



BYRNE JAG & BYRNE SCIP *OVERVIEW AND UPDATE*

Presented by:
Marc Pelka, *Undersecretary*
Valina Carpenter, *Policy Development Coordinator*

Dec 15, 2022

THE EDWARD BYRNE MEMORIAL ASSISTANCE GRANT (BYRNE JAG) PROGRAM HONORS A FALLEN NYPD OFFICER.



Assigned first as a New York City Transit Police Officer before serving as a New York City Police Officer for western Queens, Officer Byrne was recognized for his commitment to public service as well as having an outgoing and friendly nature.

On the early morning of February 26, 1988, Officer Byrne was stationed in his police vehicle protecting a witness who had agreed to testify in court against local drug dealers. Two armed gunmen approached the vehicle and opened fire. Officer Byrne, only 22 years of age, was shot and passed away shortly thereafter.

The US DOJ pays tribute to Officer Byrne's valor, sacrifice, and memory through the program named in his honor.

"Our family is very proud of the many great things that have been made possible by the grants given through the Edward Byrne Memorial Grant Program. Eddie was assassinated ... by a violent drug gang in New York City as he sat on patrol in a marked police car, guarding the home of a cooperating witness. This program, named to honor his sacrifice, has helped communities all over our nation become safer and better places to live and work. The Edward Byrne Memorial Grant Program will continue to help communities for years to come."

—Lawrence Byrne, Officer Byrne's oldest brother

THE BYRNE JAG PROGRAM SUPPORTS DIVERSE CRIMINAL JUSTICE SYSTEM IMPROVEMENTS TAILORED TO JURISDICTIONAL NEEDS.

- The Byrne JAG program is a federal initiative supporting state, local, territorial, and tribal law enforcement agencies across the US.
 - Between 2005 and 2022, the Byrne JAG Program awarded more than 22,000 grants that total more than \$7 billion, including \$272 million in 2022.
- A State Administering Agency (SAA) manages Byrne JAG in each jurisdiction
 - In Connecticut, the Office of Policy and Management (OPM) is the SAA.
- Byrne JAG is designed to be flexible, enabling jurisdictions to use the funding to address needs, fill gaps, test and replicate evidence-based practices, and spur innovation.

Examples of allowable uses of Byrne JAG funds:

- | | |
|---------------------------|--|
| ■ Technical assistance | ■ Equipment |
| ■ Strategic planning | ■ Forensic laboratories |
| ■ Research and evaluation | ■ Supplies |
| ■ Data collection | ■ Contractual support |
| ■ Training | ■ Criminal justice information systems |
| ■ Personnel | |

SAs verify allowable expenses by following US DOJ guidance, including reviewing published guidance and through direct contact with staff.

BETWEEN 2017 AND 2020, EIGHT STATES HAD BYRNE JAG FUNDS WITHHELD AFTER PLACEMENT OF CONDITIONS ON THE PROGRAM.

- In July 2017, the US DOJ placed immigration-related special conditions on Byrne JAG and other federal grant programs
 - Funds were withheld from jurisdictions deemed not in compliance.
- In 2018, California and seven states, led by New York and including Connecticut, brought litigation against the federal administration, arguing that the conditions interfered with the rights of states and localities to set their own law enforcement policies.
- While the litigation proceeded, Connecticut could not accept a total of \$6.4 million from the Byrne JAG program in FY2017, FY2018, FY2019 and FY2020,
- In 2021, the Biden-Harris administration announced that it would rescind the above conditions, freeing up withheld funding for the litigation states.

CONNECTICUT'S FEDERAL BYRNE JAG ALLOCATIONS
IN MILLIONS (FY2016-2021)



The 2021 Byrne JAG award lacked the immigration-related conditions appearing in the prior four solicitations.

UPDATE ON STATE-LEVEL BYRNE JAG FUNDING

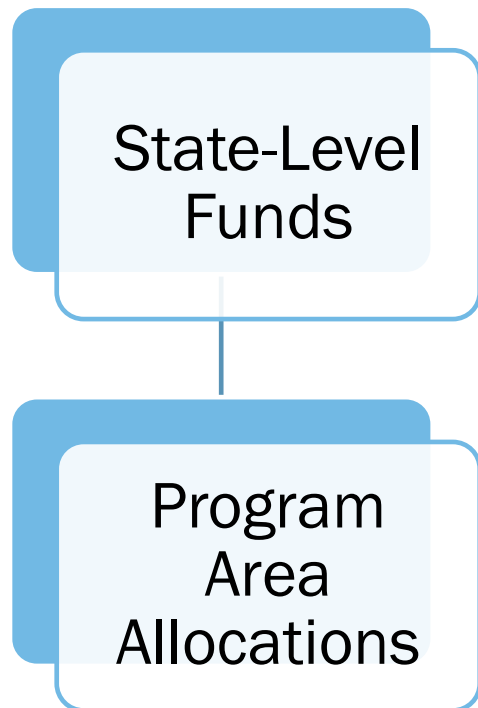
- OPM will be allocating \$2.3 million in state-level Byrne JAG funding over the 2022 – 2024 grant period.
 - The allocation is the first tranche of withheld 2017 – 2020 Byrne JAG funds.
- These funds will be divided evenly across six program areas governed by the 2020 Byrne JAG strategic plan.

CONNECTICUT'S STATE-LEVEL BYRNE JAG ALLOCATION
(FY2017-2019)



OPM will allocate state-level funds from 2022-2024

OVERVIEW OF BYRNE JAG STATE-LEVEL FUNDS



- OPM has allocated FY2017, 2018, and 2019 Byrne JAG funds to be spent on state-level program areas for a 2022-24 funding cycle.
- The funds will be distributed among a variety of criminal-justice-involved entities seeking to expend funds on projects and programs addressing issues in criminal justice on a state-wide level.
- Information regarding application eligibility can be found at:
https://portal.ct.gov/OPM/CJ-About/CJPPD-Grants-Portal/Byrne_JAG_GRANT/Eligibility-and-Application-Information

PROGRAM AREAS UNDER THE 2022-2024 BYRNE JAG GRANT

Multi-jurisdictional task
forces

Community violence
reduction strategies

Criminal court
accumulated cases

Use of technology and
data to improve victim
services and increase
public safety

Improved outcomes for
people with behavioral
health needs in the
criminal justice system

Workforce development
strategies for people
with criminal records

APPLICATION NEXT STEPS

2022-24 Byrne JAG state discretionary grant cycle.

- Applicants should align their submitted project requests with active Byrne JAG purpose areas, which are listed on the OPM CJPPD Byrne JAG webpage.
- Applicants may include Connecticut Judicial and Executive Branch state agencies, non-profit organization, coalitions, intermunicipal groups and taskforces, federally recognized Tribal Nations, and private entities.
- All applications for funding will be reviewed internally by a selection committee established by the OPM CJPPD.
- Byrne JAG applications will be reviewed on a rolling basis until the funds are depleted.

UPDATE ON BYRNE STATE CRISIS INTERVENTION (SCIP) FUNDING



The Bipartisan Safer Communities Act:

- 1 Provides** funding for crisis intervention, including red flag laws
- 2 Requires** young people under 21 to undergo enhanced background checks
- 3 Closes** the “boyfriend loophole” for dating violence misdemeanors
- 4 Makes** gun-trafficking and straw-purchasing clear federal crimes
- 5 Clarifies** who needs to register as a gun dealer and run background checks before selling a weapon
- 6 Invests** in anti-violence programs for communities most at risk of gun crimes
- 7 Provides** funding to address the youth mental health crisis exacerbated by the trauma of gun violence

WHITEHOUSE.GOV

- On June 25, 2022, President Biden signed *The Bipartisan Safer Communities Act* into law.
- The act establishes the Byrne SCIP program to fund the creation and/or implementation of Emergency Risk Protection Order (ERPO) programs, state crisis intervention court proceedings, and related gun violence reduction programs and initiatives.
- The US Department of Justice requires the state administering agency – in Connecticut, OPM CJPPD – to form a Crisis Intervention Advisory Board to implement and provide oversight to Byrne SCIP.
- Connecticut’s formula Byrne SCIP formula allocation is approximately \$2.5 million, divided between funding for state- and local-level projects, for the FY 2022 - 2023 award period.

ALLOWABLE USES OF BYRNE SCIP FUNDING

As authorized by the *Bipartisan Safer Communities Act*, Byrne SCIP provides formula funds to implement state crisis intervention court proceedings and related programs or initiatives, including:

- ERPO Training programs
- Communication, Education, and Public Awareness
- Court-based, behavioral health deflection, and gun safety programs
- Behavioral health deflection for those at risk to themselves or others
- Funding for law enforcement agencies to safely secure, store, track, and return relinquished guns

EXTREME RISK PROTECTION ORDERS (ERPO)

- In 1999, Connecticut became the first state to establish a process (Public Act 99-212) to prevent a person at immediate risk of causing personal injury to themselves or another person from possessing or obtaining firearms, deadly weapons, or ammunition.
 - Between 1999 and 2013, a study estimated that one suicide was averted for every 10 to 20 ERPOs issued in Connecticut.
- In 2021, with 19 other states enacting ERPO laws, Connecticut updated its statutes (Public Act 21-67).
 - Changes included allowing a process for an adult family or household members or medical professionals to petition the court to begin an ERPO investigation if they have a good-faith belief that a person poses a risk of imminent personal injury to himself or herself or another person
- Byrne SCIP funds will enable expansion of, and support for implementing, ERPO programs the state and local level.



CRISIS ADVISORY BOARD AND NEXT STEPS

- OPM CJPPD to submit a response this month to the federal solicitation.
- OPM CJPPD proposes that CJPAC fill this purpose because it meets the requirements per the solicitation.
- Further Byrne SCIP details are expected from federal partners next year, including guidance regarding the development of program narratives and budget.
- OPM CJPPD will provide an update at the March CJPAC meeting.