that OJP determines does not include the application elements that BJA has designated to be critical, will neither proceed to peer review, nor receive further consideration. For this solicitation, BJA has designated the following application elements as critical: Program Narrative, Budget Detail Worksheet and Budget Narrative, and, if submitting on behalf of subrecipient agencies, a document affirming Subrecipient Commitment to Program Participation from each subrecipient.

All document(s) Affirming Subrecipient Commitment to Participate should be in the form of a letter or memorandum of understanding (MOU) on the letterhead of the subrecipient agency and signed (physically or electronically) by a duly authorized executive representing that agency.

NOTE: OJP has combined the Budget Detail Worksheet and Budget Narrative in a single document collectively referred to as the Budget Detail Worksheet. See “Budget Information and Associated Documentation” below for more information about the Budget Detail Worksheet and where it can be accessed.

OJP strongly recommends that applicants use appropriately descriptive file names (e.g., “Program Narrative,” “Budget Detail Worksheet,” “Timelines,” “Memoranda of Understanding,” “Résumés”) for all attachments. Also, OJP recommends that applicants include résumés in a single file.

Please review the “Note on File Names and File Types” under [How To Apply](#) to be sure applications are submitted in permitted formats.

1. Information to Complete the Application for Federal Assistance (SF-424)

The SF-424 is a required standard form used as a cover sheet for submission of pre-applications, applications, and related information. Grants.gov and the OJP Grants Management System (GMS) take information from the applicant’s profile to populate the fields on this form. When selecting “type of applicant,” if the applicant is a for-profit entity, select “For-Profit Organization” or “Small Business” (as applicable).

To avoid processing delays, an applicant must include an accurate legal name on its SF-424. On the SF-424, current OJP award recipients, when completing the field for “Legal Name” (box 8a), should use the same legal name that appears on the prior year award document (which is also the legal name stored in OJP’s financial system.) Also, these recipients should enter the Employer Identification Number (EIN) in box 8b exactly as it appears on the prior year award document. An applicant with a current, active award(s) must ensure that its GMS profile is current. If the profile is not current, the applicant should

submit a Grant Adjustment Notice updating the information on its GMS profile prior to applying under this solicitation.

A new applicant entity should enter its official legal name in box 8a, its address in box 8d, its EIN in box 8b, and its Data Universal Numbering System (DUNS) number in box 8c of the SF-424. A new applicant entity should attach official legal documents to its application (e.g., articles of incorporation, 501(c)(3) status documentation, organizational letterhead, etc.) to confirm the legal name, address, and EIN entered into the SF-424. OJP will use the System for Award Management (SAM) to confirm the legal name and DUNS number entered in the SF-424; therefore, an applicant should ensure that the information entered in the SF-424 matches its current registration in SAM. See the [How To Apply](#) section for more information on SAM and DUNS numbers.

Intergovernmental Review

This solicitation ("funding opportunity") is subject to [Executive Order 12372](#). An applicant may find the names and addresses of State Single Points of Contact (SPOCs) at the following website: https://www.whitehouse.gov/wp-content/uploads/2017/11/Intergovernmental_-Review-_SPOC_01_2018_OFFM.pdf

If the State appears on the SPOC list, the applicant must contact the State SPOC to find out about, and comply with, the State's process under E.O. 12372. In completing the SF-424, an applicant whose State appears on the SPOC list is to make the appropriate selection in response to question 19 once the applicant has complied with its State E.O. 12372 process. (An applicant whose State does not appear on the SPOC list should answer question 19 by selecting the response that the: "Program is subject to E.O. 12372 but has not been selected by the State for review.")

2. Project Abstract

Applications should include a high quality project abstract that summarizes the proposed project in 400 words or less. Project abstracts should be:

- Written for a general public audience.
- Submitted as a separate attachment with "Project Abstract" as part of its file name.
- Single-spaced, using a standard 12-point font (such as Times New Roman) with 1-inch margins.

As a separate attachment, the project abstract will **not** count against the page limit for the program narrative.

3. Program Narrative

The program narrative should respond to the solicitation and the sections (a-e) listed below. The program narrative should be double-spaced, using a standard 12-point font (Times New Roman is preferred) with no less than 1-inch margins, and should not exceed 15 pages. Please number pages "1 of 15," "2 of 15," etc.

If the program narrative fails to comply with these length-related restrictions, BJA may consider such noncompliance in peer review and in final award decisions. If the project narrative exceed the page limit, BJA will instruct the peer reviewers to score applications based on content in the first 15 pages of the narrative. Applicants should focus on grant requirements, priority considerations, and addressing the purpose of this grant within the 15 pages.

The following sections should be included as part of the program narrative⁹:

- a. Description of the Issue(s)
- b. Project Design and Implementation
- c. Capabilities and Competencies
- d. Plans for Continuity of the Program after Federal Funds Have Been Expended
- e. Plan for Collecting the Data Required for this Solicitation's Performance Measures

OJP will require each successful applicant to submit regular performance data that demonstrate the results of the work carried out under the award (see "[General Information about Post-Federal Award Reporting Requirements](#)" in [Section F. Federal Award Administration Information](#)). The performance data directly relate to the objectives and deliverables identified under "Objectives and Deliverables" in [Section A. Program Description](#).

More information on performance measurement at OJP is provided at www.ojp.gov/performance.

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.

Please note that applicants are **not** required to submit performance data with the application. Performance measures information is included as an alert that award recipients will be required to submit performance data as part of the reporting requirements under an award.

Award recipients will be required to provide the relevant data by submitting quarterly performance metrics through BJA's online Performance Measurement Tool (PMT) located at <https://bjapmt.ojp.gov>. Applicants should review the complete list of BWC PIP program performance measures at: <https://bjapmt.ojp.gov/help/BWCPerformanceMeasures.pdf>.

Note on Project Evaluations

An applicant that proposes to use award funds through this solicitation to conduct project evaluations should be aware that certain project evaluations (such as systematic investigations designed to develop or contribute to generalizable knowledge) may constitute "research" for purposes of applicable DOJ human subjects protection regulations. However, project evaluations that are intended only to generate internal improvements to a program or service, or are conducted only to meet OJP's performance measure data reporting requirements, likely do not constitute "research." Each applicant should provide sufficient information for OJP to determine whether the

⁹ For information on subawards (including the details on proposed subawards that should be included in the application), see "Budget and Associated Documentation" under [Section D. Application and Submission Information](#).

particular project it proposes would either intentionally or unintentionally collect and/or use information in such a way that it meets the DOJ definition of research that appears at 28 C.F.R. Part 46 (“Protection of Human Subjects”).

“Research,” for purposes of human subjects protection for OJP-funded programs, is defined as “a systematic investigation, including research development, testing and evaluation, designed to develop or contribute to generalizable knowledge.” 28 C.F.R. 46.102(d).

For additional information on determining whether a proposed activity would constitute research for purposes of human subjects protection, applicants should consult the decision tree in the “Research and the protection of human subjects” section of the [“Requirements related to Research”](#) webpage of the [“Overview of Legal Requirements Generally Applicable to OJP Grants and Cooperative Agreements - FY 2018 Awards,”](#) available through the OJP Funding Resource Center at <https://ojp.gov/funding/Explore/SolicitationRequirements/index.htm>.

Every prospective applicant whose application may propose a research or statistical component also should review the “Data Privacy and Confidentiality Requirements” section on that webpage.

4. Budget and Associated Documentation

The Budget Detail Worksheet and the Budget Narrative are now combined in a single document collectively referred to as the Budget Detail Worksheet. The Budget Detail Worksheet is a user-friendly, fillable, Microsoft Excel-based document designed to calculate totals. Additionally, the Excel workbook contains worksheets for multiple budget years that can be completed as necessary. **All applicants should use the Excel version when completing the proposed budget in an application, except in cases where the applicant does not have access to Microsoft Excel or experiences technical difficulties.** If an applicant does not have access to Microsoft Excel or experiences technical difficulties with the Excel version, then the applicant should use the 508-compliant accessible Adobe Portable Document Format (PDF) version.

Both versions of the Budget Detail Worksheet can be accessed at <https://ojp.gov/funding/Apply/Forms/BudgetDetailWorksheet.htm>.

a. Budget Detail Worksheet

The Budget Detail Worksheet should provide the detailed computation for each budget line item, listing the total cost of each and showing how it was calculated by the applicant. For example, costs for personnel should show the annual salary rate and the percentage of time devoted to the project for each employee paid with grant funds. The Budget Detail Worksheet should present a complete itemization of all proposed costs.

For questions pertaining to budget and examples of allowable and unallowable costs, see the DOJ Grants Financial Guide at <https://ojp.gov/financialguide/DOJ/index.htm>.

b. Budget Narrative

The budget narrative should thoroughly and clearly describe **every** category of expense listed in the Budget Detail Worksheet. OJP expects proposed budgets to be complete, cost effective, and allowable (e.g., reasonable, allocable, and necessary for project

activities).

An applicant should demonstrate in its budget narrative how it will maximize cost effectiveness of award expenditures. Budget narratives should generally describe cost effectiveness in relation to potential alternatives and the objectives of the project. For example, a budget narrative should detail why planned in-person meetings are necessary, or how technology and collaboration with outside organizations could be used to reduce costs, without compromising quality.

The budget narrative should be mathematically sound and correspond clearly with the information and figures provided in the Budget Detail Worksheet. The narrative should explain how the applicant estimated and calculated **all** costs, and how those costs are necessary to the completion of the proposed project. The narrative may include tables for clarification purposes, but need not be in a spreadsheet format. As with the Budget Detail Worksheet, the budget narrative should describe costs by year.

c. Information on Proposed Subawards (if any), as well as on Proposed Procurement Contracts (if any)

Applicants for OJP awards typically may propose to make *subawards*. Applicants also may propose to enter into procurement *contracts* under the award.

Whether an action – for federal grants administrative purposes – is a subaward or procurement contract is a critical distinction as significantly different rules apply to subawards and procurement contracts. If a recipient enters into an agreement that is a subaward of an OJP award, specific rules apply – many of which are set by federal statutes and DOJ regulations; others by award conditions. These rules place particular responsibilities on an OJP recipient for any subawards the OJP recipient may make. The rules determine much of what the written subaward agreement itself must require or provide. The rules also determine much of what an OJP recipient must do both before and after it makes a subaward. If a recipient enters into an agreement that is a procurement contract under an OJP award, a substantially different set of federal rules applies.

OJP has developed the following guidance documents to help clarify the differences between subawards and procurement contracts under an OJP award and outline the compliance and reporting requirements for each. This information can be accessed online at <https://ojp.gov/training/training.htm>.

- [Subawards under OJP Awards and Procurement Contracts under Awards: A Toolkit for OJP Recipients.](#)
- [Checklist to Determine Subrecipient or Contractor Classification.](#)
- [Sole Source Justification Fact Sheet and Sole Source Review Checklist.](#)

In general, the central question is the relationship between what the third party will do under its agreement with the recipient and what the recipient has committed (to OJP) to do under its award to further a public purpose (e.g., services the recipient will provide, products it will develop or modify, research or evaluation it will conduct). If a third party will provide some of the services the recipient has committed (to OJP) to provide, will develop or modify all or part of a product the recipient has committed (to OJP) to develop or modify, or will conduct part of the research or evaluation the recipient has

committed (to OJP) to conduct, OJP will consider the agreement with the third party a *subaward* for purposes of federal grants administrative requirements.

This will be true **even if** the recipient, for internal or other non-federal purposes, labels or treats its agreement as a procurement, a contract, or a procurement contract. Neither the title nor the structure of an agreement determines whether the agreement -- for purposes of federal grants administrative requirements -- is a *subaward* or is instead a procurement *contract* under an award. The substance of the relationship should be given greater consideration than the form of agreement between the recipient and the outside entity.

1. Information on proposed subawards

A recipient of an OJP award may not make subawards ("subgrants") unless the recipient has specific federal authorization to do so. Unless an applicable statute or DOJ regulation specifically authorizes (or requires) subawards, a recipient must have authorization from OJP before it may make a subaward.

A particular subaward may be authorized by OJP because the recipient included a sufficiently-detailed description and justification of the proposed subaward in the Program Narrative, Budget Detail Worksheet, and Budget Narrative as approved by OJP. If, however, a particular subaward is not authorized by federal statute or regulation, and is not approved by OJP, the recipient will be required, post-award, to request and obtain written authorization from OJP before it may make the subaward.

If an applicant proposes to make one or more subawards to carry out the federal award and program, the applicant should-- (1) identify the proposed subrecipient(s), (2) describe in detail what each subrecipient will do to carry out the federal award and federal program, and (3) provide a justification for the subaward(s), with details on pertinent matters such as special qualifications and areas of expertise. Pertinent information on subawards should appear not only in the Program Narrative, but also in the Budget Detail Worksheet and Budget Narrative.

2. Information on proposed procurement contracts (with specific justification for proposed noncompetitive contracts over \$150,000)

Unlike a recipient contemplating a subaward, a recipient of an OJP award generally does not need specific prior federal authorization to enter into an agreement that -- for purposes of federal grants administrative requirements -- is considered a procurement contract, **provided that** (1) the recipient uses its own documented procurement procedures and (2) those procedures conform to applicable federal law, including the Procurement Standards of the (DOJ) Part 200 Uniform Requirements (as set out at 2 C.F.R. 200.317 - 200.326). The Budget Detail Worksheet and Budget Narrative should identify proposed procurement contracts. (As discussed above, subawards must be identified and described separately from procurement contracts.)

The Procurement Standards in the Part 200 Uniform Requirements, however, reflect a general expectation that agreements that (for purposes of federal grants administrative requirements) constitute procurement "contracts" under awards will be entered into on the basis of full and open competition. All noncompetitive (sole source) procurement contracts must meet the OJP requirements outlined at <https://ojp.gov/training/subawards-procurement.htm>. If a proposed procurement

contract would exceed the simplified acquisition threshold -- currently, \$150,000 -- a recipient of an OJP award may not proceed without competition unless and until the recipient receives specific advance authorization from OJP to use a non-competitive approach for the procurement. An applicant that (at the time of its application) intends -- without competition -- to enter into a procurement contract that would exceed \$150,000 should include a detailed justification that explains to OJP why, in the particular circumstances, it is appropriate to proceed without competition.

If the applicant receives an award, sole source procurements that do not exceed the Simplified Acquisition Threshold (currently \$150,000) must have written justification for the noncompetitive procurement action maintained in the procurement file. If a procurement file does not have the documentation that meets the criteria outlined in 2 C.F.R. 200, the procurement expenditures may not be allowable. Sole source procurement over the \$150,000 Simplified Acquisition Threshold must have prior approval from OJP using a Sole Source Grant Adjustment Notice (GAN). Written documentation justifying the noncompetitive procurement must be submitted with the GAN and maintained in the procurement file.

d. Pre-Award Costs

For information on pre-award costs, see [Section B. Federal Award Information](#).

5. Indirect Cost Rate Agreement (if applicable)

Indirect costs may be charged to an award only if:

- (a) The recipient has a current (unexpired), federally approved indirect cost rate; or
- (b) The recipient is eligible to use, and elects to use, the "de minimis" indirect cost rate described in the Part 200 Uniform Requirements, as set out at 2 C.F.R. 200.414(f).

An applicant with a current (unexpired) federally-approved indirect cost rate is to attach a copy of the indirect cost rate agreement to the application. An applicant that does not have a current federally-approved rate may request one through its cognizant federal agency, which will review all documentation and approve a rate for the applicant entity, or, if the applicant's accounting system permits, applicants may propose to allocate costs in the direct cost categories.

For assistance with identifying the appropriate cognizant federal agency for indirect costs, please contact the Office of the Chief Financial Officer (OCFO) Customer Service Center at 1-800-458-0786 or at ask.ocfo@usdoj.gov. If DOJ is the cognizant federal agency, applicants may obtain information needed to submit an indirect cost rate proposal at <https://www.ojp.gov/funding/Apply/Resources/IndirectCosts.pdf>.

Certain OJP recipients have the option of electing to use the "de minimis" indirect cost rate. An applicant that is eligible to use the "de minimis" rate that wishes to use the "de minimis" rate should attach written documentation to the application that advises OJP of both-- (1) the applicant's eligibility to use the "de minimis" rate, and (2) its election to do so. If an eligible applicant elects the "de minimis" rate, costs must be consistently charged as either indirect or direct costs, but may not be double charged or inconsistently charged as both. The "de minimis" rate may no longer be used once an approved federally-negotiated indirect cost rate is in place. (No entity that ever has had a federally-approved negotiated indirect cost rate is eligible to use the "de minimis" rate.) For the "de minimis" rate requirements

(including on eligibility to elect to use the rate), see the Part 200 Uniform Requirements, at 2 C.F.R. 200.414(f).

6. Tribal Authorizing Resolution (if applicable)

A tribe, tribal organization, or third party that proposes to provide direct services or assistance to residents on tribal lands should include in its application a resolution, letter, affidavit, or other documentation, as appropriate, that demonstrates (as a legal matter) that the applicant has the requisite authorization from the tribe(s) to implement the proposed project on tribal lands. In those instances when an organization or consortium of tribes applies for an award on behalf of a tribe or multiple specific tribes, the application should include appropriate legal documentation, as described above, from all tribes that would receive services or assistance under the award. A consortium of tribes for which existing consortium bylaws allow action without support from all tribes in the consortium (i.e., without an authorizing resolution or comparable legal documentation from each tribal governing body) may submit, instead, a copy of its consortium bylaws with the application.

An applicant unable to submit an application that includes a fully-executed (i.e., signed) copy of legal appropriate documentation, as described above, consistent with the applicable tribe's governance structure, should, at a minimum, submit an unsigned, draft version of such legal documentation as part of its application (except for cases in which, with respect to a tribal consortium applicant, consortium bylaws allow action without the support of all consortium member tribes). If selected for funding, OJP will make use of and access to award funds contingent on receipt of the fully-executed legal documentation.

7. Financial Management and System of Internal Controls Questionnaire (including applicant disclosure of high-risk status)

Every OJP applicant (other than an individual applying in his or her personal capacity) is required to download, complete, and submit the OJP Financial Management and System of Internal Controls Questionnaire (Questionnaire) at <https://ojp.gov/funding/Apply/Resources/FinancialCapability.pdf> as part of its application. The Questionnaire helps OJP assess the financial management and internal control systems, and the associated potential risks of an applicant as part of the pre-award risk assessment process.

The Questionnaire should only be completed by financial staff most familiar with the applicant's systems, policies, and procedures in order to ensure that the correct responses are recorded and submitted to OJP. The responses on the Questionnaire directly impact the pre-award risk assessment and should accurately reflect the applicant's financial management and internal control system at the time of the application. The pre-award risk assessment is only one of multiple factors and criteria used in determining funding. However, a pre-award risk assessment that indicates that an applicant poses a higher risk to OJP may affect the funding decision and/or result in additional reporting requirements, monitoring, special conditions, withholding of award funds, or other additional award requirements.

Among other things, the form requires each applicant to disclose whether it currently is designated "high risk" by a federal grant-making agency outside of DOJ. For purposes of this disclosure, high risk includes any status under which a federal awarding agency provides additional oversight due to the applicant's past performance, or other programmatic

or financial concerns with the applicant. If an applicant is designated high risk by another federal awarding agency, the applicant must provide the following information:

- The federal awarding agency that currently designates the applicant high risk
- The date the applicant was designated high risk
- The high-risk point of contact at that federal awarding agency (name, phone number, and email address)
- The reasons for the high-risk status, as set out by the federal awarding agency

OJP seeks this information to help ensure appropriate federal oversight of OJP awards. An applicant that is considered “high-risk” by another federal awarding agency is not automatically disqualified from receiving an OJP award. OJP may, however, consider the information in award decisions, and may impose additional OJP oversight of any award under this solicitation (including through the conditions that accompany the award document).

8. Disclosure of Lobbying Activities

Each applicant must complete and submit this information. An applicant that expends any funds for lobbying activities is to provide all of the information requested on the form Disclosure of Lobbying Activities (SF-LLL) posted at <https://ojp.gov/funding/Apply/Resources/Disclosure.pdf>. An applicant that does not expend any funds for lobbying activities is to enter “N/A” in the text boxes for item 10 (“a. Name and Address of Lobbying Registrant” and “b. Individuals Performing Services”).

9. Additional Attachments

a. Applicant Disclosure of Pending Applications

Each applicant is to disclose whether it has (or is proposed as a subrecipient under) any pending applications for federally funded grants or cooperative agreements that (1) include requests for funding to support the same project being proposed in the application under this solicitation, **and** (2) would cover any identical cost items outlined in the budget submitted to OJP as part of the application under this solicitation. The applicant is to disclose applications made directly to federal awarding agencies, and also applications for subawards of federal funds (e.g., applications to state agencies that will subaward (“subgrant”) federal funds).

OJP seeks this information to help avoid inappropriate duplication of funding. Leveraging multiple funding sources in a complementary manner to implement comprehensive programs or projects is encouraged and is not seen as inappropriate duplication.

Each applicant that has one or more pending applications as described above is to provide the following information about pending applications submitted within the last 12 months:

- The federal or state funding agency
- The solicitation name/project name
- The point of contact information at the applicable federal or state funding agency

Federal or State Funding Agency	Solicitation Name/Project Name	Name/Phone/Email for Point of Contact at Federal or State Funding Agency
DOJ/Office of Community Oriented Policing Services (COPS)	COPS Hiring Program	Jane Doe, 202/000-0000; jane.doe@usdoj.gov
Health and Human Services/Substance Abuse and Mental Health Services Administration	Drug-Free Communities Mentoring Program/ North County Youth Mentoring Program	John Doe, 202/000-0000; john.doe@hhs.gov

Each applicant should include the table as a separate attachment to its application. The file should be named “Disclosure of Pending Applications.” The applicant’s Legal Name on the application must match the entity named on the disclosure of pending applications statement.

Any applicant that does not have any pending applications as described above is to submit, as a separate attachment, a statement to this effect: “[Applicant Name on SF-424] does not have (and is not proposed as a subrecipient under) any pending applications submitted within the last 12 months for federally funded grants or cooperative agreements (or for subawards under federal grants or cooperative agreements) that request funding to support the same project being proposed in this application to OJP and that would cover any identical cost items outlined in the budget submitted as part of this application.”

b. Research and Evaluation Independence and Integrity

If an application proposes research (including research and development) and/or evaluation, the applicant must demonstrate research/evaluation independence and integrity, including appropriate safeguards, before it may receive award funds. The applicant must demonstrate independence and integrity regarding both this proposed research and/or evaluation, and any current or prior related projects.

Each application should include an attachment that addresses **both** i. and ii. below.

- i. For purposes of this solicitation, each applicant is to document research and evaluation independence and integrity by including one of the following two items:
 - a. A specific assurance that the applicant has reviewed its application to identify any actual or potential apparent conflicts of interest (including through review of pertinent information on the principal investigator, any co-principal investigators, and any subrecipients), and that the applicant has identified no such conflicts of interest – whether personal or financial or organizational (including on the part of the applicant entity or on the part of staff, investigators, or subrecipients) – that could affect the independence or integrity of the research, including the design, conduct, and reporting of the research.

OR

- b. A specific description of actual or potential apparent conflicts of interest that the applicant has identified – including through review of pertinent information on the principal investigator, any co-principal investigators, and any subrecipients – that could affect the independence or integrity of the research, including the design, conduct, or reporting of the research. These conflicts may be personal (e.g., on the part of investigators or other staff), financial, or organizational (related to the applicant or any subrecipient entity). Some examples of potential investigator (or other personal) conflict situations are those in which an investigator would be in a position to evaluate a spouse's work product (actual conflict), or an investigator would be in a position to evaluate the work of a former or current colleague (potential apparent conflict). With regard to potential organizational conflicts of interest, as one example, generally an organization would not be given an award to evaluate a project, if that organization had itself provided substantial prior technical assistance to that specific project or a location implementing the project (whether funded by OJP or other sources), because the organization in such an instance might appear to be evaluating the effectiveness of its own prior work. The key is whether a reasonable person understanding all of the facts would be able to have confidence that the results of any research or evaluation project are objective and reliable. Any outside personal or financial interest that casts doubt on that objectivity and reliability of an evaluation or research product is a problem and must be disclosed.
- ii. In addition, for purposes of this solicitation, each applicant is to address possible mitigation of research integrity concerns by including, at a minimum, one of the following two items:
 - a. If an applicant reasonably believes that no actual or potential apparent conflicts of interest (personal, financial, or organizational) exist, then the applicant should provide a brief narrative explanation of how and why it reached that conclusion. The applicant also is to include an explanation of the specific processes and procedures that the applicant has in place, or will put in place, to identify and prevent (or, at the very least, mitigate) any such conflicts of interest pertinent to the funded project during the period of performance. Documentation that may be helpful in this regard may include organizational codes of ethics/conduct and policies regarding organizational, personal, and financial conflicts of interest. There is no guarantee that the plan, if any, will be accepted as proposed.

OR

- b. If the applicant has identified actual or potential apparent conflicts of interest (personal, financial, or organizational) that could affect the independence and integrity of the research, including the design, conduct, or reporting of the research, the applicant is to provide a specific and robust mitigation plan to address each of those conflicts. At a minimum, the applicant is expected to explain the specific processes and procedures that the applicant has in place,

or will put in place, to identify and eliminate (or, at the very least, mitigate) any such conflicts of interest pertinent to the funded project during the period of performance. Documentation that may be helpful in this regard may include organizational codes of ethics/conduct and policies regarding organizational, personal, and financial conflicts of interest. There is no guarantee that the plan, if any, will be accepted as proposed.

OJP will assess research and evaluation independence and integrity based on considerations such as the adequacy of the applicant's efforts to identify factors that could affect the objectivity or integrity of the proposed staff and/or the applicant entity (and any subrecipients) in carrying out the research, development, or evaluation activity; and the adequacy of the applicant's existing or proposed remedies to control any such factors.

c. Disclosure of Process Related to Executive Compensation

An applicant that is a nonprofit organization may be required to make certain disclosures relating to the processes it uses to determine the compensation of its officers, directors, trustees, and key employees.

Under certain circumstances, a nonprofit organization that provides unreasonably high compensation to certain persons may subject both the organization's managers and those who receive the compensation to additional federal taxes. A rebuttable presumption of the reasonableness of a nonprofit organization's compensation arrangements, however, may be available if the nonprofit organization satisfied certain rules set out in Internal Revenue Service (IRS) regulations with regard to its compensation decisions.

Each applicant nonprofit organization must state at the time of its application (question 9c in the "OJP Financial Management and System of Internal Controls Questionnaire" located at <http://ojp.gov/funding/Apply/Resources/FinancialCapability.pdf> and mentioned earlier) whether or not the applicant entity believes (or asserts) that it currently satisfies the requirements of 26 C.F.R. 53.4958-6 (which relate to establishing or invoking a rebuttable presumption of reasonableness of compensation of certain individuals and entities).

A nonprofit organization that states in the questionnaire that it believes (or asserts) that it has satisfied the requirements of 26 C.F.R. 53.4958-6 must then disclose, in an attachment to its application (to be titled "Disclosure of Process Related to Executive Compensation"), the process used by the applicant nonprofit organization to determine the compensation of its officers, directors, trustees, and key employees (together, "covered persons").

At a minimum, the disclosure must describe in pertinent detail: (1) the composition of the body that reviews and approves compensation arrangements for covered persons; (2) the methods and practices used by the applicant nonprofit organization to ensure that no individual with a conflict of interest participates as a member of the body that reviews and approves a compensation arrangement for a covered person; (3) the appropriate data as to comparability of compensation that is obtained in advance and relied upon by the body that reviews and approves compensation

arrangements for covered persons; and (4) the written or electronic records that the applicant organization maintains as concurrent documentation of the decisions with respect to compensation of covered persons made by the body that reviews and approves such compensation arrangements, including records of deliberations and of the basis for decisions.

For purposes of the required disclosure, the following terms and phrases have the meanings set out by the IRS for use in connection with 26 C.F.R. 53.4958-6: officers, directors, trustees, key employees, compensation, conflict of interest, and appropriate data as to comparability, adequate documentation, and concurrent documentation.

Applicant nonprofit organizations should note that following receipt of an appropriate request, OJP may be authorized or required by law to make information submitted to satisfy this requirement available for public inspection. Also, a recipient may be required to make a prompt supplemental disclosure after the award in certain circumstances (e.g., changes in the way the organization determines compensation).

d. Letter of Intent or MOU from Designated Subagency Participants

All applications requesting funding for one or more subrecipients **must** include documentation that states expressly that the subrecipient agency will be willing to cooperate fully with the primary applicant agency should funding be awarded. This document can be in the form of an MOU or a letter signed by the duly authorized representative of the subrecipient agency. Document copies with physical signatures or electronic signatures of authorized individuals are acceptable. These should be provided as an application attachment, preferably with all MOUs and/or letters contained in a single attached document.

e. Affirmation of Regular Reviews of BWC Digital Footage to Enhance Officer Safety

Applicants must provide documentation that their agency (and subrecipient agencies, if applicable) will regularly review their BWC digital footage to advance training, feedback, and policy revisions in ways that can enhance officer safety. The document should be provided on agency letterhead and contain the name and signature of a duly authorized agency representative. Document copies with physical signatures or electronic signatures of authorized individuals are acceptable. Applications that contain such documentation will be given preferential consideration. If affirmation documents from multiple agencies are provided, all should be contained in a single attached document.

How To Apply

Applicants must register in and submit applications through Grants.gov, a primary source to find federal funding opportunities and apply for funding. Find complete instructions on how to register and submit an application at <https://www.grants.gov/web/grants/support.html>.

Applicants that experience technical difficulties during this process should call the Grants.gov Customer Support Hotline at **800-518-4726** or **606-545-5035**, which operates 24 hours a day, 7 days a week, except on federal holidays.

Important Grants.gov update. Grants.gov has updated its application tool. The legacy PDF application package has been phased out and was retired on December 31, 2017. Grants.gov Workspace is now the standard application method for applying for grants. OJP applicants should familiarize themselves with the Workspace option now. For complete information and

instructions on using Workspace (and other changes), go to the Workspace Overview page at <https://www.grants.gov/web/grants/applicants/workspace-overview.html>.

Registering with Grants.gov is a one-time process; however, **processing delays may occur, and it can take several weeks** for first-time registrants to receive confirmation of registration and a user password. OJP encourages applicants to **register several weeks before** the application submission deadline. In addition, OJP urges applicants to submit applications at least 72 hours prior to the application due date, in order to allow time for the applicant to receive validation messages or rejection notifications from Grants.gov, and to correct in a timely fashion any problems that may have caused a rejection notification.

OJP strongly encourages all prospective applicants to sign up for Grants.gov email notifications regarding this solicitation at <https://www.grants.gov/web/grants/manage-subscriptions.html>. If this solicitation is cancelled or modified, individuals who sign up with Grants.gov for updates will be automatically notified.

Browser Information: Grants.gov was built to be compatible with Internet Explorer. For technical assistance with Google Chrome, or another browser, contact Grants.gov Customer Support.

Note on Attachments: Grants.gov has two categories of files for attachments: “mandatory” and “optional.” OJP receives all files attached in both categories. Attachments are also labeled to describe the file being attached (e.g., Project Narrative, Budget Narrative, Other, etc.) Please ensure that all required documents are attached in the correct Grants.gov category and are labeled correctly. Do not embed “mandatory” attachments within another file.

Note on File Names and File Types: Grants.gov only permits the use of certain specific characters in the file names of attachments. Valid file names may include only the characters shown in the table below. Grants.gov rejects any application that includes an attachment(s) with a file name that contains any characters not shown in the table below. Grants.gov forwards successfully-submitted applications to the OJP Grants Management System (GMS).

Characters
Upper case (A – Z)
Lower case (a – z)
Underscore (_)
Hyphen (-)
Space
Period (.)

Special Characters		
Parenthesis ()	Curly braces { }	Square brackets []
Ampersand (&)*	Tilde (~)	Exclamation point (!)
Comma (,)	Semicolon (;)	Apostrophe (')
At sign (@)	Number sign (#)	Dollar sign (\$)
Percent sign (%)	Plus sign (+)	Equal sign (=)

***When using the ampersand (&) in XML, applicants must use the “&” format.**

GMS does not accept executable file types as application attachments. These disallowed file types include, but are not limited to, the following extensions: “.com,” “.bat,” “.exe,” “.vbs,” “.cfg,” “.dat,” “.db,” “.dbf,” “.dll,” “.ini,” “.log,” “.ora,” “.sys,” and “.zip.” GMS may reject applications with files that use these extensions. It is important to allow time to change the type of file(s) if the application is rejected.

All applicants are required to complete the following steps:

Unique Entity Identifier (DUNS Number) and System for Award Management (SAM)

Every applicant entity must comply with all applicable System for Award Management (SAM) and unique entity identifier (currently, a Data Universal Numbering System [DUNS] number) requirements. SAM is the repository for certain standard information about federal financial assistance applicants, recipients, and subrecipients. A DUNS number is a unique nine-digit identification number provided by the commercial company Dun and Bradstreet. More detailed information about SAM and the DUNS number is in the numbered sections below.

If an applicant entity has not fully complied with the applicable SAM and unique identifier requirements by the time OJP makes award decisions, OJP may determine that the applicant is not qualified to receive an award and may use that determination as a basis for making the award to a different applicant.

Applying as an Individual

An individual who wishes to apply in his/her personal capacity should search Grants.gov for funding opportunities for which individuals are eligible to apply. Use the Funding Opportunity Number (FON) to register. (An applicant applying as an individual must comply with all applicable Grants.gov individual registration requirements.)

Enter the FON at <https://apply07.grants.gov/apply/IndCPRegister> to complete the registration form and create a username and password for Grants.gov. (An applicant applying as an individual should complete all steps below except 1, 2 and 4.)

Registration and Submission Steps

- 1. Acquire a unique entity identifier (currently, a DUNS number).** In general, the Office of Management and Budget requires every applicant for a federal award (other than an individual) to include a "unique entity identifier" in each application, including an application for a supplemental award. Currently, a DUNS number is the required unique entity identifier.

This unique entity identifier is used for tracking purposes, and to validate address and point of contact information for applicants, recipients, and subrecipients. It will be used throughout the life cycle of an OJP award. Obtaining a DUNS number is a free, one-time activity. Call Dun and Bradstreet at 866-705-5711 to obtain a DUNS number or apply online at <https://www.dnb.com/>. A DUNS number is usually received within 1-2 business days.

- 2. Acquire or maintain registration with SAM.** Any applicant for an OJP award creating a **new** entity registration in SAM.gov must provide an original, signed notarized letter stating that the applicant is the authorized Entity Administrator before the registration will be activated. To learn more about this process change, read the FAQs at <https://www.gsa.gov/about-us/organization/federal-acquisition-service/office-of-systems-management/integrated-award-environment-iae/sam-update>. Information about the notarized letter is posted at https://www.fsd.gov/fsd.gov/answer.do?sysparm_kbid=d2e67885db0d5f00b3257d321f96194b&sysparm_search=kb0013183.

All applicants for OJP awards (other than individuals) must maintain current registrations in the SAM database. Applicants will need the authorizing official of the organization and an Employer Identification Number (EIN). An applicant must be registered in SAM to successfully register in Grants.gov. Each applicant must **update or renew its SAM**

registration at least annually to maintain an active status. SAM registration and renewal can take as long as 10 business days to complete (2 more weeks to acquire an EIN).

An application cannot be successfully submitted in Grants.gov until Grants.gov receives the SAM registration information. Once the SAM registration/renewal is complete, **the information transfer from SAM to Grants.gov can take as long as 48 hours**. OJP recommends that the applicant register or renew registration with SAM as early as possible.

Information about SAM registration procedures can be accessed at www.SAM.gov.

- 3. Acquire an Authorized Organization Representative (AOR) and a Grants.gov username and password.** Complete the AOR profile on Grants.gov and create a username and password. An applicant entity's "unique entity identifier" (DUNS number) must be used to complete this step. For more information about the registration process for organizations and other entities, go to <https://www.grants.gov/web/grants/applicants/organization-registration.html>. Individuals registering with Grants.gov should go to www.grants.gov/web/grants/applicants/registration.html.
- 4. Acquire confirmation for the AOR from the E-Business Point of Contact (E-Biz POC).** The E-Biz POC at the applicant organization must log into Grants.gov to confirm the applicant organization's AOR. The E-Biz POC will need the Marketing Partner Identification Number (MPIN) password obtained when registering with SAM to complete this step. Note that an organization can have more than one AOR.
- 5. Search for the funding opportunity on Grants.gov.** Use the following identifying information when searching for the funding opportunity on Grants.gov. The Catalog of Federal Domestic Assistance (CFDA) number for this solicitation is 16.835, titled "Body Worn Camera Policy and Implementation," and the funding opportunity number is *[insert funding opportunity number]*.
- 6. Select the correct Competition ID.** Some OJP solicitations posted to Grants.gov contain multiple purpose areas, denoted by the individual Competition ID. If applying to a solicitation with multiple Competition IDs, select the appropriate Competition ID for the intended purpose area of the application:
 - **Category 1:** Implementation or Expansion of BWC Programs through State or Regional Consortia, Competition ID: BJA-2018-13883
 - **Category 2:** Implementation or Expansion of BWC Programs for Mid-Sized Agencies, Competition ID: BJA-2018-13884
 - **Category 3:** Implementation or Expansion of BWC Programs for Large Agencies, Competition ID: BJA-2018-13885
 - **Category 4:** Implementation or Expansion of BWC Programs for Extra Large Agencies, Competition ID: BJA-2018-13886
- 7. Access Funding Opportunity and Application Package from Grants.gov.** Select "Apply" under the "Actions" column. Enter your email address to be notified of any changes to the opportunity package before the closing date. Click the Workspace icon to use Grants.gov Workspace.
- 8. Submit a valid application consistent with this solicitation by following the directions**

in Grants.gov. Within 24–48 hours after submitting the electronic application, the applicant should receive two notifications from Grants.gov. The first will confirm the receipt of the application. The second will state whether the application has been validated and successfully submitted, or whether it has been rejected due to errors, with an explanation. It is possible to first receive a message indicating that the application is received, and then receive a rejection notice a few minutes or hours later. Submitting an application well ahead of the deadline provides time to correct the problem(s) that caused the rejection. **Important:** OJP urges each applicant to submit its application **at least 72 hours prior** to the application due date, to allow time to receive validation messages or rejection notifications from Grants.gov, and to correct in a timely fashion any problems that may have caused a rejection notification. Applications must be successfully submitted through Grants.gov by 11:59 p.m. eastern time on May 31, 2018.

Go to <https://www.grants.gov/web/grants/applicants/organization-registration.html> for further details on DUNS numbers, SAM, and Grants.gov registration steps and timeframes.

Note: Application Versions

If an applicant submits multiple versions of the same application, OJP will review only the most recent system-validated version submitted.

Experiencing Unforeseen Grants.gov Technical Issues

An applicant that experiences unforeseen Grants.gov technical issues beyond its control that prevent it from submitting its application by the deadline must contact the Grants.gov Customer Support Hotline at <https://www.grants.gov/web/grants/support.html> or the SAM Help Desk (Federal Service Desk) at <https://www.fsd.gov/fsd-gov/home.do> to report the technical issue and receive a tracking number. The applicant must email the BJA contact identified in the Contact Information section on the title page **within 24 hours after the application deadline** to request approval to submit its application after the deadline. The applicant's email must describe the technical difficulties, and must include a timeline of the applicant's submission efforts, the complete grant application, the applicant's DUNS number, and any Grants.gov Help Desk or SAM tracking number(s).

Note: OJP does not automatically approve requests to submit a late application. After OJP reviews the applicant's request, and contacts the Grants.gov or SAM Help Desks to verify the reported technical issues, OJP will inform the applicant whether the request to submit a late application has been approved or denied. If OJP determines that the untimely application submission was due to the applicant's failure to follow all required procedures, OJP will deny the applicant's request to submit its application.

The following conditions generally are insufficient to justify late submissions:

- Failure to register in SAM or Grants.gov in sufficient time (SAM registration and renewal can take as long as 10 business days to complete. The information transfer from SAM to Grants.gov can take up to 48 hours.)
- Failure to follow Grants.gov instructions on how to register and apply as posted on its website
- Failure to follow each instruction in the OJP solicitation
- Technical issues with the applicant's computer or information technology environment, such as issues with firewalls or browser incompatibility

Notifications regarding known technical problems with Grants.gov, if any, are posted at the top of the OJP Funding Resource Center at <https://ojp.gov/funding/index.htm>.

E. Application Review Information

Review Criteria

Applications that meet basic minimum requirements will be evaluated by peer reviewers using the following review criteria.

1. Description of the Issue (15%)

- a. State clearly whether this request is to support a new BWC implementation, a pilot implementation, or an expansion of existing efforts.
- b. Provide justification and data in support of the need to implement a body-worn camera program or expand an existing program.
- c. Briefly describe the demographics of your jurisdiction.
- d. Demonstrate agency plans to leverage digital multimedia evidence (DME) to help inform and improve adjudication of cases.
- e. Demonstrate understanding of how BWCs can be used to enhance officer safety, support evidentiary effectiveness, and promote transparency and accountability in your agency.
- f. Provide metrics on agency personnel (sworn personnel) with respect to planned BWC use, including:
 - i. Total number of sworn officers in the agency (or agencies)
 - ii. The number of sworn officers with patrol activities or daily citizen interactions in the field
 - iii. The number of officers, including sworn and non-sworn, for whom the project expects to provide BWCs as a result of this grant.
- g. Identify the expected number of BWCs to be purchased with the requested funds.
- h. Additionally, all applicants **must** identify and provide the status of any other BWC grant program for which they have pending applications.

2. Project Design and Implementation (35%)

- a. All applicants must describe an implementation plan for achieving the objectives of the BWC PIP.
- b. Describe specifically how the project will accomplish expected outcomes by providing the objectives and performance measures applicable to the project.
- c. Demonstrate partnerships with allied criminal justice agencies likely to be impacted by BWC use and DME.
- d. Demonstrate plans to work with the local community to provide education and seek feedback on community needs and concerns regarding BWC implementation.
- e. Address the travel attendance requirements for a mandatory national meeting and an optional regional peer-to-peer information exchange opportunity.
- f. Identify methods to develop policies and tracking mechanisms that include legal liabilities of the Freedom of Information Act (FOIA) statutes and regulations pertaining to storage, retention, redaction, and expungement as well as privacy policies addressing BWC issues involving civil rights, as well as domestic violence, juvenile, and other victims groups' rights.

3. Capabilities and Competencies (15%)

- a. Fully describe the applicant's capabilities to implement the project and the competencies of the staff assigned to the project.
- b. Describe and demonstrate effective policy development and implementation and describe program communication plans.
- c. Describe the agency's technology capabilities, including the implementation of previous systems.
- d. Describe previous mobile technology deployments and the results of those efforts (e.g., mobile, records management systems (RMS), computer-aided dispatch (CAD), electronic citations and other reports, mobile computers and devices, in-car video, and mobile applications).
- e. Provide evidence of broad stakeholder and community collaboration and a high level of commitment from participating agencies and entities via MOUs or other appropriate mechanisms. Such commitment for the BWC PIP should be described in the application and submitted as attachments with the application.
 - i. Refer to the attached documentation of Prosecutor Support (see page 12).
 - ii. Refer to the attached affirmation of Review of BWC Digital Footage for Enhancing Officer Safety (see page 12).

4. Program Continuity (5%)

- a. Describe specifically how the jurisdiction will support the body-worn camera program after the end of the grant period.
- b. Address budgetary, policy, and administrative management continuity.

5. Plan for Collecting the Required Performance Measures Data (10%)

- a. Describe the process for measuring project performance.
- b. Identify the specific personnel who will collect the data, who is responsible for performance measurement, and how the information will be used to guide and evaluate the impact of the program.
- c. Describe the applicant's commitment to working with the BJA TTA provider to document policy development processes, address other TTA issues, and report accurate and timely updates regarding progress in training, BWC implementation, and program development.

6. Budget (20%)

- a. Provide a proposed budget and budget narrative that are complete, cost effective, and allowable (e.g., reasonable, allocable, and necessary for project activities).
- b. Identify the number of cameras to be purchased with federal and match-funding sources.
- c. The budget narrative should demonstrate generally how the applicant will maximize cost effectiveness of grant expenditures.
- d. The budget narrative should enhance the information provided in the budget detail worksheet, providing details about how the line items impact the overall project.

- e. The budget narrative should demonstrate cost effectiveness in relation to potential alternatives and the objectives of the project.¹⁰
- f. Travel expenditures, to include airfare, lodging, per diem, and other allowable incidental costs for attending one national meeting and one regional peer-to-peer information exchange opportunity, should be specified using applicable U.S. General Services Administration (GSA) federal per diem rates. Please use Washington, DC, as the destination when calculating the estimated costs for required travel for the national meeting. For estimating travel costs for optional regional peer-to-peer information exchange opportunities, use the city closest to your agency from the following: Atlanta, GA; Sacramento, CA; or St. Louis, MO. FY 2018 per diem rates can be found at <https://www.gsa.gov/travel/plan-book/per-diem-rates/per-diem-rates-lookup>. The cities above are provided for budget estimation and planning purposes. The national and regional gatherings may take place in other cities.

Review Process

OJP is committed to ensuring a fair and open process for making awards. BJA reviews the application to make sure that the information presented is reasonable, understandable, measurable, and achievable, as well as consistent with the solicitation.

Peer reviewers will review the applications submitted under this solicitation that meet basic minimum requirements. For purposes of assessing whether an application meets basic minimum requirements and should proceed to further consideration, OJP screens applications for compliance with those requirements. Although specific requirements may vary, the following are common requirements applicable to all solicitations for funding under OJP programs:

- 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.”
- The applicant must not be identified in SAM as excluded from receiving federal awards.

For a list of the critical elements for this solicitation, see “What an Application Should Include” under [Section D. Application and Submission Information](#).

Peer review panels will evaluate, score, and rate applications that meet basic minimum requirements. BJA may use internal peer reviewers, external peer reviewers, or a combination, to assess applications on technical merit using the solicitation’s review criteria. An external peer reviewer is an expert in the subject of a given solicitation who is not a current DOJ employee. An internal reviewer is a current DOJ employee who is well-versed or has expertise in the subject of this solicitation. Peer reviewers’ ratings and any resulting recommendations are advisory only, although reviewer views are considered carefully. Other important considerations for BJA include geographic diversity, strategic priorities, and available funding, as well as the extent to which the budget detail worksheet and budget narrative accurately explain project

¹⁰ Generally speaking, a reasonable cost is a cost that, in its nature or amount, does not exceed that which would be incurred by a prudent person under the circumstances prevailing at the time the decision was made to incur the cost.

costs that are reasonable, necessary, and otherwise allowable under federal law and applicable federal cost principles.

Pursuant to the Part 200 Uniform Requirements, before award decisions are made, OJP also reviews information related to the degree of risk posed by the applicant. Among other things to help assess whether an applicant that has one or more prior federal awards has a satisfactory record with respect to performance, integrity, and business ethics, OJP checks whether the applicant is listed in SAM as excluded from receiving a federal award.

In addition, if OJP anticipates that an award will exceed \$150,000 in federal funds, OJP also must review and consider any information about the applicant that appears in the non-public segment of the integrity and performance system accessible through SAM (currently, the Federal Awardee Performance and Integrity Information System, FAPIIS).

Important note on FAPIIS: An applicant, at its option, may review and comment on any information about itself that currently appears in FAPIIS and was entered by a federal awarding agency. OJP will consider any such comments by the applicant, in addition to the other information in FAPIIS, in its assessment of the risk posed by the applicant.

The evaluation of risks goes beyond information in SAM, however. OJP itself has in place a framework for evaluating risks posed by applicants for competitive awards. OJP takes into account information pertinent to matters such as:

1. Applicant financial stability and fiscal integrity
2. Quality of the applicant's management systems, and the applicant's ability to meet prescribed management standards, including those outlined in the DOJ Grants Financial Guide
3. Applicant's history of performance under OJP and other DOJ awards (including compliance with reporting requirements and award conditions), as well as awards from other federal agencies
4. Reports and findings from audits of the applicant, including audits under the Part 200 Uniform Requirements
5. Applicant's ability to comply with statutory and regulatory requirements, and to effectively implement other award requirements.

Absent explicit statutory authorization or written delegation of authority to the contrary, all final award decisions will be made by the Assistant Attorney General, who may take into account not only peer review ratings and BJA recommendations, but also other factors as indicated in this section.

F. Federal Award Administration Information

Federal Award Notices

Award notifications will be made by September 30, 2018. OJP sends award notifications by email through GMS to the individuals listed in the application as the point of contact and the authorizing official (E-Biz POC and AOR). The email notification includes detailed instructions on how to access and view the award documents, and steps to take in GMS to start the award

acceptance process. GMS automatically issues the notifications at 9:00 p.m. eastern time on the award date.

For each award recipient, an individual with the necessary authority to bind the recipient will be required to log in; execute a set of legal certifications and a set of legal assurances; designate a financial point of contact; thoroughly review the award, including all award conditions; and sign and accept the award. The award acceptance process requires physical signature of the award document by the authorized representative and the scanning and submission of the fully-executed award document to OJP.

Administrative, National Policy, and Other Legal Requirements

If selected for funding, in addition to implementing the funded project consistent with the OJP-approved application, the recipient must comply with all award conditions, as well as all applicable requirements of federal statutes and regulations (including applicable requirements referred to in the assurances and certifications executed in connection with award acceptance). OJP strongly encourages prospective applicants to review information on post-award legal requirements and common OJP award conditions **prior** to submitting an application.

Applicants should consult the [“Overview of Legal Requirements Generally Applicable to OJP Grants and Cooperative Agreements - FY 2018 Awards,”](#) available in the OJP Funding Resource Center at <https://ojp.gov/funding/index.htm>. In addition, applicants should examine the following two legal documents, as each award recipient must execute both documents before it may receive any award funds. (An applicant is not required to submit these documents as part of an application.)

- [Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; and Drug-Free Workplace Requirements](#)
- [Certified Standard Assurances](#)

The webpages accessible through the [“Overview of Legal Requirements Generally Applicable to OJP Grants and Cooperative Agreements - FY 2018 Awards”](#) are intended to give applicants for OJP awards a general overview of important statutes, regulations, and award conditions that apply to many (or in some cases, all) OJP grants and cooperative agreements awarded in FY 2018. Individual OJP awards typically also will include additional award conditions. Those additional conditions may relate to the particular statute, program, or solicitation under which the award is made; to the substance of the funded application; to the recipient's performance under other federal awards; to the recipient's legal status (e.g., as a for-profit entity); or to other pertinent considerations.

General Information about Post-Federal Award Reporting Requirements

In addition to the deliverables described in [Section A. Program Description](#), any recipient of an award under this solicitation will be required to submit the following reports and data.

Required reports. Recipients typically must submit quarterly financial reports, semi-annual progress reports, final financial and progress reports, and, if applicable, an annual audit report in accordance with the Part 200 Uniform Requirements or specific award conditions. Future awards and fund drawdowns may be withheld if reports are delinquent. (In appropriate cases, OJP may require additional reports.)

Awards that exceed \$500,000 will include an additional condition that, under specific circumstances, will require the recipient to report (to FAPIIS) information on civil, criminal, and administrative proceedings connected with (or connected to the performance of) either the OJP award or any other grant, cooperative agreement, or procurement contract from the federal government. Additional information on this reporting requirement appears in the text of the award condition posted on the OJP webpage at <https://ojp.gov/funding/FAPIIS.htm>.

Data on performance measures. In addition to required reports, each award recipient also must provide data that measure the results of the work done under the award. To demonstrate program progress and success, as well as to assist DOJ in fulfilling its responsibilities under the Government Performance and Results Act of 1993 (GPRA), Public Law 103-62, and the GPRA Modernization Act of 2010, Public Law 111-352, OJP will require any award recipient, post award, to provide performance data as part of regular progress reporting. Award recipients will be required to access OJP's performance measurement page at www.ojp.gov/performance to view the specific reporting requirements for this grant program.

G. Federal Awarding Agency Contact(s)

For OJP contact(s), see the title page.

For contact information for Grants.gov, see the title page.

H. Other Information

Freedom of Information Act and Privacy Act (5 U.S.C. 552 and 5 U.S.C. 552a)

All applications submitted to OJP (including all attachments to applications) are subject to the federal Freedom of Information Act (FOIA) and to the Privacy Act. By law, DOJ may withhold information that is responsive to a request pursuant to FOIA if DOJ determines that the responsive information either is protected under the Privacy Act or falls within the scope of one of nine statutory exemptions under FOIA. DOJ cannot agree in advance of a request pursuant to FOIA not to release some or all portions of an application.

In its review of records that are responsive to a FOIA request, OJP will withhold information in those records that plainly falls within the scope of the Privacy Act or one of the statutory exemptions under FOIA. (Some examples include certain types of information in budgets, and names and contact information for project staff other than certain key personnel.) In appropriate circumstances, OJP will request the views of the applicant/recipient that submitted a responsive document.

For example, if OJP receives a request pursuant to FOIA for an application submitted by a nonprofit or for-profit organization or an institution of higher education, or for an application that involves research, OJP typically will contact the applicant/recipient that submitted the application and ask it to identify—quite precisely—any particular information in the application that the applicant/recipient believes falls under a FOIA exemption, the specific exemption it believes applies, and why. After considering the submission by the applicant/recipient, OJP makes an independent assessment regarding withholding information. OJP generally follows a similar process for requests pursuant to FOIA for applications that may contain law-enforcement sensitive information.

Provide Feedback to OJP

To assist OJP in improving its application and award processes, OJP encourages applicants to provide feedback on this solicitation, the application submission process, and/or the application review process. Provide feedback to OJPSolicitationFeedback@usdoj.gov.

IMPORTANT: This email is for feedback and suggestions only. OJP does **not** reply from this mailbox to messages it receives in this mailbox. Any prospective applicant that has specific questions on any program or technical aspect of the solicitation **must** use the appropriate telephone number or email listed on the front of this document to obtain information. These contacts are provided to help ensure that prospective applicants can directly reach an individual who can address specific questions in a timely manner.

If you are interested in being a reviewer for other OJP grant applications, please email your résumé to ojppeerreview@l-secb.com. (Do not send your résumé to the OJP Solicitation Feedback email account.) **Note:** Neither you nor anyone else from your organization or entity can be a peer reviewer in a competition in which you or your organization/entity has submitted an application.

Appendix: Application Checklist

Body-Worn Camera Policy and Implementation Program FY 2018 Competitive Grant Announcement

This application checklist has been created as an aid in developing an application.

What an Applicant Should Do:

Prior to Registering in Grants.gov:

- _____ Acquire a DUNS Number (see page 34)
- _____ Acquire or renew registration with SAM (see page 34)

To Register with Grants.gov:

- _____ Acquire AOR and Grants.gov username/password (see page 34)
- _____ Acquire AOR confirmation from the E-Biz POC (see page 34)

To Find Funding Opportunity:

- _____ Search for the Funding Opportunity on Grants.gov (see page 35)
- _____ Select the correct Competition ID (see page 35)
- _____ Access Funding Opportunity and Application Package (see page 35)
- _____ Sign up for Grants.gov email [notifications](#) (optional) (see page 32)
- _____ Read [Important Notice: Applying for Grants in Grants.gov](#)
- _____ Read OJP policy and guidance on conference approval, planning, and reporting available at ojp.gov/financialguide/DOJ/PostawardRequirements/chapter3.10a.htm (see page 18)

After Application Submission, Receive Grants.gov Email Notifications That:

- _____ (1) application has been received,
- _____ (2) application has either been successfully validated or rejected with errors (see page 35)

If No Grants.gov Receipt, and Validation or Error Notifications are Received:

- _____ contact [insert BPO] regarding experiencing technical difficulties (see page 36)

Overview of Post-Award Legal Requirements:

- _____ Review the [“Overview of Legal Requirements Generally Applicable to OJP Grants and Cooperative Agreements - FY 2018 Awards”](#) in the OJP Funding Resource Center at <https://ojp.gov/funding/index.htm>.

Scope Requirement:

- _____ The federal amount requested is within the allowable limit(s) (see pages 7-9).

Eligibility Requirement: Eligible applicants are limited to units of state government, units of local government, and federally recognized Indian tribal governments that perform law enforcement functions (as determined by the Secretary of the Interior), or any department,

agency, or instrumentality of the foregoing that performs criminal justice functions (including combinations of the preceding, one of which is designated as the primary applicant).

What an Application Should Include:

- _____ Application for Federal Assistance (SF-424) (see page 20)
- _____ Intergovernmental Review (see page 20)
- _____ Project Abstract (see page 21)
- _____ Program Narrative (see page 21)
- _____ Budget Detail Worksheet (see page 23)
- _____ Budget Narrative (see page 23)
- _____ Indirect Cost Rate Agreement (if applicable) (see page 26)
- _____ Tribal Authorizing Resolution (if applicable) (see page 26)
- _____ Financial Management and System of Internal Controls Questionnaire (see page 27)
- _____ [Disclosure of Lobbying Activities \(SF-LLL\)](#) (see page 27)
- _____ Additional Attachments
 - _____ Applicant Disclosure of Pending Applications (see page 28)
 - _____ Research and Evaluation Independence and Integrity (see page 29)
 - _____ Disclosure of Process related to Executive Compensation (see page 30)
- _____ Request and Justification for Employee Compensation; Waiver (if applicable) (see page 18)
- _____ Letter of Intent or MOU from Designated Subagency Participants (if applicable) (see page 31)
- _____ Affirmation of Regular Reviews of BWC Digital Footage to Improve Officer Safety (see page 32)