

ADAM WALSH ACT IMPLEMENTATION GRANT PROGRAM GUIDANCE

Luis deBaca, Director, Office of Sex Offender Sentencing, Monitoring, Apprehending,

Registering, and Tracking: Hello and welcome, everybody, to the webinar that we're having in support of our grant application opportunity, the FY 2016 Support for Adam Walsh Act Implementation Grant. My name is Lou deBaca and I'm the Director of the Office for Sex Offender Sentencing, Monitoring, Apprehending, Registering, and Tracking here at the Office of Justice Programs at the Department of Justice. And with me today is Faith Baker, who is Associate Director of the SMART Office, and we're going to hear a little bit about the plans for the solicitation, which has been open now for a few weeks and will be open for about another month or so.

Before we do that, though, I just want to say how excited we are to be able to look at some of the possibilities for innovation in the Adam Walsh Act grant opportunity this year. Some things have happened this year that have not been in place before — most notably the recent passage of the International Megan's Law Act by Congress, which actually impacts some of the responsibilities that jurisdictions have towards those who would be traveling internationally. So there's new responsibilities for 21-day notice of sex offenders and other things like that.

We're also very much looking this year to see what types of innovative applications we get going into this next decade of the Adam Walsh Act. This is the 10th anniversary year of the Adam Walsh Act, and in many ways this has been a decade of development as we've seen 57 states and territories, the District of Columbia, and about 160 tribes working towards compliance with the Adam Walsh Act, in many ways building the airplane as we've been flying it. So as we go into the next decade — what maybe we could call a decade of delivery — hopefully we'll be seeing not only more jurisdictions coming into substantial implementation with the Adam Walsh

Act and SORNA, but also that seamless web of sex offender registries and sex offender notification that the Adam Walsh Act certainly was able to put together out of the many disparate jurisdictions and the many disparate systems that existed before 2006.

So again, we're thrilled that we'll be able to support you and others, and hope that you'll be submitting applications for these opportunities. We look forward to seeing real innovation and the best practices and promising practices that can come out of that.

So I'm going to turn the phone over to Faith Baker, who is the Associate Director here in the SMART Office, who is going to run you through some of the details as you think about finalizing what hopefully will be a robust set of submissions for this year. Thank you, everybody.

Faith Baker, Associate Director, Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering, and Tracking: Hello, everyone. This is Faith Baker, as Lou had mentioned, the Associate Director within the SMART Office who oversees the Grant Programs Division within the office. I'm going to pull up my bio so that you guys can have an opportunity to review it.

As my bio states, I am the Associate Director and I've been in the SMART Office for the last 5 years. My responsibilities include assisting the director and the SMART staff and providing the SMART Office Grant Program, which includes the Adam Walsh Implementation Grant Program as well as a number of our other sex offender management initiatives, such as Campus Sexual Assault, our fellowship program, our Treatment Intervention Progress Scale, and our Circles of Support and Accountability Initiative. In addition to that we also have a separate funding pool for the National Sex Offender Public Website.

The purpose of the Adam Walsh Act is to assist jurisdictions with developing and enhancing programs designed to implement requirements of SORNA, which is the Sex Offender Registration and Notification Act. It was enacted to protect the public by establishing a comprehensive national system of standards for the registration and notification of convicted sex offenders. Under this funding opportunity, we have SORNA requirements, which are listed here before you. The two main ones are to maintain a sex offender register and maintain a current registration in each jurisdiction where an offender resides, is an employee and is a student. The specified requirement information requires information about the sex offender, the duration of which the registration is to occur, the in-person verification of sex offender identity — and that's where many times the local law enforcement or sheriff's departments actually go out and conduct address verification of the sex offender, depending on the tier in which they were convicted. And then it also includes participation in the National Sex Offender Public Website. We have a different vendor — or I should say cooperative agreement TA provider — that provides that service in addition to the utilization of the sex offender SORNA Exchange Portal.

Some of the goals and objectives that are identified within our solicitation under this funding opportunity are as follows. And that is just to bring jurisdictions to substantial implementation. As you all are aware, our eligible applicants for this particular opportunity are states, U.S. territories and federally recognized tribal jurisdictions, including the District of Columbia. Under this particular goal, we would like for our jurisdictions to explain how their proposed project will bring the jurisdictions closer to implementation based upon SMART's review.

With regard to the SORNA Implementation Working Group, we would like for our jurisdictions to have a plan that includes a list of Working Group members, their responsibility regarding SORNA implementation, and an agenda for the Group's work during the grant period that will be

specified —that's up to 24 months — in addition to a project timeline of the planned activities otherwise required in this solicitation. It is expected that successful grantees will complete semiannual progress reports with updates on their jurisdiction or Working Group meetings. This requirement does not apply to jurisdictions that have already been found to have substantially implemented SORNA, but we would like for all others to actually develop a Working Group so that we can see that there are some collaborative efforts when implementing or planning activities under SORNA.

The sustainability of SORNA — that pretty much includes jurisdictions that have already substantially implemented SORNA. Does the application explain how the proposed project would either support continued implementation of SORNA or enhance their programs around registration and notification? Now, for state and territorial applicants, they should link their proposed activities with non-implemented factors as identified in their most recent SORNA Substantial Implementation Report.

And lastly, to maintain compliance with SORNA —in developing that area, we would like applicants to propose specific strategies and projects including, but not limited to, the following. And they are for all applicants to actually develop proposed legislation and administrative materials, such as policies and procedures here, which address SORNA's requirements as they deal with legal support. Law enforcement information sharing — this is very key because we would like to see how the support for coordinated interagency efforts to enhance implementation of SORNA requirements are developed and carried out. Record management projects, definitely law enforcement training, and other criminal justice agency personnel responsible for sex offender registration, notification, monitoring or managing.

I spoke briefly earlier about address verification strategies. This is to enhance that effort as well as collaborating with other jurisdictions and agencies on the Saunders Investigation and explaining community education and prevention programs as they relate to sex offender management, registration and notification. There is also another example that does work for prevention and education and that's to also assist in the implementation of SORNA as well as the infrastructure. And in this particular category —or an example, I should say — is to assist with the implementation of SORNA as far as collecting, storing, submitting and analyzing sex offender biometric data, such as the finger and palm print and DNA.

Now, as far as for our states with tribal jurisdictions, we strongly encourage that states who are eligible to apply to support efforts of local and state units of government, such as, with the tribes, to develop and enhance their sex offender registration and notification functions as they pertain to tribal nations that have been delegated to the state for the purpose of substantial implementation of SORNA. Information sharing — and that deals actually with the states and the jurisdictions within its borders — to enhance the collaboration with SORNA tribes, to enhance information sharing as such by tribal access to NCIC and NSOR. The applications to fund such collaborative approaches for projects should include supporting documentation, such as IAAs (or Inter-Agency Agreements) and Memoranda of Understanding, or even a Letter of Cooperation, which demonstrates the collaborative endeavor for each member and SORNA jurisdiction involved in the collaboration.

There are many technologies that we offer here at the SMART Office in regards to implementing SORNA, as I mentioned earlier with the National Sex Offender Public Website, as well as our tribes and territory sex offender registry, which we consider TTSORS. And, basically, TTSORS assists the tribes and territories with implementing SORNA registry system requirements. It

functions as an administrative registry system and as the public sex offender registry website system for jurisdictions.

And then we have SORT, the Sex Offender Registry Tool, which is also available to states at no cost to assist with implementing SORNA registry system requirements. The design was to improve information-sharing capabilities and make sex offender registry system setup and maintenance processes as efficient and effective as possible. SORT functions as the state-level administrative registry system and provides local registration agencies with their own specialized public sex offender registry websites.

Now, jumping into the allowable costs of the grant funds, as highlighted in the actual funding opportunity announcement, our funds include software purchases that can be proven and justifiable as a need. Such software that's needed by the jurisdiction to support SORNA implementation may include kiosks to facilitate information sharing between the jurisdiction sex offender registry and other law enforcement operating electronic systems or databases and sex offender tracking systems within the jurisdiction.

Next is some equipment, and with this equipment, the proposals may include digital fingerprint and palm print technology; scanners to transfer existing records and documents into a digital format; computer hardware; and DNA collection. It is expected, in this grant cycle and in future years, that Adam Walsh Implementation funds will be increasingly used for implementation activities other than the purchase of equipment, given the widespread automation of law enforcement record systems since the enactment of SORNA. Some of the computer hardware that we actually make available do some of the things I've just mentioned; but in addition to that, for tribes in particular, they can use funds to purchase an electronic scanner or a live scan device for scanning finger and palm prints for upload to the FBI IAFIS System and Next Gen.

Tribes will typically have to coordinate with the states in which they are located in order to connect to those federal databases. Tribes, too, can also purchase scanners without working with the state, but if no connection is effectuated, the tribe will have to print the scan prints and mail them to the FBI using the mailer provided by the FBI. That additional information can be found on SMART's website at www.smart.gov.

States also need to agree to accept or facilitate a connection to a tribe that wishes to use such devices for the upload. In addition, they would need to provide the tribe with information on what hardware or device would interface with their system, to make sure the connectivity is a match and compatible. Tribal applicants must document either how the transmission of data would be made directly to the FBI or how data would be transmitted through the state, including any MOUs or other agreements.

And then we have the data collection — the DNA data collection, that is. I talked about that slide when I spoke about some of the grant fund support for SORNA tribes. As I mentioned, it was live scans and scanners. Also, we talked about the tribal jurisdiction strategies for consortiums to share resources, sustainment, intertribal collaborations, as well as inter-jurisdiction coordination and cooperation.

Now, how do you apply for this funding opportunity? The way that you apply is through grants.gov. This is the only way that you can apply for the Adam Walsh Implementation Grant Program. Once you log into grants.gov, you can pull up the funding opportunity number, which is listed before you: SMART-2016-8950. Please keep in mind that the application deadline is April 7th, and you must submit your application by 11:59 eastern standard time. That is the only time zone that this solicitation can be submitted in. And we do encourage you to submit your application at least 72 hours prior to the application due date, and that's simply because there

are so many processes in place when it comes to verifying your Dun & Bradstreet number as well as your SAM number, which is the System for Award Management, to make sure the two systems can link timely for submission of your application. Please take note to submit your applications at least 72 hours prior to the application date.

The award information: each jurisdiction can apply up to \$400,000. The project period would be for 24 months, starting October 1, 2016. And we did set aside, under our solicitation, that at least 30 percent of our grant funds would be set aside for tribal jurisdictions, and all awards would be made by September 30, 2016.

In your application, you should submit a Project Abstract, and that should include a summary of your proposed project written for a general public audience. It should be a separate attachment and single-spaced. We prefer a 12-point font, 1-inch margins.

For the Program Narrative section of the application, this is where we encourage all jurisdictions to hit upon four key selection criteria areas, one being the Statement of the Problem. This is where the applicant should describe the challenges the jurisdiction faces in implementing or maintaining ongoing compliance with the Sex Offender Registration and Notification Act and the strategy for addressing those challenges. Applicants should also describe steps taken to access and analyze their current sex offender registration and notification system in relation to SORNA implementation and ongoing compliance. This section should also detail ongoing jurisdictional efforts to address implementation and maintain compliance. States and territorial applicants in particular should link the proposed activities to as yet unmet implementation needs identified in the most recent Substantial Implementation Report, if any. Applicants should discuss the jurisdiction's strategy to implement SORNA and identify deficits or problems encountered as

well as needs identified in order to substantially implement or maintain substantial implementation.

The Project Goals, which is selection criterion number two — and, as you can see here, this is nearly 45 percent of your rating of your application, so you really need to make sure that you — the applicant submit information as it describes the goals of the proposed project and identifies objectives and outcomes. The Goals should provide a broad statement, written in general terms, that conveys the project's intent to change, reduce or eliminate the problem described.

The Objectives should explain how the program will accomplish its goals. It should be quantifiable and describe the steps necessary to accomplish project goals. While formulating the Project Goals and Objectives, the applicant should be cognizant of the performance measures that will be required of successful applications. And in this section, too, you also should touch upon your project timeline, your SORNA Working Group plan, in addition to any requirements that are expected that the successful grantee will report on their Jurisdictional Working Group meetings and their quarterly progress reports, so that's a component under this as well. This is where you would touch upon a number of things that you will report if selected as a successful applicant.

States and territories that are eligible to receive the Byrne and JAG Penalty Funding Reallocation should also describe how the project complements the work that the jurisdiction supplants with that reallocation funding. And that's something outside of the SMART Office that's typically awarded by the Bureau of Justice Assistance. And we work together to make sure that there is no overlap in funding, that the same application is not submitted for both AWA and SORNA reallocations. So please work together at your local jurisdiction to make sure that

you are touching upon these different things and connecting them, but separately, and that they do complement each other and not duplicate and overlap.

For the Capabilities and Competencies section, which is 20 percent of the application, you should describe the management structure and staffing of the project, including information describing the roles and responsibilities of key organizational and functional components and personnel. And, in the application, we do ask that each jurisdiction submit project position descriptions and/or resumes for key positions and personnel as an attachment of your solicitation.

And, as far as planning for collecting required data, this is a requirement that we have in place, not only within the SMART Office but throughout the Federal Government, under the Government Performance and Results Act of 1993. This involves the applicant describing how performance will be documented, monitored and evaluated, including how the impact of the strategy implemented and enhanced will be determined. You should also discuss in this section plans for sustainability; for example, how the program will continue to operate beyond the period of the grant award. If personnel costs are supported by grant funds, specific discussion on how these positions will be maintained beyond the period of the grant award must be included.

This entire section of the Program Narrative calls for different selection criteria. It should not exceed 25 pages and it should be double-spaced, at least 12 font.

Now for the Budget Detail Worksheet and Narrative. In the provided Detail Worksheet that's part of the solicitation once you go into grants.gov, there are seven to eight budget categories and they must be those same budget categories. Please do not alter that, simply because that's how it's set up throughout the government, that we have these same budget categories. If you have

questions in regard to where the line item should fall under each budget category, feel free to call the SMART Office. The Point of Contact is listed in the solicitation; it gives you guidance on that. But we do ask that you not alter the Budget Detail Worksheet.

The budget also must meet allowable and unallowable costs. We did, in the solicitation, provide some examples of that, that I mentioned earlier, such as the palm print, fingerprint, prevention and education — anything that actually connects to your stated problem and which you plan to address. That's how your budget should tie in to the application with allowable and unallowable costs.

You need to maximize the cost effectiveness of your grant expenditures, and the budget request must be complete, reasonable and necessary for project activities. This will give you guys an opportunity to actually do a needs assessment of your SORNA activities and implementation proposed projects, just to see what is actually needed to get you closer to substantial implementation of SORNA. And then the budget should also correspond with the proposed goals, objectives and deliverables, because we do pay attention to that to make sure that what you're stating that you plan to do does connect directly with the budget category for implementation.

Some other additional attachments that need to be included within your application, as I mentioned earlier, are the project timeline for over the 24-month period, just actually giving stages of your proposed activities and when they are to occur; position descriptions and resumes of key personnel only. If you have negotiated an indirect cost rate agreement, please submit that if that's going to be a part of your budget and one of the budget categories that you have selected grant funds for. You must submit a copy of the current approved indirect cost rate agreement for the time period in which you plan to apply for these funds.

For tribal grantees or interested applicants, you must submit a tribal authorizing resolution that gives you authority to apply for the Adam Walsh Act funds. And any Letters of Cooperation, Memoranda of Understanding or Inter-Agency Agreements should be included as well.

Now, in the solicitation, there are some other financial and programmatic required submission documents for all applicants, and they are as follows: the Disclosure of High Risk grantee as well as the Disclosure of Pending Applications, and that is the section in which you must provide a written statement explaining or disclosing whether you all have pending applications for federally funded grants or subgrants, including cooperative agreements, that include requests for funding to support the same project being proposed under this solicitation, and will cover the identical cost items outlined in the Budget Narrative and Worksheet in the application. It should include both direct applications for funding, like applications to federal agencies, and indirect applications for funding. Those are applications to state agencies that will subaward federal funds.

In the past, we used to have the Financial Management and System of Internal Control Questionnaire as an option, based on applicability. Now it is a requirement that each jurisdiction provide a framework each year. This is a requirement now and it must be submitted each year. The form is already uploaded in grants.gov if you need to secure a copy of it.

Lastly, we have the Disclosure of Lobbying Activities, and this basically needs to be completed as well by all applicants, and it lets us know the applicants that have expended any funds for lobbying activities. You must provide the detailed information requested on the form. You need to disclose this information as well.

I also provided a slide here so that you can have the information of who the Points of Contact would be at hand. As I mentioned earlier, the application must be submitted through grants.gov, and the great thing about grants.gov is that it's open 24 hours, 7 days a week, to provide any technical assistance, except for holidays. Their number is here. Also, if you're having trouble with identifying your Dun & Bradstreet number, I've provided that information with the website. And, of course, the System for Award Management (SAM) Help Desk information and the timeframes in which that, too, is open, and the telephone number.

This concludes the presentation, but if you have any questions, as the solicitation Point of Contact, here is my contact information here to contact me both directly or through the SMART Office main line. And I've also provided the SMART website link because that's a very helpful and resourceful tool to use. And the actual full announcement is on that particular page as well. Feel free to contact me at the SMART Office if you have any additional questions or have questions at all and need to contact me. I appreciate this opportunity, and I look forward to you all submitting your applications by April 7th.

Thank you and have a great day.