

JUN 8 2020

Approved

REQUEST FOR AGENDA PLACEMENT FORM

Submission Deadline - Tuesday, 12:00 PM before Court Dates

SUBMITTED BY: Sheriff Adam King
TODAY'S DATE: 5/28/2020

DEPARTMENT: Sheriff's Office

SIGNATURE OF DEPARTMENT HEAD:

Adam King

REQUESTED AGENDA DATE:

6/8/2020

SPECIFIC AGENDA WORDING:

Requesting permission to apply for grant funding for prosecuting cold cases using DNA through the US Department of Justice.

PERSON(S) TO PRESENT ITEM:

Sheriff Adam King

SUPPORT MATERIAL: (Must enclose supporting documentation)

TIME:

ACTION ITEM:

X

WORKSHOP

(Anticipated number of minutes needed to discuss item)

CONSENT:

EXECUTIVE:

STAFF NOTICE:

COUNTY ATTORNEY:

IT DEPARTMENT:

AUDITOR:

PURCHASING DEPARTMENT:

PERSONNEL:

PUBLIC WORKS:

BUDGET COORDINATOR:

OTHER:

*****This Section to be Completed by County Judge's Office*****

ASSIGNED AGENDA DATE:

REQUEST RECEIVED BY COUNTY JUDGE'S OFFICE

COURT MEMBER APPROVAL

Date 5/28/2020

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



Prosecuting Cold Cases Using DNA

FY 2020 Competitive Grant Solicitation

CFDA # 16.036

Grants.gov Solicitation Number: BJA-2020-18432

Solicitation Release Date: April 17, 2020

Application Deadline: 11:59 p.m. eastern time on June 16, 2020

The U.S. Department of Justice (DOJ), Office of Justice Programs (OJP), Bureau of Justice Assistance (BJA) is seeking applications for funding to increase the capacity of state and local prosecution offices to address violent crime cold cases. This program furthers the Department's mission by providing resources toward the resolution of violent crime cold cases, which assists the criminal justice community to enforce the law, improve public safety, prevent and reduce crime, and ensure the fair and impartial administration of justice.

This solicitation incorporates the OJP Grant Application Resource Guide by reference. The OJP Grant Application Resource Guide provides guidance to applicants on how to prepare and submit applications for funding to OJP. If this solicitation expressly modifies any provision in the OJP Grant Application Resource Guide, the applicant is to follow the guidelines in this solicitation as to that provision.

Eligibility (Who may apply):

The following entities are eligible to apply:

- State and local prosecuting agencies
- States (including territories)
- Units of local government
- Federally recognized Indian tribal governments that perform law enforcement functions (as determined by the Secretary of the Interior)

Prosecuting agencies, law enforcement, state agencies, or local crime laboratories may partner with the agency that serves as the lead applicant for the award to work toward achieving the program goal of seeking resolution in violent crime cold cases. **However, a prosecuting entity must be fully engaged in the project.**

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

BJA will consider 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). 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. For additional information on subawards, see the OJP Grant Application Resource Guide.

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 BJA 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 (Grants.gov) section in the OJP Grant Application Resource Guide.

For assistance with any other requirements of this solicitation, contact the National Criminal Justice Reference Service (NCJRS) Response Center: toll-free at 1-800-851-3420; 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/ncichat/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.

Deadline details

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 June 16, 2020.

To be considered timely, an application must be submitted by the application 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.

An applicant must use the **Add Attachment** button to attach a file to its application. Do not click the paperclip icon to attach files. This action will not attach the files to the application. After adding an attachment, select the **View Attachment** button to confirm you attached the correct file. To remove the file, select the **Delete Attachment** button.

OJP encourages all applicants to read this Important Notice: Applying for Grants in Grants.gov.

For additional information, see the "How to Apply (Grants.gov)" section in the OJP Grant Application Resource Guide.

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Prosecuting Cold Cases Using DNA

CFDA # 16.036

A. Program Description

Overview

The Prosecuting Cold Cases Using DNA program provides funds to: (1) prosecute violent crime cold cases and (2) decrease the number of violent crime cold cases awaiting prosecution.

Through this program, BJA will provide grant funding to **support the prosecution of violent crime cold cases, where DNA from a suspect has been identified (suspect(s) may be known or unknown)**. Provided that DNA attributed to a known or unknown suspect has been identified, funding support includes investigative activities and crime and forensic analyses that could lead to prosecuting violent crime cold cases, and decreasing the number of violent crime cold cases awaiting prosecution.

BJA defines a “violent crime cold case” as a case, such as a UCR Part 1 violent crime, missing persons, or unidentified persons, that has remained unsolved for at least 3 years, and has (1) the potential to be solved and/or prosecuted through the application of forensic techniques and/or technologies or (2) newly acquired information, or advanced technologies, to analyze evidence.

For the purposes of this solicitation, “prosecute” includes all activities necessary to adjudicate violent crime cold cases, including, but not limited to, case review, investigation, crime analysis and evidence analyses.

Statutory Authority: Any awards under this solicitation will be made under statutory authority provided by Consolidated Appropriations Act, 2020, Pub. L. No. 116-93, 133 Stat. 2317, 2408; section 2(b) of the Justice Served Act of 2018, Public L. No. 115-257, 132 Stat. 3660.

Program-specific Information

The Prosecuting Cold Cases Using DNA program provides funding to support agencies in the resolution of violent crime cold cases.

BJA’s Prosecuting Cold Cases Using DNA program is aimed at providing resources for agencies to prosecute cases where a suspect’s DNA has been identified, decreasing the number of unresolved violent crime cold cases.

Goals, Objectives, and Deliverables

The goal of the Prosecuting Cold Cases Using DNA program is to provide funding assistance for projects to:

- 1) Increase the number of violent crime cold case prosecutions.
- 2) Decrease the number of unresolved violent crime cold cases awaiting prosecution.

The **primary** objectives of all proposals submitted under this solicitation are:

- Prosecution of cold cases involving violent crime where suspects have been identified through DNA evidence
- Decreasing the number of cold case violent crimes where suspect DNA has been identified

The following activities are permissible as **secondary** objectives. All secondary objective activities **must directly relate to cases where suspect DNA has been identified** and the proposal should demonstrate clearly that these activities can be successfully performed:

- Increasing the capacity for state and local prosecution offices to address cold cases involving violent crime
- Identify, locate, collect, process, and analyze evidence, including non-DNA evidence, to assist prosecutors with the litigation of violent crime cold cases **where suspect DNA has been identified**

Funds may be used for investigative activities related to the prosecution of a case such as crime analysis and interviewing victims, witnesses, and suspects.

Applicants must provide information on how BJA funds will be used to implement sustainable solutions to address prosecuting violent crime cold cases after the BJA award ends.

Program objectives with respect to the target number of cases to be reviewed, analyzed using forensic analyses, and prosecuted must be outlined in the proposal.

The following requirements apply to all DNA analyses conducted under this program:

- All DNA analyses conducted as a result of this program must be performed by a laboratory (government-owned or fee-for-service) that is accredited and currently undergoes external audits not less than once every 2 years. These audits must demonstrate that the laboratory maintains compliance with the DNA Quality Assurance Standards established by the Director of the FBI. Sites must use laboratories that can test evidence in an expeditious manner so as to meet the goals of the program within the grant period. All eligible DNA profiles obtained with funding under this program must be entered into CODIS and, where applicable, uploaded to the National DNA Index System (NDIS). BJA suggests that no profiles generated during the testing portion of this program be entered into any nongovernmental DNA database (with the exception of forensic genealogy testing).
- Forensic genealogy searches of DNA profiles attributed to suspects: The profile of the unknown offender must have previously been uploaded to CODIS but has yet to generate a hit associated with a known suspect in the database. Funds can be used to outsource forensic genealogy searches, for laboratory personnel overtime pay, for Y-STR testing to evaluate potential familial matches, or for investigative activities associated with the location, collection, and analysis of suspect DNA samples for comparison/identification of the actual perpetrator. Familial DNA searches (if legally allowed in the applicant's state) must also be performed to try and identify a suspect before pursuing forensic genealogy searches.

Effective in FY 2020, award recipients utilizing grant funds for forensic genealogy testing must adhere to the United States Department of Justice Interim Policy on Forensic Genetic Genealogical DNA Analysis and Searching (FGGS) available at: <https://www.justice.gov/olp/page/file/1204386/download>. In the event that DOJ issues a final policy on forensic genetic genealogy replacing this interim policy, award recipients must adhere to that policy.

In accordance with Section IX of the interim FGGS policy, award recipients must collect and report the following metrics to BJA:

- The type of crime investigated
- Whether forensic genetic genealogical DNA analysis (FGG)/forensic genetic genealogical DNA analysis and searching (FGGS) was conducted on a forensic sample or a reference sample
- The type of forensic sample subjected to FGG, and a description of the total amount, condition, and concentration of that sample (e.g., single source, mixed profile, degradation status, etc.)
- Whether FGG analysis resulted in a searchable profile
- The identity of the vendor laboratory used to conduct FGG and the genetic genealogy service(s) used to search the FGG profile
- Whether the investigation resulted in an arrest that was based, in part, on the use of FGGS
- The total amount of federal funding used to conduct FGG/FGGS in each case
- Note that requirements may change when a final policy is issued in place of the interim FGGS policy. Award recipients will be updated should changes occur that impact practices and/or performance metrics.

All DNA analyses conducted and profiles generated during the testing portion of this program must be maintained pursuant to all applicable federal privacy requirements, including those described in 34 U.S.C. § 12592(b)(3).

Non-DNA evidence analyses¹ should be performed by a facility that complies with generally accepted practices for the discipline such as applicable accreditation and quality assurance standards. The results of non-DNA analyses should be uploaded to the appropriate forensic databases such as the National Integrated Ballistics Information Network (NIBIN), the next Generation Identification System (NGI), or an Integrated Automated Fingerprint Identification System (IAFIS), as appropriate.² Agencies must also use federal resources such as the FBI's Violent Criminal Apprehension Program (ViCAP) and the National Institute of Justice's (NIJ's) National Unidentified and Missing Persons System (NamUs), when applicable.

¹ All non-DNA evidence analyses must involve cases where a suspect has been identified by DNA.

² This list of forensic databases is not intended to be an exhaustive list. BJA recognizes the value of using databases to assist in criminal investigations. Additional examples of forensic databases are provided in the NIJ Journal article, "Forensic Databases: Paint, Shoe Prints, and Beyond." <https://www.nij.gov/journals/258/pages/forensic-databases.aspx>, and the National Institute of Standards and Technology (NIST) Forensic Database webpage <https://www.nist.gov/oles/forensic-database>.

ViCAP

Award recipients must also enter all "criteria cases" into ViCAP (before the end of the grant period) to increase the chances of identifying and apprehending violent offenders who pose a serious threat to public safety. Award recipients should budget for 60 minutes per ViCAP entry, plus additional time for personnel to conduct searches for matches, follow up on leads, etc. Funding for this activity can come from the grant but must not exceed more than 10 percent of the total budget. Applicants with high volumes of cases that estimate requiring more than 10 percent of their award amount to meet this requirement may be permitted by BJA to prioritize entry of cases into ViCAP based on the nature of the offender.

Cases submitted into the ViCAP database must meet the ViCAP criteria requirements. ViCAP cases include:

- Homicides (and attempts) that are known or suspected to be part of a series and/or are apparently random, motiveless, or sexually oriented
- Sexual Assaults that are known or suspected to be part of a series and/or are committed by a stranger
- Missing Persons where the circumstances indicate a strong possibility of foul play and the victim is still missing.
- Unidentified Human Remains where the manner of death is known or suspected to be homicide

Only one case incident can be submitted per case entry. As an example, if an offender has committed three separate sexual assaults, each assault will be a separate entry into ViCAP.

Award recipients must ensure all ViCAP questions are appropriately answered and, when available, provide additional detail. The greater the detail the better.

Information in ViCAP must be comprehensive. The narrative section should be detailed but succinct. Narrative information can be copied and pasted directly from an agency's incident report.

Award recipients should enter all solved and unsolved ViCAP criteria cases. A solved case could very well link to another agency's unsolved case.

BJA has partnered with the FBI and its ViCAP team to support violent crime grant programs. FBI ViCAP staff are available to assist sites in gaining entry into the system; provide training on optimal use of the database; and conduct crime analysis on specific offenders/cases upon request. For more information about ViCAP, please refer to:
<https://www2.fbi.gov/hq/isd/cirg/ncavc.htm#vicap>.

Award recipients must also enter all applicable cases into NamUs.

The Goals, Objectives, and Deliverables are directly related to the performance measures that demonstrate the results of the work completed, as discussed under What an Application Should Include.

OJP Priority Areas

In FY 2020, and in addition to executing any statutory prioritization that may be applicable, OJP will give priority consideration to applications as follows:

- Applications that address specific challenges that rural communities face.
- Applications that demonstrate that the individuals who are intended to benefit from the requested grant reside in high-poverty areas or persistent-poverty counties.
- Applications that offer enhancements to public safety in economically distressed communities (Qualified Opportunity Zones).

To receive priority consideration under the rural priority, applicants must describe what makes the geographic service area rural (using U.S. Census or other appropriate government data; for assistance, applicants may wish to refer to <https://www.census.gov/programs-surveys/geography/guidance/geo-areas/urban-rural.html>), how isolated the area is from needed services, and how they will address specific challenges in rural communities.

To receive priority consideration under the poverty priority, the applicant must provide information to demonstrate that the individuals who are intended to benefit from the requested grant reside in high-poverty areas or persistent poverty counties. For purposes of this priority consideration, the term “high-poverty area” means any census tract with a poverty rate of at least 20 percent as measured by the 2013–2017 5-year data series available from the American Community Survey of the Census Bureau (applicants may search by census tract at <https://www.census.gov/acs/www/data/data-tables-and-tools/narrative-profiles/2017/>) and the term “persistent poverty counties” means any county that has had 20 percent or more of its population living in poverty over the past 30 years, as measured by the 1990 and 2000 decennial censuses and the most recent Small Area Income and Poverty Estimates (applicants may search by county at <https://www.census.gov/data/tables/time-series/dec/census-poverty.html> and at <https://www.census.gov/programs-surveys/saipe.html>).

To receive priority consideration under the Qualified Opportunity Zones priority, applicants must include information that specifies how the project will enhance public safety in the specified QOZs. For resources on QOZs, and for a current list of designated QOZs, see the U.S. Department of the Treasury’s resource webpage, accessible at <https://www.cdfifund.gov/pages/opportunity-zones.aspx>.

Information Regarding Potential Evaluation of Programs and Activities

Applicants should note OJP may conduct or support an evaluation of the programs and activities funded under this solicitation. For additional information, see the [OJP Grant Application Resource Guide](#) section, entitled, “Information Regarding Potential Evaluation of Programs and Activities.”

B. Federal Award Information

Maximum number of awards BJA expects to make	10
Estimated maximum dollar amount for each award	\$470,000
Total amount anticipated to be awarded under solicitation	\$4,700,000
Period of Performance start date	October 1, 2020

Period of Performance duration

36 months

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 awards under this solicitation as grants. See the "Administrative, National Policy, and Other Legal Requirements" section of the OJP Grant Application Resource Guide for additional information.

Financial Management and System of Internal Controls

Award recipients and subrecipients (including recipients or subrecipients that are pass-through entities) must, as described in the Part 200 Uniform Requirements³ as set out at 2 C.F.R. 200.303, comply with standards for financial and program management. See OJP Grant Application Resource Guide for additional information.

Budget Information

All expenditures under this program must relate directly to violent crime cold cases **where suspect DNA has been identified**, and for activities that may lead to the prosecution of such violent crime cold cases. Federal funds must be used to supplement existing State and local funds for program activities and must not supplant those funds that have been appropriated for the same purpose.

Permissible Expenses

All expenditures under this program must relate directly to violent crime cold cases **where a suspect has been identified by DNA**, and for activities that may lead to the prosecution of such violent crime cold cases.

- 1. Salary and benefits of additional employees:** Funds may be used for salaries and benefits of additional full-time or part-time employees to the extent that such employees are directly engaged in activities related to the prosecution of eligible violent crime cold cases, including case review, investigation, location of evidence, forensic analysis of evidence, and prosecution as described above. Applicants should demonstrate that additional full-time/part-time employee(s) would be directly engaged in these activities. Supplanting is not permitted.
- 2. Overtime:** Funds may be used for overtime for existing employees for the purposes of adjudication, case review, investigation, location of evidence, crime analysis, and forensic analysis of evidence, including post-database hit case investigation necessary for retrieval of confirmatory evidence samples. Project activities must be related to violent crime cold cases **where a suspect DNA has been identified by DNA**, with a goal of prosecuting such cases and reducing the number of violent crime cold cases. All overtime payments must be made in accordance with the applicable provisions of the DOJ Grants Financial Guide, available at <https://ojp.gov/financialguide/doj/index.htm>.
- 3. Travel (limited):** Funds may be used for reasonable travel expenses related to investigative purposes, evidence collection, and necessary prosecutorial activities within the scope of the program. These costs must be in accordance with federal policy or an

³ 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.

organizationally approved travel policy. The Office of the Chief Financial Officer reserves the right to determine the reasonableness of the recipient's own established travel rates. The current travel policy and per diem rate information is available at the Per Diem Rates — General Services Administration website: <https://www.gsa.gov/travel/plan-book/per-diem-rates>.

4. **Computer equipment (limited):** In limited circumstances, funds may be used to upgrade, replace, lease, or purchase computer hardware or software that will be used exclusively for the activities related to the prosecution violent crime cold case activities, within the scope of this program, including case review, investigation, location of evidence, forensic analysis, and prosecution of cases where a suspect has been identified by DNA.

Equipment will be limited to desktop computers, monitors, keyboards, mice, laptops, external CD writers, portable memory storage devices, printers, and scanners.

5. **Consultant and contractor services:** Funds may be used to hire consultants or temporary contract staff, or both, to conduct case reviews, investigations, locate evidence, or conduct forensic analyses of evidence in violent crime cold cases **where a suspect has been identified by DNA**. Funds may also be used for contracts with accredited fee-for-service laboratories to conduct forensic analysis of evidence for these cases.

What will not be funded:

Among other things, funds may not be used for:

1. Salaries, benefits, or overtime for staff who are not directly engaged in prosecution, case review, investigation, location of evidence, and forensic analysis of evidence for violent crime cold cases **where suspect DNA has been identified**
2. Laboratory equipment
3. Portable investigative equipment
4. Vehicles
5. Construction
6. Renovation
7. Rental costs for space
8. Office furnishings
9. Costs for general cold case investigations—those that do not involve UCR, Part 1 violent crimes, or do not have suspect DNA identified
10. General laboratory capacity enhancement or general casework backlog reduction

Cost Sharing or Matching Requirement

This solicitation does not require a match.

Please see the **OJP Grant Application Resource Guide** for information on the following:

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

Limitation on Use of Award Funds for Employee Compensation; Waiver

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

Costs Associated with Language Assistance (if applicable)

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

This solicitation expressly modifies the OJP Grant Application Resource Guide by not incorporating the "Disclosure of Process Related to Executive Compensation" provisions in the "Application Attachments" section of the OJP Grant Application Resource Guide.

What an Application Should Include

The following application elements **MUST** be included in the application submission for an application to meet the basic minimum requirements (BMR) to advance to peer review and receive consideration for funding: Program Narrative, Budget Detail Worksheet and Budget Narrative.

See the "Application Elements and Formatting Instructions" section of the OJP Grant Application Resource Guide for information on what happens to an application that does not contain all the specified elements, or that is nonresponsive to the scope of the solicitation.

1. Application for Federal Assistance (Standard Form (SF)-424)

The SF-424 is a required standard form used as a cover sheet for submission of pre-applications, applications, and related information. See the OJP Grant Application Resource Guide for additional information on completing the SF-424.

Intergovernmental Review: This solicitation ("funding opportunity") is **not** subject to Executive Order 12372. (In completing the SF-424, an applicant is to answer question 19 by selecting the response that the "Program is not covered by E.O. 12372.")

2. Project Abstract

Include a 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 Times New Roman font 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 section of the application should not exceed 15 double-spaced pages in 12-point font with 1-inch margins. If included in the main body of the program narrative, tables, charts, figures, and other illustrations count toward the 15-page limit for the narrative section. The project abstract, table of contents, appendices, and government forms do not count toward the 15-page limit. Pages should be numbered.

If the program narrative fails to comply with these length-related restrictions, BJA may negatively consider such noncompliance in peer review and in final award decisions.

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

- a. Description of the Issue
- b. Project Design and Implementation
- c. Capabilities and Competencies
- d. 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. The performance data directly relate to the goals, objectives, and deliverables identified under "Goals, Objectives, and Deliverables" in Section A. Program Description.

Applicants should visit OJP's performance measurement page at www.ojp.gov/performance for an overview of performance measurement activities at OJP.

Performance measures for this solicitation are listed in Appendix A: Performance Measures Table.

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 successful applicants will be required to submit performance data as part of the reporting requirements under an award.

Note on Project Evaluations

An applicant that proposes to use award funds through this solicitation to conduct project evaluations should follow the guidance under "Note on Project Evaluations" in the OJP Grant Application Resource Guide.

Please see the OJP Grant Application Resource Guide for information on the following:

4. **Budget Information and Associated Documentation** in the “Budget Preparation and Submission Information” section.
5. **Indirect Cost Rate Agreement**
6. **Tribal Authorizing Resolution** (if applicable)
7. **Financial Management and System of Internal Controls Questionnaire (including applicant disclosure of high-risk status)**
8. **Disclosure of Lobbying Activities**
9. **Applicant Disclosure of Pending Applications**
10. **Applicant Disclosure and Justification – DOJ High Risk Grantees⁴** (if applicable)
11. **Research and Evaluation Independence and Integrity**
12. **Additional Attachments**
 - a. **Documentation of Rural Challenges (if applicable)**

As is mentioned above, OJP will give priority consideration in award decisions to applications that address specific challenges that rural communities face. Each applicant proposing to receive priority consideration under the rural priority should provide a sufficient narrative to include what makes the geographic service area rural (using U.S. Census or other appropriate government data), how isolated the area is from needed services, and how it will address specific challenges in rural communities.
 - b. **Documentation of High-Poverty Areas or Persistent-Poverty Counties (if applicable)**

As mentioned above, OJP will give priority consideration in award decisions to applications that demonstrate that the individuals who will benefit from the requested grant reside in high-poverty areas or persistent-poverty counties as defined above. Each applicant proposing to receive consideration under the High-Poverty Areas or Persistent Poverty Counties priority should provide a sufficient narrative explanation to identify each specific High-Poverty Area (by census tract number(s)) and/or each specific Persistent-Poverty County where individuals are intended to benefit from the requested grant and how the requested grant will address specific challenges in each such identified area and/or county.
 - c. **Documentation of Enhanced Public Safety in Qualified Opportunity Zones (if applicable)**

As is mentioned above, OJP will give priority consideration in award decisions to designated Qualified Opportunity Zones (QOZs). Each applicant proposing to receive priority consideration under the under the Qualified Opportunity Zones priority should provide a sufficient narrative explanation in order for OJP to identify clearly the public safety benefit the applicant anticipates that its project will have on a specified QOZ(s). The narrative and the list of affected QOZs (by census tract number) must be included as an attachment that is clearly labeled as addressing QOZs. The applicant may also include tables, charts, graphs, or other relevant illustrations that may be useful in

⁴ A “DOJ High Risk Grantee” is a recipient that has received a DOJ High-Risk designation based on a documented history of unsatisfactory performance, financial instability, management system or other internal control deficiencies, or noncompliance with award terms and conditions on prior awards, or that is otherwise not responsible.

comprehending the manner in which the proposed project is anticipated to benefit a QOZ(s).

d. Potential Environmental Impact Coversheet and Checklist - National Environmental Policy Act (NEPA)

Each applicant is to submit a BJA Programmatic Coversheet and Checklist with its application to assist BJA in assessing the potential environmental impacts of the activities proposed for funding by the applicant. Specifically, the applicant is expected to:

- Carefully read the Programmatic Environmental Assessment;
- Complete the Cover Sheet and the attached the Programmatic Checklist; and
- Attach the completed documents to the grant application.

The applicant should also submit a Cover Sheet and BJA Programmatic Checklist for any organization identified in the Budget Detail Worksheet that will receive grant funds through a sub-award or procurement contract to perform any of the following activities: new construction or renovations that change the basic prior use of a facility or significantly change the size; research and/or technology development that could be expected to have an effect on the environment; or implementation of programs involving the use of chemicals. For more information about NEPA and BJA's NEPA Process, please go to <https://bia.ojp.gov/national-environmental-policy-act-nepa-guidance>.

How To Apply (Grants.gov)

Applicants must register in and submit applications through [Grants.gov](https://www.grants.gov), a primary source to find federal funding opportunities and apply for funding. Find information on how to apply in response to this solicitation in the [OJP Grant Application Resource Guide](#).

Registration and Submission Steps

Applicants will need the following identifying information when searching for the funding opportunity on Grants.gov.

- CFDA #16.036, Prosecuting Cold Cases Using DNA
- Funding Opportunity Number: BJA-20-18432

For information on each registration and submission step, see the [OJP Grant Application Resource Guide](#).

E. Application Review Information

Review Criteria

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

1. Statement of the Problem/Description of the Issue (10 percent)

Applicants should include appropriate citations and other information to demonstrate an understanding of the problem, and the expected impact of the funding in solving/prosecuting violent crime cold cases where suspect DNA has been identified.

2. Project Design and Implementation (40 percent)
 - a. Awareness of the state of current DNA technologies as well as other forensic technologies, DOJ policies, and the applications to solving/prosecuting cold cases.
 - b. Soundness of methods and analytic and technical approach.
 - c. Feasibility of proposed project and awareness of pitfalls.
 - d. Innovation and creativity (when appropriate).
 - e. Sustainability of continued operations to address unresolved cold cases.
3. Capabilities and Competencies (20 percent)
 - a. Qualifications and experience of proposed staff.
 - b. Demonstrated ability of proposed staff and organization to manage the effort.
 - c. Adequacy of the plan to manage the project, including how various tasks are subdivided and resources are used.
4. Plan for Collecting the Data Required for this Solicitation's Performance Measures (20 percent)
 - a. Potential for resolving violent crime cold cases.
 - b. Potential for significant advances in the field.
 - c. Plan for collecting data required for this solicitation's performance measures.
5. Budget (10 percent): complete, cost effective, and allowable (e.g., reasonable, allocable, and necessary for project activities). Budget narratives should demonstrate generally how applicants will maximize cost effectiveness of grant expenditures. Budget narratives should demonstrate cost effectiveness in relation to potential alternatives and the goals of the project.⁵
 - a. Total cost of the project relative to the perceived benefit (cost effectiveness).
 - b. Appropriateness of the budget relative to the level of effort.
 - c. Use of existing resources to conserve costs.
 - d. Alignment with project activities.

⁵ 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 costs.

- e. Demonstration of sustainable commitment to the project that offers the potential for greater overall projected impact from the project (e.g. the inclusion of a matching funds contribution towards the project.)

Review Process

BJA reviews the application to make sure that the information presented is reasonable, understandable, measurable, achievable, and consistent with the solicitation.

The following five paragraphs in this solicitation expressly modify the "Application Review Information" provisions in the OJP Grant Application Resource Guide. An applicant is to follow the guidance in these five paragraphs instead of the guidance stated under the "Application Review Information" heading in the Guide.

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 necessary to meet the basic minimum requirements.

For a list of the application elements that **MUST** be included in the application submission in order for an application to meet the basic minimum requirements, 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 matter 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 matter of this solicitation. Peer reviewers' ratings and any resulting recommendations are advisory only, but are considered carefully.

Other important considerations for BJA include geographic diversity, strategic priorities (specifically including, but not limited to, those mentioned above relating to addressing specific challenges that rural communities face, high-poverty areas or persistent-poverty counties, demonstrable potential enhancement to public safety in one or more federally designated Qualified Opportunity Zones), as well as the extent to which the Budget Detail Worksheet and Budget Narrative accurately explain project 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 \$250,000 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.

Absent explicit statutory authorization or written delegation of authority to the contrary, the Assistant Attorney General will make all final award decisions and 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

Please see the [OJP Grant Application Resource Guide](#) for information on the following:

Federal Award Notices

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, and all applicable requirements of federal statutes and regulations (including applicable requirements referred to in the assurances and certifications executed in connection with award acceptance).

For additional information on these legal requirements, see the “Administrative, National Policy, and Other Legal Requirements” section in the [OJP Grant Application Resource Guide](#).

Information Technology (IT) Security Clauses

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 certain 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.)

See the [OJP Grant Application Resource Guide](#) for additional information on specific post-award reporting requirements, including performance measures data.

G. Federal Awarding Agency Contact(s)

For questions directed to the federal awarding agency, see NCJRS contact information on page 2.

For contact information for Grants.gov, see page 2.

H. Other Information

Please see the [OJP Grant Application Resource Guide](#) for information on the following:

[Freedom of Information and Privacy Act \(5 U.S.C. 552 and 5 U.S.C. 552a\)](#)

[Provide Feedback to OJP](#)

Appendix A: Performance Measures Table

Objective	Performance Measures	Data Recipient Provides
<p>To prosecute “violent crime cold cases” that have the potential to be solved through forensic technology.</p>	<ol style="list-style-type: none"> 1. Percentage of “violent crime cold cases” where suspect(s) DNA was identified that have been prosecuted 2. Percentage of “violent crime cold cases” where a suspect(s) was identified with DNA that resulted in a conviction 3. Percentage of “violent crime cold cases” where a suspect(s) was identified with DNA but additional forensic evidence was requested for analysis 4. Percentage of prosecution cases involving a suspect currently incarcerated or convicted of a previous crime 5. Percentage of cases that were entered into ViCAP 6. Percentage of cases that were entered into NamUs. 	<ol style="list-style-type: none"> 1. The number of “violent crime cold cases” where a suspect(s) was identified with DNA pending prosecution at the start of the project period 2. The number of “violent crime cold cases” where a suspect(s) DNA was identified but their identity was unknown at the start of the project period 3. The number of new “violent crime cold cases” where a suspect(s) was identified with DNA that was submitted to the prosecutor’s office in each project reporting period 4. The number of “violent crime cold cases” where additional forensic evidence was used to assist in the prosecution after the suspect(s) was identified with DNA 5. The number of “violent crime cold cases” where the suspect was incarcerated at the time or had a previous criminal conviction(s) 6. The type of forensic evidence used to assist the prosecution after the suspect(s) was identified through DNA such as latent prints, firearms and tool marks, trace evidence, additional DNA evidence (e.g. genealogy), and computer/digital forensics 7. If additional DNA was used during the course of the prosecution, the number of DNA profiles uploaded to CODIS. 8. The number of CODIS HITS 9. The number of “violent crime cold cases” where a suspect was identified with DNA that have been prosecuted 10. The number of convictions of “violent crime cold cases” resulting from the prosecution 11. The number of suspects identified through genealogy 12. The number of cases associated with this award that have been entered into ViCAP 13. The number of cases that resulted in a linkage in ViCAP.

Objective	Performance Measures	Data Recipient Provides
		<ul style="list-style-type: none"> 14. The number of other cases solved because of entry into ViCAP 15. The number of cases associated with this award that have been entered into NamUs 16. The number of cases that resulted in an identification through NamUs 17. Quarterly financial reports, semi-annual progress reports, and a final comprehensive progress report

Appendix B: Application Checklist

Prosecuting Cold Cases Using DNA

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 [OJP Grant Application Resource Guide](#))
- Acquire or renew registration with SAM (see [OJP Grant Application Resource Guide](#))

To Register with Grants.gov:

- Acquire AOR and Grants.gov username/password (see [OJP Grant Application Resource Guide](#))
- Acquire AOR confirmation from the E-Biz POC (see [OJP Grant Application Resource Guide](#))

To Find Funding Opportunity:

- Search for the Funding Opportunity on Grants.gov (see [OJP Grant Application Resource Guide](#))
- Access Funding Opportunity and Application Package (see [OJP Grant Application Resource Guide](#))
- Sign up for Grants.gov email [notifications](#) (optional) (see [OJP Grant Application Resource Guide](#))
- 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 [OJP Grant Application Resource Guide](#))

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 [OJP Grant Application Resource Guide](#))

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

- Contact NCJRS regarding experiencing technical difficulties (see [OJP Grant Application Resource Guide](#))

Overview of Post-Award Legal Requirements:

- Review the ["Overview of Legal Requirements Generally Applicable to OJP Grants and Cooperative Agreements - FY 2020 Awards"](#) in the [OJP Funding Resource Center](#).

Scope Requirement:

- The federal amount requested is within the allowable limit of \$470,000.

Eligibility Requirement: The following entities are eligible to apply:

- State and local prosecuting agencies
- States (including territories)
- Units of local government
- Federally recognized Indian tribal governments that perform law enforcement functions (as determined by the Secretary of the Interior)

What an Application Should Include:

The following items are critical application elements required to pass Basic Minimum Requirements review. An application that OJP determines does not include the application elements that must be included in the application submission in order for the application to meet the basic minimum requirements, will neither proceed to peer review, nor receive further consideration.

- Program Narrative (see page 12)
- Budget Detail Worksheet and Narrative (see OJP Grant Application Resource Guide)
- Application for Federal Assistance (SF-424) (see OJP Grant Application Resource Guide)
- Project Abstract (see page 11)
- Indirect Cost Rate Agreement (if applicable) (see OJP Grant Application Resource Guide)
- Tribal Authorizing Resolution (if applicable) (see OJP Grant Application Resource Guide)
- Financial Management and System of Internal Controls Questionnaire (see OJP Grant Application Resource Guide)
- Disclosure of Lobbying Activities (SF-LLL) (see OJP Grant Application Resource Guide)
- Applicant Disclosure of Pending Applications (see OJP Grant Application Resource Guide)
- Applicant Disclosure and Justification – DOJ High Risk Grantees (see OJP Grant Application Resource Guide)
- Research and Evaluation Independence and Integrity (see OJP Grant Application Resource Guide)

Additional Attachments:

- Request and Justification for Employee Compensation; Waiver (if applicable) (see OJP Grant Application Resource Guide)
- Documentation of rural challenges (if applicable) (see page 13)
- Documentation of high-poverty areas or persistent poverty counties (if applicable) (see page 13)
- Documentation of enhanced public safety in federally designated Qualified Opportunity Zones (if applicable) (see page 13)
- Potential Environmental Impact Coversheet and Checklist (NEPA) (see page 14)