

BUREAU OF JUSTICE ASSISTANCE

Prosecuting Cold Cases Using DNA Program Grantee Orientation Webinar

February 9, 2023



BJA
Bureau of Justice Assistance
U.S. Department of Justice

Presenters

- Carey Hendricks, BJA Policy Office
- Alan Spanbauer, BJA Programs Office
- Monte Evans II, BJA Programs Office
- Nichole Norvesh- BJA Operations Office
- Patricia Melton- RTI- BJA Forensics TTA

Polling Question #1

What do you hope to learn from this webinar?

- I want to learn more about the program itself
- I want to learn more about award acceptance and award conditions
- I want to learn more about programmatic requirements
- I want to learn more about how to make budgetary or programmatic changes and associated JustGrants actions
- I was told attendance was mandatory

Agenda

- Office of Justice Programs (OJP) and Bureau of Justice Assistance (BJA) Overview
- BJA Prosecuting Cold Cases using DNA (PCC) Program Team Introduction
- Program Overview
- Grant Management Overview
- Performance Measurement Overview
- Questions



SECTION 1

OJP/BJA OVERVIEW



BJA
Bureau of Justice Assistance
U.S. Department of Justice

What is the Office of Justice Programs?

- The Office of Justice Programs (OJP) provides grant funding, training, research, and statistics to the criminal justice community.
- OJP is one of three grant-making components of the Department of Justice along with the Office on Violence Against Women (OVW) and the Office of Community Oriented Policing Services (COPS).

Office of Justice Programs

BJA - Bureau of Justice Assistance

BJS - Bureau of Justice Statistics

NIJ - National Institute of Justice

OVC - Office for Victims of Crime

OJJDP - Office of Juvenile Justice and Delinquency Prevention

SMART - Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering, and Tracking

U.S. Department of Justice Bureau of Justice Assistance

Mission: BJA's mission is to provide leadership and services in grant administration and criminal justice policy development to support state, local, and Tribal justice strategies to achieve safer communities. BJA works with communities, governments, and nonprofit organizations to reduce crime, recidivism, and unnecessary confinement, and promote a safe and fair criminal justice system.



www.bja.gov





Appointed by President Biden in February 2022, Director Moore leads BJA's programmatic and policy efforts on providing a wide range of resources, including training and technical assistance, to law enforcement, courts, corrections, treatment, reentry, justice information sharing, and community-based partners to address chronic and emerging criminal justice challenges nationwide.

Policy Office

provides national leadership to criminal justice organizations that partner with BJA to identify effective program models for replication and infuse data-driven, evidence-based strategies into operational models, practices, and programs.

Programs Office

administers state, local, tribal, and territorial grant programs. It acts as BJA's direct line of communication to states, local jurisdictions, territories, and tribal governments by providing customer-focused grants management support and careful stewardship over federal funds.

Operations Office

coordinates all communication, formulates and executes the budget, manages contracts, measures grantees' performance, and provides administrative support to BJA.

Public Safety Officer Benefits Office

provides death and education benefits to survivors of fallen law enforcement officers, firefighters, and other public safety officers, and disability benefits to officers catastrophically injured in the line of duty.

**BJA Director
Karhlton F. Moore**

Five Major Strategic Focus Areas

Improve public safety through measures which build trust with the community and ensure an effective criminal justice system

Reduction in recidivism and prevention of unnecessary confinement and interactions with the criminal justice system

Integration of evidence-based, research-driven strategies into the day-to-day operations of BJA and the programs BJA administers and supports

Increasing program effectiveness with a renewed emphasis on data analysis, information sharing, and performance management

Ensuring organizational excellence through outstanding administration and oversight of all of BJA's strategic investments

Fund – Invest diverse funding streams to accomplish goals.

Educate – Research, develop, and deliver what works.

Equip – Create tools and products to build capacity and improve outcomes.

Partner – Consult, connect, and convene.

SECTION 2

BJA PROSECUTING COLD CASES USING DNA (PCC) TEAM



BJA
Bureau of Justice Assistance
U.S. Department of Justice

Award Management Structure



BJA PCC Team



Carey Hendricks
Policy Advisor
Policy Office



Alan Spanbauer
Division Chief
Programs Office



Monte Evans
State Policy Advisor
Programs Office



Nichole Norvesh
Research Associate
(Contractor)
BJA Performance
Metrics



Hannah Barcus
Associate
(Contractor)
Policy Office

BJA Team – Contact Information

Name	Email	Phone
Carey Hendricks Policy Advisor Policy Office	Carey.A.Hendricks@usdoj.gov	(202) 598-3188
Hannah Barcus Associate (Contractor) Policy Office	Hannah.Barcus@usdoj.gov	(540) 273-3776
Alan Spanbauer Division Chief Programs Office	Alan.Spanbauer@usdoj.gov	(202) 305-2436
Monte Evans II State Policy Advisor Programs Office	Monte.Evans@usdoj.gov	(202) 598-1186
Nichole Norvesh Research Associate (Contractor) Operations Office/BJA Performance Metrics	Nichole.Norvesh@usdoj.gov	(240) 463-0092

SECTION 3

PROSECUTING COLD CASES USING DNA (PCC) PROGRAM OVERVIEW

BJA Policy Office



BJA
Bureau of Justice Assistance
U.S. Department of Justice

PCC Policy Office Team



Carey Hendricks
Policy Advisor



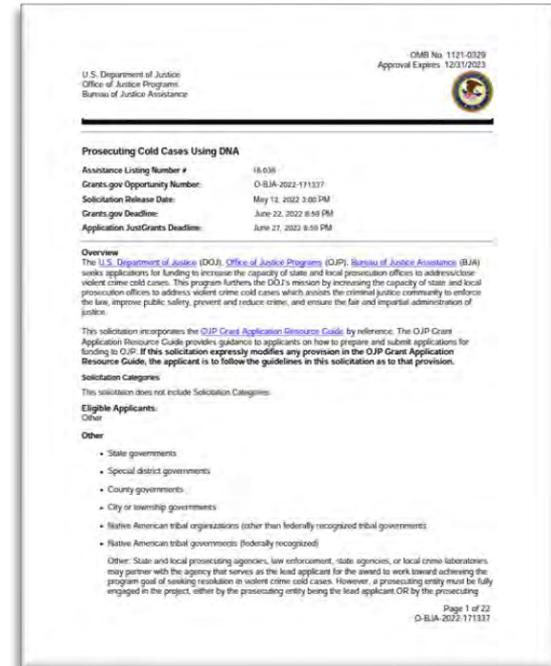
Hannah Barcus
Associate (Contractor)

PCC Program Overview

- The FY 2022 Prosecuting Cold Cases using DNA (PCC) program is a competitive grant program designed to decrease the number of violent crime cold cases awaiting prosecution. Supports the **prosecution** of violent crime cold cases, **where DNA from a suspect has been identified** (suspect(s) may be known or unknown).
- **Main Goals:**
 - 1) Prosecute violent crime cold cases
 - 2) Decrease the number of violent crime cold cases awaiting prosecution
- 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.**

FY 2022 PCC Solicitation Highlights

- **Cold Case Definition:** “Cases where all investigative leads have been exhausted prior to application deadline submission may also be considered by BJA.” – page 5 of the FY22 Solicitation
 - Although the Cold Case definition includes ‘unidentified persons’; the suspect’s profile must be in existence in order to work unidentified human remains cold cases. – page 5 of the FY22 Solicitation
- **Required Training:** “Award recipients must attend an annual 2-day forensics workshop that will take place in the Washington, D.C., area. Up to three representatives will be allowed to attend each annual meeting during the course of the grant period (starting in 2023), and applicants should budget accordingly.” – page 10



Suspect DNA

- “DNA from a suspect” means DNA from a crime scene, attributed to a suspect, ***which has already been analyzed***, with a statistically relevant profile developed
 - Suspect may be known or unknown
 - CODIS Hit or no Hit (John Doe warrant type of situation)
 - No untested SAKs
 - **Does not mean - DNA evidence present, but no testing has occurred**
- For older DNA profiles that may not be in CODIS – suspect DNA must be in LDIS or SDIS
- Familial searching must be conducted (if allowed in your state) prior to any FGG work, *however*
- Please contact Carey Hendricks if the familial searching backlog is >3 months.
- **If you do not already have a statistically relevant suspect DNA profile, you cannot use COLD funds to work a case**

Victim Information
Name : Oliver

Allowable Uses of Funds

- 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.
- 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.
- This may include:
 - Investigative activities: interviewing witnesses, victims, and suspects; crime analysis
 - Identifying, locating, collect, processing, and analyzing evidence
 - Overtime
 - Travel
 - Familial DNA searches
 - Forensic Genetic Genealogy
 - Consultant costs
 - Computer equipment



Unallowable Uses of Funds

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 DNA from a suspect has been identified (suspect(s) may be known or unknown)

Laboratory equipment

Portable investigative equipment

Vehicles

Construction

Renovation

Rental costs for space

Office furnishings



Costs for general cold case investigations — those that do not involve UCR, Part 1 violent crimes, and do not have suspect DNA identified

General laboratory capacity enhancement or general casework backlog reduction

Unmanned aircraft systems (UAS), including unmanned aircraft vehicles (UAV), and all accompanying accessories to support UAS or UAV



Forensic Genetic Genealogical (FGG) DNA Analysis and Searching

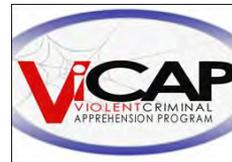
Award recipients utilizing funds for forensic genealogy testing must adhere to the United States Department of Justice Interim Policy Forensic Genealogical DNA Analysis and Searching available at: [United States Department of Justice Interim Policy: Forensic Genetic Genealogical DNA Analysis and Searching](#).

In accordance with Section IX, grantees must collect and report the following metrics to BJA:

1. The type of crime investigated
2. 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
3. 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.)
4. Whether FGG analysis resulted in a searchable profile
5. The identity of the vendor laboratory used to conduct FGG and the genetic genealogy service(s) used to search the FGG profile
6. Whether the investigation resulted in an arrest that was based, in part, on the use of FGGS
7. The total amount of federal funding used to conduct FGG/FGGS in each case

FGG Interim Policy Highlights

- Suspect cannot be arrested based solely on association from a FGGS
- Must conduct STR DNA Typing to confirm identity to initial profile uploaded to CODIS
- A forensic profile must have been uploaded to CODIS prior to any FGGS
- There must be failed attempts to find matches in CODIS searches
- Where applicable, relevant case information must be entered into NamUS and ViCAP



SECTION 4

PCC PERFORMANCE MEASUREMENT

BJA Operations Office



BJA
Bureau of Justice Assistance
U.S. Department of Justice

PCC Operations Office Team



Nichole Norvesh
Research Associate
(Contractor)

Overview of Performance Metrics and Progress Reports

- Metric questions will be emailed to you at the end of this webinar
- **Due: Semi-Annually** –Include:
 - **Successes**
 - **Challenges**
 - **Any links** to publications/media coverage of cases
- Ensure your narrative matches your numeric Metric
- Metric **questions 1 and 2 will be the same #** for every progress report.
- Your **FINAL** report will be cumulative of the entire award
 - You will submit your last 6 month (semi annual) regular report + a FINAL report

SECTION 5

PCC GRANT MANAGEMENT

BJA Programs Office



BJA
Bureau of Justice Assistance
U.S. Department of Justice

PCC Programs Office Team



Alan Spanbauer
Division Chief



Monte Evans II
State Policy Advisor

Role of the Programs Office Team

Programs Office staff are committed to ensuring that the highest level of service is provided to our customers.

Programs Office staff provide timely and accurate information and assistance to their customers on the broad array of grant programs and other activities we support.

Programs Office staff members develop and maintain mutual and professional relationships with all customers and provide prompt, courteous, and well-informed responses to grant applicants and recipients; local, state, and federal agencies and organizations; American Indian tribes; OJP; and the general public.

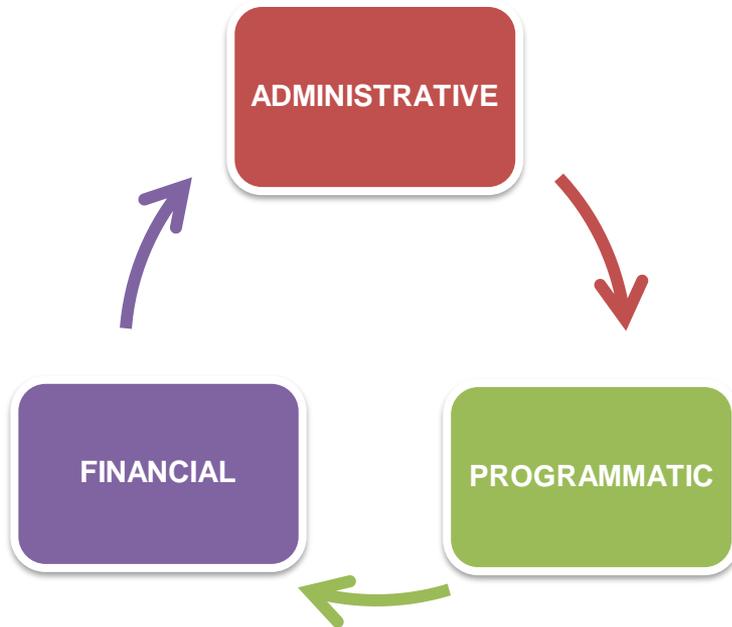
State Policy Advisor/Grant Manager Role

As first line of direct communication with grantees within BJA, is responsible for reviewing and approving grantee reports and grant adjustment modifications, and processing grant closeouts.

Addresses all questions regarding programmatic, financial, and administrative elements of your grant.

Communicates about all the award conditions, including the award release conditions related to PCC program requirements.

Three Areas of Grant Management

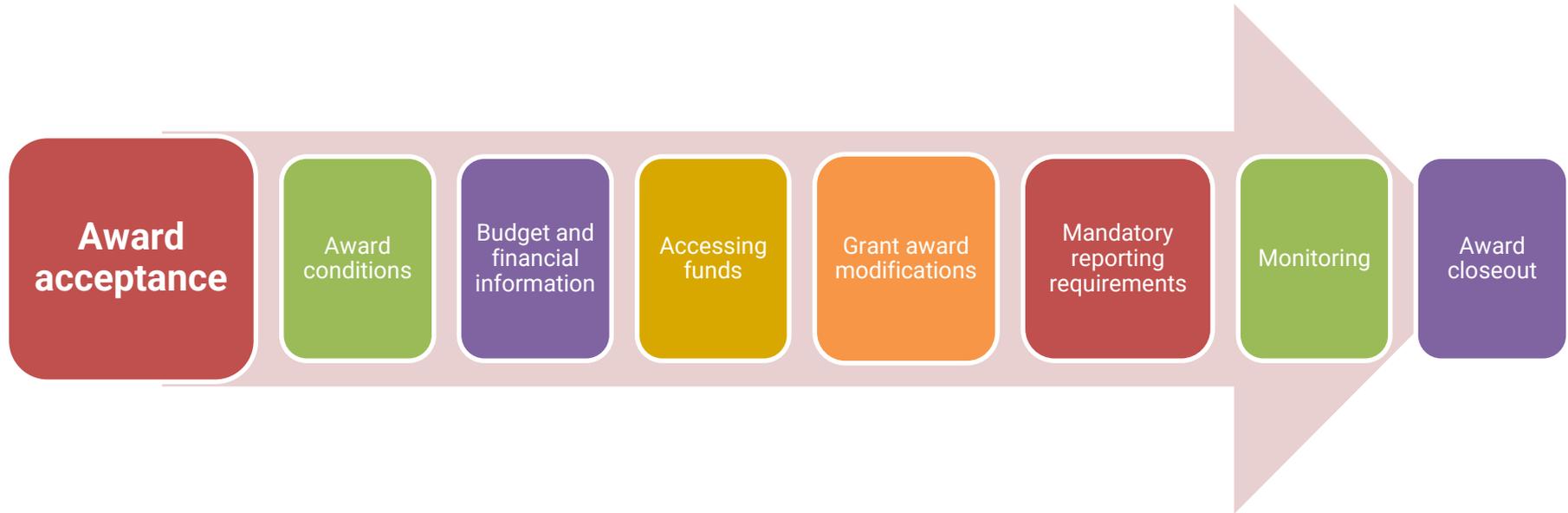


- **Administrative**
 - Award acceptance
 - Award condition compliance
 - Semi-Annual progress reports
 - Grant award modifications
- **Programmatic**
 - Implementation of project
 - Goals, objectives, and activities
- **Financial**
 - Federal financial reports
 - Budget clearance, modifications, and reallocations

Working Effectively Together



Grant Management Cycle



Award Acceptance

- The grant award agreement is a legally binding contract with the federal government.
- **The Authorized Representative accepts the award electronically in JustGrants.**
- **TIP:** Before the award can be accepted, the Entity Administrator must assign key roles in JustGrants.



Award Acceptance

Award conditions may be attached to an award for financial and/or programmatic issues requiring resolution, referred to as withholding conditions.

Applicants have 45 days to accept the award through JustGrants from the date of award notification. The following training video regarding acceptance/denial may be helpful:

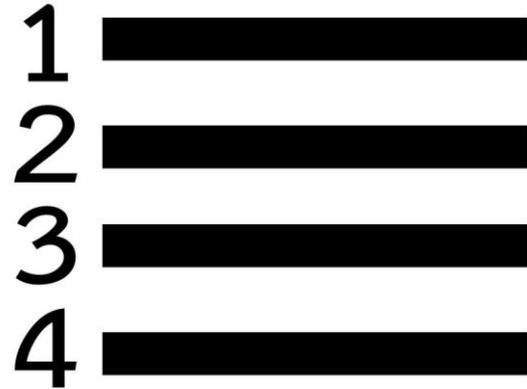
<https://justicegrants.usdoj.gov/training/training-grant-award-acceptance>.

Program-specific award conditions may be applied based on the individual needs, goals, and objectives of each grantee.

Please contact your State Policy Advisor/Grant Manager for any questions regarding the award acceptance process, or for any programmatic, financial, or administrative questions.

Award Conditions

- **You are responsible for adhering to all award conditions.**
- The award conditions numbered 1 through 29 are the OJP standard conditions.
- Information on the standard OJP conditions is available at the following link:
<https://www.ojp.gov/funding/explore/legal-overview-fy-2022-awards>
- BJA specific award conditions begin at number 30 in the award agreement



Award Conditions



The most common award withholding conditions

- **Uncleared budget**
Conditional Clearance
- **Missing documents**
 - Disclosure of Duplication
 - Disclosure of Lobbying Activities (SF-LLL)
 - Application Attachments

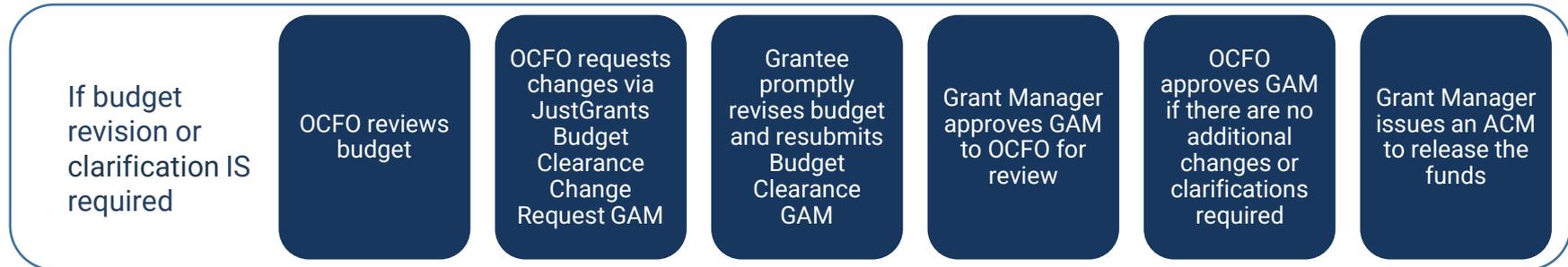
Program specific conditions, including withholdings will typically be found on the last page of your conditions.

Withholding conditions must be removed/resolved before funds can be obligated, expended, or drawn down.

Regular communication with your assigned Grant Manager is critical. You cannot begin activities until these holds have been cleared.

Budget Clearance Process

All new awards include a withholding award condition for budget approval a Grant Award Modification (GAM) and subsequent Award Condition Modification (ACM) must be processed in order to access funds.



Grants Financial Management Training

- The Grant Award Administrator and Financial Manager assigned to your award must complete training within 120 days of grant acceptance (if it was not previously completed on/after 1/1/2020).
 - If the Grant Award Administrator and/or Financial Manager change, they will have 120 days to complete their training from the day they are added within the JustGrants system.
- **For certain recipients, this will be a withholding condition.**
- Must be completed every three years
- Available online at <https://onlinegfmt.training.ojp.gov/>
- Submit Grants Financial Management Training certificates to your BJA State Policy Advisor/Grant Manager



Polling Question #2

Is there an award condition that your agency has difficulty with or questions on?

- Conditional Budget Clearance
- NEPA
- Indirect Costs
- Deliverables

Accessing Funds

In order to access funds, the following actions must be completed:

- Valid award acceptance in JustGrants.
- Removal of all withholding award conditions, if applicable.
- Entity registration in the U.S. Treasury's Automated Standard Application for Payments (ASAP) system.
- Submission of any delinquent reports, if applicable.



Grant Award Modifications (GAM) Overview

- A GAM is used to request project changes that require prior approval.
- The assigned GAA must submit GAMs in JustGrants.
- GAM types include:
 - Budget Modification
 - Change Project Scope
 - Project Period Extension
 - Sole Source Approval
 - Programmatic Costs



BEST PRACTICE: Contact your State Policy Advisor/Grant Manager if you have questions prior to submitting a GAM.

Grant Award Modifications (GAM)

Programmatic

- Programmatic Costs GAM
- Scope Change GAMs alter programmatic activities, change the purpose of the project, change the project site, or change key staff

Financial

- Budget Clearance GAM
- Budget Modification GAM
- Sole Source GAM requires substantial justification, must receive prior approval for any sole source procurement in excess of simplified acquisition threshold (currently \$250,000)

GAM: Project Period Extension

- Must be requested through JustGrants at least 30 days prior to the current end date.
- Must include narrative justification and a revised timeline. **Extensions should not be requested solely to expend remaining funds.**
- Generally, no more than one extension not to exceed 12-months is approved.
- See Financial Guide for all requirements.
- OJP will consider exceptions on a case-by-case basis.



Reporting Requirements: Overview

Report Type	Reporting Period	Due	JustGrants Role
Federal Financial Report (SF-425) – Submitted in JustGrants	<ul style="list-style-type: none"> • Jan 1 – Mar 31 • Apr 1 – Jun 30 • Jul 1 – Sep 30 • Oct 1 – Dec 31 	<ul style="list-style-type: none"> • April 30 • July 30 • October 30 • January 30 	Financial Manager
Semi-Annual Performance Report - Submitted in JustGrants	<ul style="list-style-type: none"> • Jan 1 – Jun 30 • Jul 1 – Dec 31 	<ul style="list-style-type: none"> • July 30 • January 30 	Grant Award Administrator (Alternate GAA can edit but not submit)

The Final FFR and Final Performance Reports will be due 120-days from the project end date.

Important Reporting Reminders

Federal Financial Reports (SF-425)

- Report funds obligated and/or expended, NOT draw-down amounts.
- Ensure funds that have been obligated align with approved budget.
- Report for every quarter regardless of whether or not expenses were incurred.
- Report CUMULATIVE amounts each quarter.

Performance Reports

- Answer performance measure questions specifically written in the solicitation.
- Provide BJA Grant Manager accurate snapshot of implementation.
- Report must be submitted even if no activities occurred in report period.

JustGrants automatically freezes grant funds for delinquent reports. It is important to submit reports on time. Late reports also influence how your award risk is assessed by OJP and may affect subsequent applications.

Semi-Annual Question Sets

The performance measure questions found in the solicitation are imbedded in your progress report.

You must answer these questions even if there was no activity.

Do not submit a blank report.

If you have questions – please reach out to your Grant Manager prior to submitting your report.

Submission Tip: Make sure to complete the question set, after submitting scroll down to the bottom of the performance report and hit submit.

Grant Monitoring

- Monitoring activities can be conducted by Program and/or OCFO Staff on-site or remote through an EPDR (Enhanced Programmatic Desk Review).
- Monitoring allows Grant Managers to:
 - Observe compliance with requirements and progress against project goals,
 - Identify opportunities to provide technical assistance, and
 - Ensure that adequate controls are in place to improve accountability of federal funds.
- Per the Uniform Guidance, recipients are required to monitor subrecipients.

Subrecipient Monitoring and FFATA Reporting Requirements

Recipients must have written policies and procedures for subrecipient award process per 2 C.F.R. § 200.303 and 200.331. Post-award procedures must:

- Contain a risk-based approach for selecting subrecipients to monitor,
- A process for monitoring,
- A monitoring checklist that satisfies administrative, financial, and programmatic elements,
- Process for documenting findings in a report, and
- Procedures for follow-up on issues for resolution.

The grantee's subrecipient policies and procedures should include a process for closing out subawards.

FFATA Reporting:

- Prime recipients of awards \$30,000.00 or more, must report on any first-tier subawards and subcontracts of \$30,000.00 within one month following subaward.
- To help navigate the submission process, user guides, FAQs, and online demos are available at www.fsrs.gov/resources.



Closeout

- All obligations must be incurred on or before the last day of the period of performance.
- Liquidation period of up to 120-days after to make any remaining payments.
- After submitting the Final Performance Report, Final FFR, and last drawdown in ASAP, the GAA submits the closeout.
- **Note:** the ASAP account will be suspended automatically upon submission of the closeout or 120 days after the project end date.



Forensics Training and Technical Assistance Team (Forensics TTA)

The Who:

- Led by RTI International
- Cadre of Subject Matter Experts (SMEs)
- Advisory Board

The What:

- Assisting BJA grantees in accomplishing strategic goals and objectives across forensic disciplines
- Proactively engaging grantees to monitor progress and develop materials based upon agency needs
- Supporting sustainability through implementation of new and enhancement of existing policies/practices

The How:

- National Grantees Meeting
 - On-site and virtual engagements
 - Peer-to-peer connections
 - Online learning (webinars, written briefs, working groups)
 - Social media
-

Coming Soon...

- Follow us on Social Media!
 - *Twitter*: @Forensics_TTA
 - *Facebook*: Forensics TTA
- Forensics TTA Website
- Webinars
- ...and much more!

Patricia Melton, Ph.D

Project Director

pmelton@rti.org

Ashley Rodriguez

Co-Project Director

ashley.rodriguez@rti.org

Chris Williams

Operations Director

clwilliams@rti.org

Forensics TTA

ForensicsTTA@rti.org

Questions?