



Comprehensive Community Corrections Act & Pretrial Services Act

**Local Community-Based Probation and Pretrial Services
Guidelines and Application Procedures
State Fiscal Year 2022**

***Application Due Date
Friday, March 19, 2021, 5:00 p.m.***

Virginia Department of Criminal Justice Services
1100 Bank Street, Richmond, VA 23219
www.dcjs.virginia.gov

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Table of Contents

I. Introduction	3
II. Eligibility	3
III. Grant Technical Assistance	3
IV. Grant Application Deadline.....	4
V. Amount Available	4
VI. Grant Period.....	4
VII. Match Requirement	4
VIII. Application Review Process	5
IX. Restrictions.....	5
X. Availability of Continuation Funding	6
XI. Application Requirements	7
XII. Application Instructions	8
XIII. Grant Reporting Requirements	15
XIV. How and Where to Submit Application.....	15

I. Introduction

The Virginia Department of Criminal Justice Services (DCJS) is accepting applications for Fiscal Year 2022 from local units of government currently funded for the Comprehensive Community Corrections Act for Local-Responsible Offenders (CCCA) and the Pretrial Services Act (PSA).

This grant is specifically to support local community-based probation and pretrial services agencies established and operating under the authority of the CCCA, as specified in §§ 9.1-173 *et seq.* of the *Code of Virginia*, and/or the PSA as specified in §§ 19.2-152.2 *et seq.* of the *Code of Virginia*. Sentencing to local community-based probation authorized by the CCCA is to be done in accordance with §19.2-303.3 and statutes authorizing deferred proceedings of the *Code of Virginia*.

II. Eligibility

Only county or city governments that currently receive DCJS grants for CCCA/PSA funds are eligible to receive funding. This does include localities that received expansion funding in Fiscal Year 2021. For multi-jurisdictional efforts, one of the participating localities must submit the grant application on behalf of all participating jurisdictions and must assume responsibility for grant administrative and financial matters by serving as the Administrative and Fiscal Agent. Private non-profit organizations may receive grant funds only through contracts with local governments for local community-based probation services. Private organizations may not provide local probation or pretrial services unless they were doing so on or before July 1, 1995.

The County Administrator, County Executive, or City Manager must serve as the Project Administrator. For multi-jurisdictional efforts, the County Administrator or City Manager of the locality serving as the Administrative and Fiscal Agent must serve as the Project Administrator. The applicant locality is responsible for ensuring that the use of funds are in accordance with grant requirements and local and state procurement regulations.

III. Grant Technical Assistance

For technical assistance with preparing and submitting a grant application, refer to the table below for the DCJS staff person responsible for your grant.

Ken Rose (804) 225-4329 kenneth.rose@dcjs.virginia.gov	Paula Harpster (804) 786-1140 paula.harpster@dcjs.virginia.gov
Alexandria	Accomack
Arlington	Albemarle
Fairfax County	Chesapeake
Fauquier	Chesterfield
Frederick	Culpeper
Gloucester	Fredericksburg
Greensville	Halifax

Ken Rose (804) 225-4329 kenneth.rose@dcjs.virginia.gov	Paula Harpster (804) 786-1140 paula.harpster@dcjs.virginia.gov
Hampton	Hanover
James City County	Henrico
Loudoun	Norfolk
Lynchburg	Petersburg
Mecklenburg	Portsmouth
Pulaski	Prince Edward
Rockingham	Prince George
Salem	Prince William
Tazewell	Richmond City
Wise	Staunton
Virginia Beach	Suffolk
	Westmoreland

IV. Grant Application Deadline

Submit applications through the DCJS Online Grants Management System (OGMS) no later than 5:00 p.m. on Friday, March 19, 2021. Early submissions are encouraged.

DCJS will not consider applications received after the deadline unless there are documented technical issues with the submission accepted by DCJS.

DCJS is implementing a new Online Grants Management System (OGMS) that will be live February 1, 2021. More information regarding accessing and submitting grant applications in OGMS will be provided prior to that time.

V. Amount Available

Applicants should request the same amount for FY2022 as awarded in FY2021. However, if you were awarded expansion grant funds in FY2021, be sure to include the annualized award amount in your FY2022 grant application. If the General Assembly and Governor approve an Appropriations Act with a change in state funding, DCJS will notify applicants and provide additional guidance. Any significant budget adjustments from prior grants must be justified in the grant application.

VI. Grant Period

The grant period is for state Fiscal Year 2022 (July 1, 2021–June 30, 2022).

VII. Match Requirement

Matching funds are not required except from Wise and Albemarle Counties as required in the Appropriations Act language for these funds.

VIII. Application Review Process

DCJS will base its review on the quality and thoroughness of the applications. DCJS will consider the following factors in reviewing grant applications: current and past performance, project progress and implementation, adherence to grant guidelines and conditions, compliance with local community-based probation and/or pretrial services minimum standards, approved up-to-date local standard operating procedures (SOPs), whether all reporting requirements are current, and compliance with grant financial and progress reporting requirements. Current recipients of funding through this grant will not be considered for continuation funding if, as of the continuation application due date, any of the required Financial or Progress Reports for the current grant are more than 30 days overdue. For good cause submitted in writing by the grant recipient, DCJS may waive this provision.

The Grants Committee of the Criminal Justice Services Board (CJSB) will review grant application scores and the summaries of staff evaluations of applications. The Grants Committee will then make funding recommendations to the full CJSB. **The CJSB will make final grant award decisions at its meeting in May 2021.** Funding decisions made by the CJSB are final and may not be appealed.

DCJS will issue grant awards based on the final approval of the CJSB via the new Online Grants Management System. Fiscal and programmatic revisions may be required as a condition of funding and will be negotiated in the new Online Grant Management System prior to the CJSB meeting in May.

IX. Restrictions

A. CCCA/PSA grant recipients may not use these grant funds to:

1. Pay for any staff not designated for CCCA/PSA operations, and may not be used to pay for any portion of salary for the time not dedicated to CCCA/PSA programming and operations. For example, if a director or staff person's time is split between the CCCA/PSA grant operations and another program (e.g., drug court, litter control, etc.) only the state grant funds contributing to the salary and fringe for CCCA/PSA grant operations can be paid for using state grant funds.
2. Pay for capital construction, renovation, remodeling, or land acquisition.
3. Pay for the purchase or lease of any vehicles.
4. Pay for firearms, ammunition, or related equipment.
5. Pay for clothing and/or uniforms.
6. Pay for lobbying or political contributions.
7. Pay for overtime or honoraria.
8. Pay for bonuses unless specifically authorized in the Appropriations Act.
9. Pay for personal entertainment, personal calls, or alcohol.

- B. The collection of fees from pretrial defendants for pretrial supervision is prohibited; including fees for drug testing and confirmation.
- C. Probation supervision fees for CCCA agencies are governed by § 9.1-182 of the *Code of Virginia* and the statewide policy for supervision and intervention fees established by DCJS. The same terms, conditions, and assurances that apply to state funds also apply to supervision fees collected by CCCA agencies.
 - 1. Supervision/intervention fees collected may replace local funds contributing to the grant.
 - 2. Unspent or unexpended fees collected in one fiscal year must be rolled over from year to year into the CCCA/PSA budget and be used solely for the CCCA/PSA agency operations. The maximum allowable carryover amount is 25% of the total grant award.
- D. Indirect costs are defined as fees charged against the grant for the local government's administration of the funds. Included in this are any administrative personnel and operational costs incurred by the local government that cannot be attributed directly to a given project. If charging indirect costs against the grant is necessary, the following conditions apply:
 - 1. Indirect costs cannot exceed 1% of the total state-funded grant award.
 - 2. Charging the grant for indirect costs cannot violate non-supplanting requirements.
 - 3. Charging the grant for indirect costs will reduce the total amount available for defendant and probationer supervision, treatment, personnel, and other agency operating expenses.
- E. Long-term residential treatment and long-term residential placements (i.e. 28 days or more) are not an appropriate use of these state funds and not a substitute for supervision.
- F. It is the responsibility of CCCA officers to monitor the collection of restitution for people placed on local supervised probation but not to collect restitution. The responsibility for the collection of costs, fines, and restitution is with the clerks of circuit and district courts and Commonwealth's Attorneys pursuant to § 19.2-305.1 of the *Code of Virginia*. CCCA agencies may not use state or local CCCA funds to supervise placements specifically for:
 - 1. Cases with a deferred prosecution which are deferred prior to a trial/preliminary hearing or deferred dispositions that have not had a disposition hearing in court so there is no finding of facts (sometimes referred to as taken under advisement).
 - 2. Cases sentenced to community service in lieu of fines/costs.
 - 3. Extending supervision solely to collect restitution, fines, costs, or fees beyond what is allowable by law, unless ordered by the court as a condition of probation supervision.

X. Availability of Continuation Funding

The award of a CCCA/PSA grant does not guarantee funding awards in subsequent years. In addition to the availability of funds, a project's implementation, performance, and compliance with statutes, standards, policies, guidelines, regulations, reporting requirements,

and conditions placed on the grant are key factors in determining eligibility for continuation funding.

XI. Application Requirements

- A. Any agency established and operated under the authority of the CCCA/PSA must follow statutes, standards, policies, guidelines, and regulations prescribed by DCJS, which are located on the DCJS website.
- B. CCCA/PSA agencies are required to have up-to-date written Standard Operating Procedures (SOPs) that address and comply with all current statutes, standards, policies, guidelines, and regulations.
- C. All CCCA/PSA agencies currently operating in an office or department that is not part of the local government must submit the current written memorandum of understanding by which the implementing office or department agrees to comply with all applicable grant terms, conditions, standards, and assurances.
- D. All PSA agencies:
 - 1. Must provide both pretrial investigation and supervision services to all localities served.
 - 2. Must conduct a risk assessment using the Virginia Pretrial Risk Assessment Instrument (VPRAI) as part of the pretrial investigation.
 - 3. Must use the Praxis to guide bail recommendations.
 - 4. Must assign supervision levels based on the Praxis.
 - 5. Must make provisions, if providing GPS/electronic monitoring, to ensure that no defendant is prevented from release on bail or returned to jail solely based on the inability to pay fees or costs.
- E. All CCCA agencies:
 - 1. Should ensure that the length of supervision does not exceed 12 months or the maximum sentence permitted by law for the person placed on probation to complete all requirements of supervision.
 - 2. Should ensure that interventions be supported by assessment results, be least restrictive, and determined to be effective by research.
- F. Each applicant is required to have a Community Criminal Justice Board (CCJB) serving as an advisory body to the local governing body on matters pertaining to local criminal justice issues. The composition and responsibilities of the CCJB are specified in § 9.1-178 *et seq.* of the *Code of Virginia*.

XII. Application Instructions

Applications and required attachments will be submitted through the DCJS Online Grants Management System (OGMS). Please note that the first time you enter an application in this new system there will be substantial data entry required. More information will be provided on accessing and submitting applications in OGMS prior to the February 1, 2021 live date.

On the left side of the menu in the OGMS, click on “Funding Opportunities” and select the funding opportunity entitled “**Community Corrections & Pretrial Services FY2022.**” Review the funding opportunity details and when you are ready to apply click on the green button labeled “**Start New Application.**”

A. General Information

1. **Application Title:** “Comprehensive Community Corrections Act & Pretrial Services Act Grant”
2. **Primary Contact:** Select the name of the primary contact for the application.
3. **Organization:** Select the name of the City or County of the Administrative and Fiscal Agent applying for the grant.
4. **Additional Applicants:** Select the names of others within your organization that will also manage this grant.

B. Face Sheet

1. **Congressional District:** Select all congressional districts served by your agency.
2. **Best Practice:** Do not use.
3. **Jurisdiction(s) Served:** Select all jurisdictions served by your agency.
4. **Program Title:** Enter “Community Corrections & Pretrial Services FY2022.”
5. **Certified Crime Prevention Community:** Click the link provided to see if your Community is a CCPC and select yes or no.
6. **Type of Application:** Select Continuation of Grant.
7. **Community Setting:** Check all that apply (rural, urban, suburban, or statewide).
8. **Brief Project Overview:** Provide a description of the program (maximum of 750 characters).
9. **Project Director:** Name and contact information for the person who will have day-to-day responsibility for managing the project and who will be the contact if DCJS needs project-related information.
10. **Project Administrator:** Name and contact information for the County Administrator or City Manager (Administrative and Fiscal Agent) who has the authority to formally commit the organization/locality to complying with all the terms of the grant application, including the provision of the required match, if applicable.
11. **Finance Officer:** Name and contact information for the person responsible in the locality for fiscal management of the funds associated with this grant.

C. CCCA/PSA Budget Summary

Report the amount of state funds requested by category (e.g., Personnel, Supplies and Other) and by funding category (e.g., Pretrial Services or Local Community-based

Probation) on the application face sheet. Do not include the total local funds, fees, and in-kind that support this project unless a match is required. Round all amounts to the nearest dollar. This budget reflects only the amount of grant funds you are requesting.

D. Project Narrative

Demonstration of Need: Enter N/A in the box.

Project Description: Provide a brief description of the program, including any relevant performance data or agency evaluation procedures used that demonstrate that the agency's activities, policies, and practices contribute to the reduction of recidivism for people placed on probation and the reduction of misconduct (failure to appear or new arrest) for defendants placed in pretrial services. (Maximum of 5,000 characters.)

Service Area Demographic/Target Population: Provide a brief description of the target population served by your agency. (Maximum of 5,000 characters.)

Sustainment Plan: Provide a brief description of how your agency has adapted operations and practices due to COVID-19. Include any long-term adjustments your agency plans to continue during FY2022. (Maximum of 5,000 characters.)

E. Goals and Objectives

Goals and Objectives: This is a new section on the application to assist agencies in focusing on adherence to evidence-based practices. For FY2022, DCJS provided state-wide goals and objectives. Local probation and pretrial services agencies are required to include the following goals and objectives and encouraged to include additional goals using SMART Goals¹. The principles include the following:

- Be **S**pecific:
- Make them **M**easurable (i.e., quantifiable)
- Be **A**ction-oriented:
- Be **R**ealistic:
- Articulate a **T**ime in which the change will occur

1. Probation

Goal: Our local probation agency will have a Modified Offender Screening Tool (MOST) completion rate of ___% or more.

Objective: Within fiscal year 2022, our local probation agency will improve the MOST completion rate by ___%.

Indicator Data:

- Total number of people placed on probation supervision
- Total number of MOSTs completed

¹ See EBDM Starter Kit published by the National Institute of Corrections for more information about developing Goals and Objectives by using SMART Goal principles at <http://starterkit.ebdmoneless.org/starter-kit/6a-measuring-your-performance/>

Goal: Our local probation agency will have an Offender Screening Tool (OST) completion rate of ___% or more.

Objective: Within fiscal year 2022, our local probation agency will improve the OST completion rate by ___%.

Indicator Data:

- Total number of people placed on probation supervision that receive a MOST score that indicates an OST needs to be completed
- Total number of OSTs completed

2. Pretrial Investigations

Goal: Our pretrial services agency will have a pretrial investigation rate of ___% or more.

Objective: Within fiscal year 2022, our pretrial services agency will improve the investigation rate by ___%.

Indicator Data:

- Total number of defendants available at screening
- Total number of defendants screened in
- Total number of defendants investigated
- Total number of defendants not investigated (this indicator is needed to identify the reasons a pretrial investigation is not completed so that action may be taken to resolve)

3. Pretrial Supervision

Goal: Our pretrial services agency will assign supervision levels by using the Praxis without staff overrides ___% of the time.

Objective: Within fiscal year 2022, our pretrial services agency will improve the Praxis supervision assignment concurrence percentage by ___%.

Indicator Data:

- Total number of defendants Praxis recommends supervision level Monitoring
- Total number of defendants agency assigned to supervision level Monitoring
- Total number of defendants Praxis recommends supervision to Level 1
- Total number of defendants agency assigned to Level 1
- Total number of defendants Praxis recommends supervision to Level 2
- Total number of defendants agency assigned to Level 2
- Total number of defendants Praxis recommends supervision to Level 3
- Total number of defendants agency assigned to Level 3

F. Itemized Budget

Complete itemized budget, description, and justification for all required categories. Staff, services, office space, or supplies shared across the CCCA and PSA projects should be appropriately split and identifiable in the narrative and itemized budget forms.

In this budget section of the application, all funds supporting this project must be included for each line item under “DCJS FUND – state,” “MATCH - Cash,” “MATCH - Fees,” or “- In-kind – match.” Additional funds include, but are not limited to, fees, local, federal, or other state funds supporting the project. All amounts must be rounded to the nearest dollar.

Cash is defined as direct funding for the project obtained from local government funds, other state funds, federal funds, or private sources.

Fees are those supervision and intervention fees collected from people placed on probation to offset the cost of supervision.

In-Kind sources may include, but are not limited to, the following:

- Materials/equipment. The value of donated materials and equipment shall not exceed its fair market value.
- Space and facilities. The value of rent shall not exceed the fair rental value of comparable space and facilities in the same locality.
- Direct services, coordinating or supervising those services
- Staff training

1. Personnel and Employee Fringe Benefits

This applies to all local employees supported by funds (state, federal, or local) associated with this project.

- a. All tasks, duties, and responsibilities must relate directly to CCCA/PSA activities consistent with the *Code of Virginia* and any statutes, standards, policies, guidelines, and regulations issued by DCJS.
- b. List each position by title on the itemized budget form (and name of employee, if available). Show the total annual salary rate for the employee (regardless of funding source), the number of annual hours to be devoted to CCCA/PSA grant activities and if the employee is full-time or part-time.
- c. Explain the positions and their functions in the description and justification for each position and indicate if positions are split between local probation and pretrial or other projects. Identify all staff and/or positions that are responsible for investigating or supervising people on probation/defendants.
- d. Employee Benefits: Indicate each type of benefit and the total cost of each benefit for each employee assigned to the project. If this is percentage based, indicate the percentage.

Indicate if personnel costs are included in your budget: yes or no. If “yes” under “Personnel” enter the employee name, position title, and if it is full time or part time. The total hours per week worked, the total hours per year, and the total annual salary.

Indicate the percentage of salary being requested, the number of grant funded hours per year, and the total salary amount requested from the grant (regardless of funding source). Indicate if this is a new position. Enter the amounts for pretrial and probation under the funding source(s) as appropriate.

Under “Employee Fringe Benefits” select the employee name and enter the fringe benefit costs (FICA, Retirement, Group Life, Health Insurance, Workers’ Comp, Unemployment, Disability, and other) for each position. Enter the amounts for pretrial and probation under the funding source(s) as appropriate. If you are unable to enter the fringe benefits for individual employees, create an employee named “Fringe Benefit” and enter the aggregate amounts for each fringe benefit but enter zero for the salary. If you elect this process, leave the fringe amounts for each individual employee at zero.

Under the Positions and Justification, select the employee name and enter in the description of position (maximum of 500 characters) and justification for position (maximum of 500 characters) for each item.

2. Consultants

- a. For individuals reimbursed for personal services on a fee basis: Enter each type of consultant or service (with numbers in each category and names of consultants when available), the proposed daily fee rate, and the amount of time to be devoted to such services.
- b. For organizations, including professional associations and educational institutions, performing professional services: Enter the type of services being performed and estimated contract prices. Requests for contracted services and consultants will be very carefully screened. Consultant and contracting fees will be approved only when it is justified that the use of outside contract agencies and consultants will significantly and permanently enhance project effectiveness.
- c. Consultant Travel and Subsistence: This is generally not allowable unless it is necessary, reasonable, and justified. These must be reasonable and adhere to the grantee’s established travel policy. High mileage should be explained and justified.
- d. Description of each service contracted for and the name of the service provider.
- e. The number of defendants and/or people on probation benefiting from each type of service.
- f. Total budgeted amount for each service and a per defendant/probationer/group cost.
- g. Description of all services the Community Services Board (CSB) provides and the cost (including services that are free of charge). If using services other than through the CSB, the decision should be explained.

Indicate if consultants or consultant subsistence & travel costs are included in your budget – yes or no. If “yes” under “Consultant” and “Consultant Subsistence (lodging

+ meals) & Travel enter the information required and the amounts for pretrial and probation under the funding source(s) as appropriate. Under the Description and Justification, select the name of the consultant and enter in the description of consultant's role (maximum of 500 characters) and justification for use of Consultant (maximum of 500 characters) for each item.

3. *Travel*

Itemize total travel expenses of program personnel by local mileage and non-local mileage. Unless a local policy governs, mileage is reimbursed at the federal rate (<https://www.irs.gov/tax-professionals/standard-mileage-rates>).

Local mileage is travel within the immediate service area (satellite offices, court, meetings, etc.). **Non-local mileage** is outside of the immediate service area (trainings, conferences, meetings, etc.). Include a description for each request and justify why the request is necessary.

Indicate if travel (mileage) costs are included in your budget: yes or no. If “yes” under “Local Mileage” or “Non-local mileage” enter the number of miles and the mileage rate. Enter the amounts for pretrial and probation under the funding source(s) as appropriate. Under the Description and Justification, select the mileage being requested and enter in the description of mileage (maximum of 500 characters) and justification for mileage (maximum of 500 characters) for each item.

4. *Subsistence and Other Travel Costs*

Grantees must follow the federal/state travel policy (<https://www.gsa.gov/travel/plan-book/per-diem-rates>) *unless there is a written local travel policy*. Transportation costs, such as air and rail fares, are at coach rates. Subsistence is paid according to a per diem rate. The state allows reimbursement for actual reasonable expenses. Justify all travel by explaining its relevance to job duties.

Indicate if subsistence and other travel costs are included in your budget: yes or no. If “yes” under “Subsistence” enter the event title, under “Lodging” enter the number of rooms required, number of nights and rate cost and under “Meals” enter the number of people, number of days, and the per diem rate. Enter the amounts for pretrial and probation under the funding source(s) as appropriate. Under the Description and Justification, select the event item being requested and enter in the description of cost (maximum of 500 characters) and justification for cost (maximum of 500 characters) for each item.

Under Other Travel Costs, enter the event title, number of people attending, number of trips with airfare, the rate and other travel costs. Enter the amounts for pretrial and probation under the funding source(s) as appropriate. Under the Description and Justification, select the event item being requested and enter in the description of costs (maximum of 500 characters) and justification for cost (maximum of 500 characters) for each item.

5. Equipment

Equipment includes, but is not limited to, the purchase or lease of items such as office furniture, copiers, fax machines, telephones (but not line service), PTCC wiring, and cellular phones. Each major item to be purchased must be listed separately with unit cost. Each item to be leased or rented must be listed separately with the cost associated with the lease or rental.

CCCA and PSA budgets must include a line item under equipment for the PTCC network equipment and hardware replacement and repair for no less than 1% of the total state funding. DCJS requires that all staff have professional email and internet access.

Indicate if equipment is included in your budget: yes or no. If “yes” enter the item requested, the cost per item or monthly rate, and the total number of items or months for each item. Enter the amounts for pretrial and probation under the funding source(s) as appropriate. Under the Description and Justification, select the equipment item being requested and enter in the description (maximum of 500 characters) and justification (maximum of 500 characters) for each item.

6. Supplies and Other Expenses

Supplies and Other Operating Expenses include, but are not limited to, rent, utilities, cell/land/fax/internet services, on site drug tests, lab confirmations, postage, and office supplies.

Indicate if supplies and other included in your budget – yes or no. If “yes” enter the item requested, the cost per item or monthly rate, and the total number of items or months for each item. Enter the amounts for pretrial and probation under the funding source(s) as appropriate. Under the Description and Justification, select the supply or item being requested and enter in the description (maximum of 500 characters) and justification (maximum of 500 characters) for each item.

7. Indirect Costs

Indirect costs are fees charged against the grant for the local government’s administration of the funds. Included in this are administrative personnel and operational costs incurred by the local government not directly attributed to the project.

Indicate if indirect costs are being requested: yes or no. If “yes” enter “Indirect Costs” in “Item Description” and provide a brief justification (maximum of 250 characters). Enter the amount of indirect costs for pretrial and probation under “DCJS FUNDS – State” and leave the other funding sources as “\$0.”

G. Attachments

Upload the following attachments, if applicable.

- a. MOU for PTCC (Virginia Beach, Lynchburg, Alexandria, and Accomack)
- b. MOU for non-government services (Albemarle, Arlington, Fairfax, Frederick, Fredericksburg, James City, Portsmouth, Salem, Tazewell, and Westmoreland)

c. CCJB list (all agencies)

H. Non-Supplantation

Select “yes” and provide the date, and name and title of the Project Administrator.

I. Civil Rights Certification of Compliance

For Certification of Compliance, select “yes.”

For Project Director Certification, select “yes” and select the appropriate certification based on the menu provide.

J. Authority Certification

Enter the date and name and title of the authorized individual (identified in XII.B.)

XIII. Grant Reporting Requirements

Grant recipients must submit Quarterly Financial and Status Reports (aka Progress Reports) through the DCJS Online Grants Management System (OGMS). Failure to comply in a timely manner may result in DCJS withholding disbursement of grant funds and/or termination of the grant. DCJS will provide grant-reporting requirements at the time of grant award.

XIV. How and Where to Submit Application

Submit applications and required attachments through the DCJS Online Grants Management System (OGMS) by 5:00 p.m. on Friday, March 19, 2021.

More information will be provided by DCJS prior to the OGMS live implementation date of February 1, 2021 on how to access and enter applications in the system.