

Program Narrative

Justice Assistance Grants 2021 – South Carolina

South Carolina's Justice Assistance Grant Program Narrative information and responses are presented below. Additionally, the *South Carolina State Strategy – Justice Assistance Grant Program Federal Fiscal Years 2019 – 2023* is attached to this application. This program narrative will address individual information elements requested on page 15 of the Edward Byrne Memorial Justice Assistance Grant (JAG) Program FY 2021 State Solicitation (OMB No. 1121-0329). Readers may be directed to specific page numbers or sections of the *South Carolina State Strategy* which address the elements requested under the solicitation subsection titled Program Narrative A-D.

A. Description of the Issue

Identify the state's strategy/funding priorities for the FY 2021 JAG funds.

These priorities are based on the *South Carolina State Strategy – Justice Assistance Grant Program Federal Fiscal Years 2019 – 2023*, which offers an analysis of the criminal justice challenges facing South Carolina (pages 19-25) and the resource needs (pages 15-18).

- Law Enforcement and/or Prosecution and Court Programs:
 - **Priority Areas:** Gangs and Violent Crime Investigation/Enforcement, Narcotics, Domestic Violence, and School Resource Officers
- Equipment/Technology Enhancement(s):
 - **Priority Areas:** Officer Safety Equipment and Local/State Forensics
- Mental Health and Related Law Enforcement Programs:

- **Priority Areas:** Officer Wellness, Crisis Intervention Teams (CITs), and Behavioral Programs
- Corrections and Community Corrections Programs
 - **Priority Areas:** Diversion/Alternatives to Incarceration Programs and Re-Entry/Recidivism Reduction Programs

The subgrant award process and timeline.

The notification of the availability of grant funds is made by mailing letters (signed by the Office of Highway Safety and Justice Programs (OHSJP) Director) announcing the annual Criminal Justice Programs (CJP) Grant Solicitation Workshop. The letter is mailed to all relevant state agencies (excluding, e.g., most non-criminal justice state agencies), all city and town mayors or administrators, county administrators, police chiefs, sheriffs, solicitors, and those who have requested to be notified of availability of funds. The announcement letter and any attachments are also posted on the OHSJP webpage. The CJP Grant Solicitation Workshop is conducted to provide potential applicants with information about the JAG Program. The workshop is held in January to allow time for subgrantees to complete applications before a March deadline. Each workshop participant is given a folder containing the following: an agenda, staff contact list, copies of presentation slides, and a workshop evaluation form. Due to the Coronavirus, the Grant Solicitation Workshop was cancelled. In lieu of a workshop. Instructional videos were provided and posted to the OHSJP webpage. JAG Application Solicitation, a list of Funding Priorities, sample programmatic application pages, application instructions, sample financial pages, and all other resource materials are also posted on the OHSJP webpage. The application due date is traditionally the third Friday in the month of March.

The application review and approval process begins with the receipt of the applications via SCDPS Grants no later than 11:59 p.m. on the designated due date. All applications are date/time recorded by SCDPS Grants as soon as they are received. CJP staff review all applications and use uniform criteria by which to assess each application. Once applications are reviewed and staffed, a book of completed summaries and recommendations is sent to the SC Public Safety Coordinating Council (SCPSCC), the nine-member, legislatively-mandated council that oversees grant programs administered by the OHSJP. The SCPSCC members vote to approve or disapprove recommendations and have the final determination of which applications are funded.

Effective October 1, 2021, both continuation subgrants and new projects will commence for a full twelve-month grant award period.

The standard JAG award timeline is:

December – Issue notice of statewide workshop and solicitation

January– Conduct statewide solicitation workshop and open application portal

March – JAG application period closes

March to April – Research and staff applications

May-August - Draft summaries and recommendations book

September – Present recommendations to the SCPSCC; prepare award/denial letters

September/October – Issue grant awards and denial letters

October – JAG subgrants commence for a 12-month grant period

Description of the programs to be funded over the four-year grant period.

Please refer to the *South Carolina State Strategy – Justice Assistance Grant Program Federal Fiscal Years 2019– 2023*, which discusses priority programs that South Carolina plans to continue funding during the grant period (pages 19-25).

- ***States are strongly encouraged to prioritize their funding on evidence-based projects, the data used to determine these priorities, and data needed for comprehensive planning efforts. The state should describe any barriers to accessing these data, opportunities to improve cross system information sharing, and progress or challenges the state has faced in NIBRS implementation.***

South Carolina's JAG subgrant applications which are evidence-based will be given priority toward funding. South Carolina recognizes that the Bureau of Justice Assistance (BJA) and the entirety of the USDOJ Office of Justice Programs strongly encourage states to prioritize the funding of evidence-based projects. We concur with BJA that programs and practices can be fairly termed evidence-based when their effectiveness has been demonstrated by causal evidence, generally obtained through one or more outcome evaluations.

The OHSJP has long used criminal justice program research to both support its funding recommendations to our grants governing body, and to help sustain its recommendations not to fund projects based on their lack of effectiveness in the literature. As an example, we support and have supported for two decades the deployment of multijurisdictional task forces to address drug

and violent crime. Task forces have been well documented over many years and have conclusively shown that they result in a number of superior outcomes. Among these are a greater number of arrests in which the drug violators are mid- or upper-level management, greater seizures of drug quantities, larger asset forfeitures, and a greater probability of dismantling violent crime and drug networks as compared to more isolated, non-multijurisdictional approaches.

However, not all project-funding recommendations under the JAG program are, or should be, strictly evidence-based in the classical sense. Some awards seek to remediate serious or even emergency situations in which agencies, typically small police departments, are desperately in need of specific resources. Such resources would include exigent circumstances in which equipment can have a direct and immediate impact on officer safety or the safety of the public. One example of this is bulletproof vests. A vest is clearly a critical piece of equipment to insure that officers are sufficiently protected with in-date, well-fitting vests of a proper threat level. Some departments are not able, for a variety of fiscal reasons, to always properly equip their officers. Consequently, it has been a priority of the SCDPS, OHSJP to recommend funding (from JAG and other grant sources) to see that these officers are in fact provided with this critical life-saving equipment. Additionally, providing equipment essential to the safe and fundamental operation of law enforcement, corrections, courts, or community corrections clearly falls under the JAG program purpose areas and is therefore allowable.

Please refer to the *South Carolina State Strategy – Justice Assistance Grant Program Federal Fiscal Years 2019 – 2023* section titled “Data and Analysis” (pages 7-8) for detailed information regarding the state’s NIBRS implementation.

In summary, the State Administrative Agency (SAA) embraces and supports funding evidence-based projects with JAG awards and takes an equally strong position toward not funding projects for which research has demonstrated ineffectiveness. However, there is a middle ground of promising projects, such as projects that are not evidence-based because they are innovative, and projects that are funded based on need. We believe this to be a fair and balanced approach consistent with the spirit and intent of the federal legislation.

B. Project Design and Implementation

Describe the state's process for engaging stakeholders from across the justice continuum and how that input informs priorities. This should include a description of how local communities are engaged in the planning process, how state and local planning efforts are coordinated, and the challenges faced in coordination. The applicant should identify the stakeholders representing each program area who are participating in the strategic planning process, the gaps in the state's needed resources for criminal justice purposes, plans to improve the administration of the criminal justice system, and how JAG funds will be coordinated with state and related justice funds.

Implementation of the Edward J. Byrne Memorial Justice Assistance Grant (JAG) program in South Carolina has been a cooperative effort among federal, state, and local agencies working to improve the efficiency and effectiveness of the criminal justice system. A wide array of programs and projects have been initiated through the Byrne program and subsequently supported by state or local monies once grant funding was no longer available. Resources provided by the JAG grant

funds have been successful in addressing gaps in services in state and local law enforcement jurisdictions, as well as addressing criminal justice records improvement, court system efficiency, and crime prevention.

Data collection and analysis is gathered by this office from the criminal justice community throughout the year. State and local criminal justice agencies, drug treatment and education/prevention agencies are contacted, such as the South Carolina Law Enforcement Division (SLED); the South Carolina Department of Corrections (SCDC); the South Carolina Department of Probation, Parole and Pardon Services; the South Carolina Department of Alcohol and Other Drug Abuse Services; the South Carolina Department of Mental Health; the South Carolina Judicial Department; the South Carolina Department of Juvenile Justice; the South Carolina Criminal Justice Academy; the South Carolina Attorney General's Office (SCAG); the South Carolina Commission of Indigent Defense; and the South Carolina Commission on Prosecution Coordination. In addition, contacts are made with several of the state's Sheriffs, Chiefs of Police, and Solicitors, as well as organizations including the S.C. Law Enforcement Officers Association, the South Carolina Police Chiefs Association, and the South Carolina Sheriffs' Association. Additional contacts and collaborative efforts are discussed on pages 2-7 of the *South Carolina State Strategy – Justice Assistance Grant Program Federal Fiscal Years 2019 – 2023*.

Please refer to the *South Carolina State Strategy – Justice Assistance Grant Program Federal Fiscal Years 2019 – 2023* section titled "Data and Analysis" (pages 7-15) for detailed data regarding the state's key criminal justice issues.

Juvenile justice issues are also considered in the planning effort. The SCDPS, OHSJP staff serves the Governor's Juvenile Justice Advisory Council (the State Advisory Group established under the Juvenile Justice and Delinquency Prevention Act) and takes into account its perspective when recommending JAG subawards that involve juvenile justice issues or services.

Data collection and input is currently being gathered concerning mental health and drug treatment issues in South Carolina. Mental health and drug treatment has recently been added to the state funding priorities. After communication and training with NCJA, a survey was conducted to gather input from all stakeholders within the criminal justice system. A recent survey showed 70% of respondents represented law enforcement. While this survey provided great information, more communication and research needs to be conducted with other stakeholders in order to develop the most comprehensive plan to be carried out in this five-year strategy concerning mental health and drug treatment.

Input is also gathered by staff throughout the grant year in face-to-face meetings with frontline officers and command staff as part of our on-site monitoring program. SAA staff travel to JAG sites, inspect grant-funded equipment, and interview funded staff and project directors to gather information on current and future criminal justice priorities. This information is documented in field reports and is supplemented with information from progress reports submitted by subgrantees.

Another crucial source for our data collection and analysis effort is the South Carolina Statistical Analysis Center (SC SAC), which is housed within the SAA. The SC SAC conducts statistical

research primarily using crime data from the South Carolina Incident-Based Reporting System (SCIBRS) that SLED manages. SCIBRS offers far more detail regarding crime incidents than would a summary reporting system, meaning that this data provides a rich foundation from which to draw conclusions and make decisions. Details include information about the offense, offender, arrestee, victim, and stolen property. From 1991 forward, SCIBRS data is available at the levels of state, county, and reporting agency; the SC SAC regularly satisfies ad hoc requests using this data. Additionally, the SC SAC develops both special and regular reports based on SCIBRS data. While primary, SCIBRS is not the only data source used by the SC SAC. Recent projects depending on other data sources include topics such as human trafficking, pretrial services, timeliness of prisoner re-entry services, and juvenile disproportionate minority contact.

It is important to note that this strategic planning process and prioritization does not limit proposals or applicants except to the federal restrictions. That is, in general, proposals in each annual funding cycle will be eligible for submission and will be reviewed as long as they are within federal program parameters. It is viewed as better to allow for the development and submission of non-priority proposals (which may be innovative or address an overlooked critical need) than to prohibit them.

There are some exceptions to the policy of accepting for review and recommendation proposals which are outside strategic priorities. Certain eligibility conventions have been adopted by either the SCDPS, OHSJP or the SCPSCC. For example, it is a longstanding internal policy of the SAA not to recommend or fund requests from law enforcement agencies for undercover buy-money.

The reasons for these policy decisions are not germane, but these restrictions have served the program well over the years.

The SCPSCC also can and does impose restrictions on the types of JAG subgrant funding it will approve. This nine-member Council was created by statute in 1993 to oversee grant programs administered by the SCDPS, OHSJP. Therefore, they also contribute to the strategic planning process by limiting approval in some categories of applications (e.g., the Council views JAG funds as primarily intended for direct law enforcement, prosecution, corrections, and public safety applications and has gone on record as refusing to support applications for public defender initiatives regardless of staff recommendations). They can also, by appropriate motion and passage of a recorded vote, set strategic priorities for the JAG program and other programs.

A final point of discussion in this section is how JAG funds are coordinated with state funding and other federal funding streams. Unfortunately, state funding of new criminal justice initiatives is far from robust due to unprecedented budget reductions suffered by all state agencies. This has been in direct response to South Carolina's overall state budget decreasing. With the exception of the JAG ARRA funding, which reached windfall proportions compared to the previous federal fiscal year allocation, there are few initiatives with which to coordinate. However, staff will become aware of any new state programs which have the potential to complement or compete with programs funded under JAG. For example, a dedicated source of body camera funding has recently been established through the state's "Body-Worn Cameras (BWC) Fund" in support of BWCs, storage, and maintenance for state and local law enforcement agencies, the Attorney General's Office, solicitors' offices, and public defenders' offices in South Carolina. Pursuant to

the SC Code of Laws, §23-1-240, the SCPSCC has been given oversight of the funding and disbursement of the BWC Fund. To this end, the OHSJP has coordinated its efforts to avoid the duplication of resources among programs.

South Carolina's executive branch operates under a cabinet form of government, thus most of the major criminal justice agencies (e.g., SCDC, SCDPPPS, SCDPS, SLED, etc.) are represented on the Governor's cabinet. The directors of these agencies physically convene on a regular basis to discuss common problems and endeavors. Similarly, staff under all these agencies collaborate through a number of councils or organizations (e.g., the Governor's Juvenile Justice Advisory Council, the Law Enforcement Training Council, the U.S. Attorney Law Enforcement Coordinating Council, the SCPSCC, the Impaired Driving Prevention Council, the Governor's Domestic Violence Task Force, etc.). This depth of purposeful institutional communication mitigates against uncoordinated or duplicative projects.

The other advantage that the CJP office enjoys is that most criminal and juvenile justice-related federal funding streams are managed by the SCDPS, OHSJP. With the exception of Homeland Security funding (administered by SLED) and Victims Services grants (administered by SCAG), virtually all justice-related formula grants from USDOJ's Office of Justice Programs flow through the SCDPS, OHSJP. Because these funding streams are under the management of one office, staff on various programs work very closely together and routinely share funding recommendations and funding policy position information to avoid overlap, duplication, and waste. This close communication is also utilized to coordinate and complement funding patterns. For example, several years ago it was an announced priority that School Resource Officers should be placed in

all high schools and middle schools wherever possible and as rapidly as possible. Local units of government, school districts, and local law enforcement rarely had the funds to create new positions and had limited capacity to insure standardization of duties. Criminal Justice Programs was able to coordinate JAG funding with funding under the Juvenile Accountability Block Grant program. These funding streams were strategically deployed to maximize officer coverage and to further coordinate with federal funding through the state Department of Education. The result was that schools in South Carolina were afforded the presence of School Resource Officers quickly, in a standardized and rational manner, and that all schools were afforded the opportunity to acquire these resources on a fair and transparent basis. Please also refer to the *South Carolina State Strategy – Justice Assistance Grant Program Federal Fiscal Years 2019 – 2023* section titled “Coordination Efforts” and subtitled “Strategy Development Coordination” (pages 1-2).

In summary, the strategic planning process utilized in South Carolina allows appropriate and effective projects to emerge and be considered by staff and the SCPSCC. However, deliberate and planned reassessment always holds promise that the grants process can be improved and beneficial outcomes can be enhanced. Therefore, South Carolina will continue efforts to update its JAG funding priorities in FY 2021 - FY2022. In order to update the state’s funding priorities, additional efforts to engage with agencies in the criminal justice system within South Carolina are currently underway. While a recent survey provided great information, more communication and research needs to be conducted with stakeholders in order to develop the most comprehensive plan to be carried out in this five-year strategy. Therefore, after continued collaboration with system stakeholders, and training and technical assistance from the National Criminal Justice Association, South Carolina expects to update this plan in the FY 2021 application submission.

C. Capabilities and Competencies

Describe any additional strategic planning/coordinating efforts in which the state participates with other criminal/juvenile justice agencies in the state.

Some of this information is addressed above in our discussion of the strategic planning process. Please also refer to the *South Carolina State Strategy – Justice Assistance Grant Program Federal Fiscal Years 2019 – 2023* section titled “Coordination Efforts” and subtitled “Other Coordination Efforts” (pages 2-7).

D. Plan for Collecting the Data Required for this Solicitation’s Performance Measures.

The OHSJP has extensive experience in the collection and submittal of subgrant data to federal funding agencies. Beginning with the JAG funding under the ARRA (Stimulus) legislation, the BJA added quarterly reporting requirements via the Performance Measurement Tool (PMT). Staff collect this data by requiring subgrantees to enter the data into the PMT for their projects on a quarterly basis. In addition to the quarterly PMT data, subgrantees are required to submit semi-annual progress reports to the CJP on each project. Staff has met and will continue to meet all reporting requirements by submitting data through the PMT on a quarterly basis.