

Criminal Justice Commission Grant Management Handbook



The Oregon Criminal Justice Commission is the State Administrative Agency for various state and federal grant programs. The Grant Management Handbook was prepared to assist grantees in complying with state and federal requirements.

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Section 1: Introduction

The mission of the Oregon Criminal Justice Commission (CJC) is to improve the legitimacy, efficiency, and effectiveness of state and local criminal justice systems. To help accomplish this mission CJC manages the following grants:

State Grant Programs

- Specialty Court Grant
- Justice Reinvestment Grant
- Illegal Marijuana Market Enforcement Grant (IMMEGP)
- Improving People’s Access to Community-Based Treatment, Supports, and Services (IMPACTS) Grant
- Oregon Justice Resource Center Grant (OJRC)

Federal Grant Programs

- Edward Byrne Memorial Justice Assistance Grant (JAG)
- Justice Reinvestment: Maximizing State Reforms
- Residential Substance Abuse Treatment for State Prisoners (RSAT) Grant
- Sex Offender Registration and Notification Act (SORNA) Grant
- Coronavirus Emergency Supplemental Funding (CESF)
- Prison Rape Elimination Act (PREA)

1.1 SPECIALTY COURT GRANT

The Specialty Court Grant Program calls for evidence-based problem-solving court strategies designed to address the root causes of criminal activity and substance use disorders by coordinating efforts of the judiciary, prosecution, defense, probation, law enforcement, treatment, mental health, social services, and other public safety agencies. These courts offer nonviolent offenders an alternative to incarceration and teach participants to become productive law-abiding citizens, reducing recidivism and promoting healthier communities. Oregon’s specialty courts strive to adhere to consistent practices as described through Oregon’s Specialty Court Standards (Standards). Types of courts include adult drug, mental health, juvenile drug, family dependency, veteran, and DUII (also known as DWI). The Standards are a collaborative effort between the CJC and the Oregon Judicial Department (OJD) to provide statewide guidance by which the specialty courts can be held accountable to achieve desired outcomes.

The goal of the Specialty Court Grant Program is to financially support Oregon specialty courts serving adults, juveniles, and families. Specialty courts are a cost-effective way to: increase engagement and completion of chemical dependency treatment; reduce criminal recidivism; reduce alcohol and drug use; and positively impact many other public systems. Program goals include:

- Reducing recidivism and substance-use disorder among offenders;
- Increasing offenders’ likelihood of successful rehabilitation through early, continuous, and judicially supervised treatment, mandatory random drug testing, and community supervision; and
- Enhancing public safety by addressing the root cause of offenders’ involvement in criminal activities.

1.2 JUSTICE REINVESTMENT GRANT

The Justice Reinvestment Grant Program is Oregon’s proactive approach to effectively spend resources in the state’s criminal justice system. Under the justice reinvestment model, prison growth is controlled and a portion of the avoided operational prison costs are reinvested in the state’s local public safety systems.

The purpose of the Justice Reinvestment Grant Program is to provide funding for counties to plan, implement, or expand initiatives that establish a process to assess offenders and provide a continuum of community-based sanctions, services and programs that are designed to:

1. Reduce recidivism while protecting public safety and holding offenders accountable and
2. Decrease the county’s utilization of imprisonment in a Department of Corrections institution while protecting public safety and holding offenders accountable.¹

The Justice Reinvestment Grant Program supports two separate grants. The first is a formula grant that distributes grant funds to all qualifying counties that meet all four goals of justice reinvestment. The second is a competitive supplemental grant designed to supplement formula grant programs. Supplemental grant funds are directed to programs that have dedicated downward departure prison diversion programs. A portion of both the formula and supplemental grant goes towards supporting community-based nonprofit victim services providers. A portion of the formula grant also supports evaluations.

1.3 ILLEGAL MARIJUANA MARKET ENFORCEMENT GRANT (IMMEGP)

Despite legal avenues for purchases and sales of marijuana within Oregon, an illegal marijuana market continues to cause public safety concerns, including diversion of marijuana to other states, sales of marijuana to underage buyers, cultivation of marijuana on federal lands, and the enrichment of organized criminal operations. Illegal market operations are also challenging to address, given the difficulty in drawing empirical distinctions between legal and illegal cultivation and distribution, the industry’s cash-driven operations, and the added layer that some of the counties most impacted by illegal marijuana operations have long suffered from starkly under-resourced public safety systems.

In 2018, the Oregon Legislature passed Senate Bill 1544, which created the IMMEGP to assist local law enforcement agencies in addressing the illegal marijuana market in Oregon. IMMEGP is guided by four priority elements when awarding funding. Those priority elements are:

1. Rural areas;
2. Large-scale operations;
3. Organized crime; and
4. Diversion of marijuana outside of Oregon.

¹ Oregon Legislature. 77th Assembly, HB 3194 (2013).

<https://olis.leg.state.or.us/liz/2013R1/Downloads/MeasureDocument/HB3194/Enrolled> (2013). (Accessed March 2021).

1.4 IMPROVING PEOPLE’S ACCESS TO COMMUNITY-BASED TREATMENT, SUPPORTS, AND SERVICES (IMPACTS) GRANT

The IMPACTS Grant Program was developed to reduce recidivism and improve health outcomes for a small but significant group of people who repeatedly cycle through Oregon’s county jails and emergency rooms. This pattern of county jail and emergency room use costs local communities and the state millions of dollars each year and perpetuates cycles of behavioral and mental health-related involvement with the criminal justice system, hospitalization, and institutional placements.

The IMPACTS Grant Program is designed to support the development of a stronger community-based continuum of care in counties and tribal nations for people with serious mental illnesses and substance addictions. The IMPACTS Grant Program will also reduce the public health and public safety impacts of those individuals currently cycling through the state’s county jails and emergency rooms. County governments, tribal nations, and/or local consortia will demonstrate meaningful financial contributions to the grant program and work with the CJC and the Oregon Health Authority to expand and sustain community-based supports and services. The grant program will track outcomes for people being served with IMPACTS funding to ensure that state and local investments are reducing jail and hospital use for this population.

The IMPACTS Grant Program will serve people who are high utilizers of county jail and emergency department resources in locations across the state, with the goal of reducing pressure on law enforcement officials and criminal justice resources while simultaneously making meaningful improvements to people’s lives.

1.5 OREGON JUSTICE RESOURCE CENTER GRANT (OJRC)

The Department of Corrections, in cooperation with the Oregon Criminal Justice Commission, established a pilot program which provides legal services to women who are incarcerated at the Coffee Creek Correctional Facility. OJRC legal services are used to assist women with reentry and reintegration into local communities with the goal of reducing women’s vulnerability to domestic violence and to obtain employment, housing services and other benefits.

1.6 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG)

The Edward Byrne Memorial Justice Assistance Grant (JAG) is intended to support a range of activities to prevent and control crime and improve the criminal justice system. As the State Administering Agency, the CJC is directly awarded the federal grants and is responsible for the allocation of resources statewide. Further the CJC serves as the primary coordinating body for state public safety issue identification, system collaboration, policy development, and system planning and implementation. This responsibility requires the CJC to work closely with public safety associations including prosecution, defense, law enforcement, court systems, the Department of Corrections, and victims’ services. JAG funds may be used for state and local initiatives, technical assistance, training, personnel, equipment, supplies, contractual support, and information systems for criminal justice, as well as criminal justice-related research and evaluation activities. In Oregon, JAG funds support various components of the criminal justice system, including law enforcement, public safety community improvements, and specialty courts. [CFDA 16.738]

1.7 JUSTICE REINVESTMENT INITIATIVE: MAXIMIZING STATE REFORM

The Justice Reinvestment Initiative: Maximizing State Reform, is a competitive federal grant intended to support justice reinvestment efforts at local sites to achieve greater impact; promote the use of evidence-based programs and strategies; enhance patrolling authorities' use of evidence-based policy, practice, and decision making; create or expand the continuum of pretrial options in one or more jurisdictions; develop and pilot measures and analyses that account for population characteristics including crime type, risk level, and criminal history; establish or enhance performance incentive funding programs to encourage successful integration of evidence-based practices in community supervision; pilot or scale up swift and certain or intermediate and graduated sanctions; or other uses that further the state's justice reinvestment goals. In Oregon, 2014 federal JRI funds support two counties with implementation [*CFDA 16.827*] of the 416 Prison Diversion Program. The 2016 award funds support six Local Public Safety Coordinating Council (LPSCC) coordinators, serving 15 Oregon counties.

1.8 RESIDENTIAL SUBSTANCE ABUSE TREATMENT FOR STATE PRISONERS (RSAT) GRANT

The Residential Substance Abuse Treatment (RSAT) Grant Program is designed to assist formula grant grantees consisting of states, tribes, and units of local government to provide residential substance abuse treatment services for adults-in-custody (AICs); prepare participants for reintegration into communities by incorporating reentry planning activities into treatment programs; and assist participants and their communities in the reentry process through the delivery of community-based treatment and responsive aftercare services. RSAT funds may be used to implement three types of programs: prison-based residential, jail-based, and aftercare. The local and state grantees proposed will serve offenders across the state. The facilities proposed provide a range of correctional services and programs that include substance use disorder treatment, pre-release and transitional services, and adult education and work opportunities. The purpose of the project is to provide male and a female co-occurring substance abuse and mental illness treatment programs in local and state facilities. The proposed system improvements will include integrated treatment for AICs with co-occurring disorders while in custody. The comprehensive case plan would connect participants who complete the co-occurring treatment program in custody to continuing care services and housing in the two designated counties. The project objective is to improve assessment of AICs with co-occurring substance abuse disorder and mental illness by implementing an additional assessment tool targeted specifically to co-occurring treatment needs. Lower recidivism rates for individuals who participate in the co-occurring treatment program and those who receive the comprehensive case plan when they return to the community are anticipated. [*CFDA 16.593*]

1.9 SEX OFFENDER REGISTRATION AND NOTIFICATION ACT (SORNA) GRANT

The Adam Walsh Child Protection and Safety Act of 2006 (AWA) established a penalty for jurisdictions that failed to substantially implement the Sex Offender Registration and Notification Act (SORNA). The SORNA penalty is calculated by subtracting 10 percent from the state government's JAG allocation (60 percent of the total award), after deduction of the mandatory variable pass-through that states are required to send to local governments. Oregon State Police receive the annual SORNA penalty to support local installation of Live-Scan devices and implementation of SOR Mobile Application. [CFDA 16.738]

1.10 PRISON RAPE ELIMINATION ACT (PREA)

The Prison Rape Elimination Act (PREA) Program: Implementing the PREA Standards, Protecting Inmates, and Safeguarding Communities will assist confinement facilities and the agencies that oversee them in implementing prevention, identification, and response mechanisms that reduce the incidence of sexual abuse in these facilities, and to promote compliance with the PREA standards. Program funds will be used to support efforts of state, local, and tribal jurisdictions to prevent, detect, and respond to sexual abuse in confinement facilities covered by the PREA standards; promote comprehensive implementation of the standards; and enhance community safety by decreasing the likelihood that inmates, residents, and detainees are sexually victimized in confinement facilities prior to release. [CFDA 16.735]

1.11 CORONAVIRUS EMERGENCY SUPPLEMENTAL FUNDING (CESF)

The Coronavirus Emergency Supplemental Funding (CESF) Program is a federal grant program operated by the Bureau of Justice Assistance (BJA), a division of the United State Department of Justice. The CESF program will provide funding to assist eligible states, local units of government, and tribal governments in preventing, preparing for, and responding to the coronavirus. [CFDA 16.034]

Section 2: General Provisions

All grantees are subject to the following general provisions.

2.1 GRANT AWARD AGREEMENT

All applications that are responsive to the guidelines outlined in grant solicitations will be provided to the appropriate entity for review and evaluation based on the grant program's criteria. Recommendations will be sent to the Criminal Justice Commission (Commission) for determination of funding amounts.

Following awarding decisions, CJC staff will issue an *Award Letter* to the applicant. Upon receipt of outstanding or requested items, a *Grant Award Agreement* (Award Agreement) will be executed by the authorized official of the grantee followed by the CJC. The Award Agreement serves as the legal agreement for the grant award; it contains the award terms, conditions, and budget.

CJC may negotiate the terms of the Award Agreement with the grantee. Modifications to the Award Agreement must be requested in writing. In the event that mutually agreeable terms cannot be reached within a reasonable time, as determined by CJC, the Commission may modify or rescind the award.

The Award Agreement will be considered fully executed when all parties have signed the document. The fully executed Award Agreement will be returned to the grantee electronically and should be retained by all parties.

By accepting the award, the grantee agrees to comply with the program objectives, reporting requirements, and fiscal requirements. Failure of the grantee to operate the program in accordance with these terms may constitute immediate grounds for suspension or termination of the Award Agreement.

Program requirements are contained within the solicitation and the Award Agreement. All grantees and sub-grantees are governed by the Award Agreement and must comply with the requirements as outlined.

2.2 AMENDMENT PROCEDURES

When applicable, amendment requests must be submitted through CJC's grant administration website at <https://cjc-grants.smapply.io/>.

- Amendment requests require written approval from CJC and are processed administratively.
- Requests cannot increase the award.

All modifications to the Award Agreement require an amendment request, including, but not limited to:

- Adjustments to the project period;
- Program modifications including outputs, outcomes, and performance measures;
- Changes in target population;
- Changes in grant-funded positions;
- Addition of a new program;
- Changes to the match requirement;
- Reallocation of funding between budget categories;
- Addition of a new budget category; or
- Removal of a budget category.

Amendments are not required to:

- Expand or decrease the geographic area to be served;
- Change grant-funded personnel;
- Modify the methodology, approach, or scope of the approved program; or
- Add, remove, or adjust funding within a budget category without program modification.

Amendment approval is required prior to implementation of a program funded by the Award Agreement. One program or budget revision will be accepted during each quarter (1–7) of the biennium. Requests to amend budgets must be submitted 45 days prior to the end of the project period to be considered.

2.3 CLOSEOUT PROCEDURES

To close out the Award Agreement, the grant program analyst will verify that the grantee has completed all applicable administrative actions and required work. All program and financial reports will be reviewed to ensure compliance with the terms and conditions of the award and that funds were spent appropriately.

Within 90 days of the project end date, the program analyst will send an electronic *Award Closeout Letter* to the grantee. If there are financial concerns or questions to reconcile, the closeout process may be extended.

2.4 EQUAL OPPORTUNITY APPENDIX A

It is the policy of the CJC that all decisions regarding recruitment, hiring, promotions, and other terms and conditions of employment be made without discrimination regardless of race, color, religion, sex (including pregnancy or gender identity), national origin, age, military or veteran status, disability, sexual orientation, or any other basis prohibited by state or federal law.

All employees, applicants, grantees, sub-grantees and program participants shall be in compliance with state and federal civil rights laws. The CJC's Affirmative Action Policy encourages those involved to report and address incidents of discrimination (See Appendix A). Complaints will be addressed promptly and consistently, using procedures that are fair and effective from the point of view of the person and the state, and be resolved at the lowest organizational level possible.

Compliance with Federal Equal Employment Opportunity regulations is also required. Within 60 days of receipt of award, grantees must complete and submit a certification form for compliance with the [Equal Employment Opportunity Plan](#) (EEO Plan) requirements.

2.5 CJC DETERMINATIONS

These determinations apply to all grantees.

The Department of Justice Financial Guide prohibits spending on entertainment, “including amusement, diversion, social activities, and any associated costs (such as tickets to shows or sports events, meals, lodging, rentals, transportation, and gratuities).

Allowable costs will be categorized as *participant supports* that are accessible to everyone. Examples of allowable expenses include bus passes, completion or achievement certificates, and personal care items.

Anything considered entertainment will not be allowable. This includes, but is not limited to, amusement, diversion, social activities, and any associated costs (such as tickets to shows or sports events, meals, lodging, rentals, transportation, and gratuities.) The current guidance prohibits food and beverage costs at conferences, meetings, and events. Graduation parties and other celebratory gatherings are considered events and are not allowable expenses.

Additional detail for allowable and unallowable expenses follows below.

Note: These restrictions do not limit your ability to use other funds or donations as resources to provide incentives for your program participants.

2.5.1 Unallowable Expenses

This is not an exhaustive list but contains those unallowable expenses identified by the CJC Programs Division.

Unallowable expenses include, but are not limited to:

- Land acquisition, including renting, leasing, or construction of buildings or other physical facilities except with the prior written approval of the CJC;
- Physical facility improvements, restoration, or remodeling except with the prior written approval of the CJC;
- Compensation of federal employees including salary, consulting fees, travel, or other compensation;
- Bonuses;
- Firearms;
- Tactical equipment;
- Polygraphs;
- Marketing or branding;
- Lobbying;
- Fundraising or donations;
- Taxes;
- Entertainment, including amusement, diversion, social activities, and any associated costs (i.e. tickets to shows or sports events, meals, lodging, rentals, transportation, and gratuities);†
- Fines and penalties;
- Home office workspace and related utilities;
- Passport charges;
- Food or drink, except as per diem in accordance with Oregon’s Statewide Travel Policy; †
- Membership to lobbying organizations;
- Pets and pet care;
- Tip line and rewards; or
- Survey rewards.

† If approved in advance by the Criminal Justice Commission, Victim Service providers receiving Justice Reinvestment funds may spend a portion of their award on these items.

2.5.2 Gift Cards, Vouchers, and Other Similar Items

Programs that use gift cards, vouchers, bus passes and similar items for participants must establish internal controls through written policies and procedures that, at a minimum, do the following:

- Ensure the security of the item(s); and
- Address appropriate distribution to participants.

Programs must use a log and track distribution and use of all items purchased. The log must track the following:

- Card, voucher, or pass number;
- Date issued to participant;
- Name of participant;
- Purpose of pass or description of items to be purchased with the card; and
- For gift cards, the participant must return a receipt to the program that is kept in the participant’s file.

Note: It is the grantee’s responsibility to identify the purpose of pass or description of items to be purchased with the card. Gift cards, vouchers, and other like items may **not** be used for any unallowable expense.

2.5.3 Rewards Program

Grantees shall not use grant funding for private gain, either their own gain or that of others. The use of a rewards program when making purchases induces such benefit and is prohibited.

2.6 TEXT MESSAGING

Consistent with all state laws and regulations, all employees, applicants, grantees, sub-grantees and program participants shall not engage in text messaging when driving any vehicle, including personally owned vehicles, while performing work under an Award Agreement.

2.7 TRAVEL REIMBURSEMENT REQUESTS

Travel expenses shall not exceed those allowed by Oregon’s Statewide Travel Policy OAM 40.10.00¹ and Federal Travel Regulations.² Travel expenses for personnel include costs for private-vehicle mileage, lodging, per diem expenses, motor pool fees, commercial transportation, conference registration fees, airfare, tolls, and parking fees. Rates and requirements can be found on the website of the federal General Services Administration (GSA).³

Note: First-class tickets are considered “luxurious travel” and are not reimbursable, in whole or in part. Lodging must be at or below the federal GSA rate. Lodging expenses that exceed the federal rate are not reimbursable, in whole or in part. The application of meal per diem rates follows OAM 40.10.00.117 for the initial and final day of travel.

¹ Department of Administrative Services. Oregon Accounting Manual: Statewide Travel Policy. <http://www.oregon.gov/das/Financial/Acctng/Documents/40.10.00.pdf> (retrieved July 12, 2019).

² General Services Administration. “Federal Travel Regulation.” <https://www.gsa.gov/portal/content/104790> (retrieved July 12, 2019).

³ General Services Administration. “Per Diem Rates Look-Up.” <https://www.gsa.gov/portal/category/100120> (retrieved July 12, 2019).

Section 3: Program Monitoring

The CJC monitors grantees for Award Agreement compliance through program and fiscal monitoring. Grantees are expected to be working toward the program objectives as outlined in their applications and Award Agreement while following appropriate fiscal procedures.

The CJC performs these types of monitoring:

- Regular correspondence;
- Review of progress and financial reports;
- Desk monitoring;
- On-site monitoring (formal); and
- In-person engagement.

During the grant award period, program analysts will review program and fiscal records, policies, and procedures and will meet with program participants, staff, and other stakeholders. Monitoring visits are intended to verify compliance with grant and fiscal requirements, provide technical assistance, offer program development guidance, and observe program activities.

3.1 PROGRESS REPORTS

Grantees must submit complete progress reports according to established timelines in the Award Agreement. Progress reports have the following purposes:

- To determine whether the grantee is implementing the program as agreed;
- To determine whether the grantee demonstrates fidelity to identified evidence-based practices or programs;
- To determine whether the activities the grantee performs are linked to the specific outcomes identified for the program;
- To allow the grantee to present information on any problem encountered (for example, what problems existed, how they affected the program, and how they were resolved);
- To develop data for criminal justice planning and the statewide criminal justice strategy;
- To assist other localities that might undertake a similar program;
- To present information to the Governor of Oregon, the Oregon Legislature, the U.S. Department of Justice, Congress, and research consultants; and
- To justify continued grant funding.

When applicable, progress reports must be submitted through the CJC's grant administration website at <https://cjc-grants.smapply.io/>.

Progress report due dates can be found in the Award Agreement under section 3(a). Reporting requirements are specified in Exhibit B.

It is the full responsibility of the grantee to ensure the CJC receives progress reports by their due date. In the event that an unavoidable circumstance arises, a grantee may submit a written deadline extension request. To be considered for approval, the request must be received prior to the due date. The CJC will provide a written response to all requests.

Failure to Submit Reports

Failure to submit timely reports can affect disbursements, reimbursements, and future funding opportunities. In addition, missing progress report timelines may result in the suspension and/or termination of the grant award.

3.3 DESK MONITORING

A desk review may focus on multiple progress reports or financial reports and include review of the following areas:

- Internal controls;
- Procurement and contracting procedures and practices;
- Compliance with specific grant requirements and guidelines;
- Current and past audit reports; and
- Previous monitoring reports and other correspondence.

The CJC may also conduct a limited-scope review that focuses on one or more categories of cost for a specific payment or financial report.

3.4 ON-SITE MONITORING (FORMAL)

An on-site review is more extensive than a desk review, but not equivalent to an audit. This review may focus on multiple programs and assess the grantee's capability, performance, and compliance. All cost categories, cost items, and supporting documentation related to the program may be reviewed, including:

- Internal controls;
- Procurement and contracting procedures and practices;
- Compliance with specific grant requirements and guidelines;
- Current and past audit reports; and
- Previous monitoring reports and other correspondence.

3.5 IN-PERSON ENGAGEMENT

The CJC will work with grantees to meet the implementation and program needs through flexible in-person engagement, whether through association meetings, LPSCC attendance, or various other interactions. Engaging with grantees as needed throughout the project period is one of the most efficient methods of monitoring a project's progress and potential success.

Section 4: Fiscal Monitoring

The CJC requires accurate, clear, and verifiable expenditure documentation. Financial reporting must reflect all program expenditures as outlined in the Award Agreement. The grantee must maintain detailed records as supporting documentation for all expenditures listed by category, separated by match (if applicable) and grant expenses. In addition, backup documentation and invoices must be maintained with the grant file and will be subject to review upon request.

Awards funded with general fund dollars must adhere to the Oregon Accounting Manual (OAM) for the accounting of state governmental fiscal operations.⁴ Federally funded awards are subject to the Department of Justice (DOJ) Financial Guide⁵ and 2 CFR 200 on cost accounting principles, in addition to the OAM. Specific details are outlined in the Award Agreement.

When applicable, financial reports must be submitted through the CJC's grant administration website at <https://cjc-grants.smapply.io/>.

4.1 FINANCIAL REIMBURSEMENT REPORT

The CJC reimburses approved actual and allowable expenditures during the project period. The CJC may withhold funds for an unbudgeted expense, any expense in excess of the approved budget (category and total funds), or any unallowable expense. Grantees may not obligate funds, order goods, enter into new contracts, or request purchase orders prior to the start of the project period unless they receive prior written approval.

Requests for reimbursement (RFR) due dates can be found in the Award Agreement under section 3(b). The final RFR must be submitted no later than 30 days after completion of the project or 15 days after the project end date, whichever is sooner.

Grantees must keep all documented expenses (time sheets, invoices, travel charges, incentives, confidential fund receipts) on file and available for future audit. Administrative and indirect costs may not exceed 10 percent of the direct costs.

4.2 FINANCIAL ADVANCE REPORT (GENERAL FUND PROGRAMS ONLY)

The CJC will provide grant funds in multiple installments during the biennium to the designated unit of local government awarded. Initial funding will be provided following the execution of the Award Agreement. Because this is incentive performance funding, the CJC will evaluate performance and progress toward the goals of the grant program at least quarterly to assess the impacts of the investments prior to the release of additional funding.

Financial reporting due dates can be found in the Award Agreement.

Grantees must keep all documented expenses (time sheets, invoices, travel charges, incentives, confidential fund receipts) on file and available for future audit. Administrative and indirect costs may not exceed 10 percent of the direct costs.

⁴ see footnote 1

⁵ Department of Justice Financial Guide. https://ojp.gov/financialguide/doj/pdfs/DOJ_FinancialGuide.pdf (retrieved July 12, 2019).

4.3 FINANCIAL GUIDE

The DOJ Financial Guide serves as a primary reference manual to assist grantees in fulfilling their fiduciary responsibility to safeguard grant funds and ensure that funds are used for the purposes for which they were awarded. The guide should serve as a day-to-day management tool for grantees in administering their grant programs. It is the responsibility of grantees to comply with the federal guidelines in the manual.

It is the responsibility of the grantee agency to comply with the federal guidelines contained in the relevant Office of Management and Budget (OMB) circulars.⁶

OMB 2-CFR-220: *Cost Principles for Educational Institutions*. This circular establishes principles and standards for determining costs applicable to grants and contracts with educational institutions.

OMB 2-CFR-225: *Cost Principles for State, Local and Indian Tribal Governments*. This circular establishes principles and standards for determining costs applicable to grants and contracts with state, local, and Indian tribal units of government.

OMB 2-CFR-215: *Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Nonprofit Organizations*. This circular establishes standards for the administration of grants to institutions of higher education, hospitals, and other nonprofit organizations.

OMB 2-CFR-230: *Cost Principles for Nonprofit Organizations*. This circular establishes principles for determining costs of grants, contracts, and other agreements with nonprofit organizations.

OMB Circular A-133: *Audits of States, Local Governments, and Nonprofit Organizations*. This circular covers audit requirements for states, local governments, and nonprofit institutions.

Common Rule: *Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments, 28 CFR Part 66*. This Common Rule contains government-wide fiscal and administrative conditions governing federal grants and cooperative agreements and sub-awards to state, local, and Indian tribal governments.

Note: Units of government and other organizations receiving federal financial assistance from the state shall adhere to applicable state laws and procedures. Grantees shall also adhere to any fiscal procedures established by the CJC.

4.4 SUB-GRANTEE OR PROCUREMENT DESIGNATIONS

Consideration must be taken when determining whether a financial arrangement should be classified as a sub-agreement or procurement transaction. Appropriate designation is critical to ensure proper accounting for costs and compliance requirements.

The requirements found in OMB Circular A-133 §210(b) provide the following guidance to distinguish between a sub-award or procurement transaction.⁷

⁶ The White House. *Office of Management and Budget: Information for Agencies – Circulars*. <https://www.whitehouse.gov/omb/information-for-agencies/circulars/> (retrieved July 12, 2019).

⁷ The White House. Circular No A-133. https://www.whitehouse.gov/sites/whitehouse.gov/files/omb/circulars/A133/a133_revised_2007.pdf (retrieved July 12, 2019).

<u>SUB-AWARD FACTORS</u>	<u>PROCUREMENT FACTORS</u>
Distributes financial assistance in the form of money or property to eligible sub-grantees.	Provides the goods or services within its normal business operations.
Performance is measured against the objectives of the federal award.	Provides similar goods or services to many different purchasers.
Has responsibility for programmatic decision making.	Operates in a competitive environment.
Has responsibility to comply with applicable federal program requirements.	Not subject to the compliance requirements of the federal program.
Uses the federal funds to carry out its own program, as compared to providing goods or services for the program of the grantee.	Provides goods or services are ancillary to the operation of the federal program.

There may be unusual circumstances or exceptions to the characteristics identified. Written approval from the CJC is required for an exception. The CJC will review characteristics of a sub-grantee and ensure that the procurement, receipt, and payment for goods and services comply with state and federal laws, regulations, and the provisions of the Award Agreement.

4.5 PROCUREMENT STANDARDS

If a proposed financial arrangement does not meet the criteria for a sub-award, the grantee must initiate a procurement transaction. These requirements apply to all procurements, including, but not limited to, procurements for goods, services, and equipment. Grantees shall follow their own established procurement procedures and regulations, provided that they adhere to applicable federal and state guidelines and standards at a minimum. If a grantee’s established procurement procedures are less competitive than the federal requirements, the grantee must adhere to the following:

- Procurement less than \$10,000: Grantee may solicit goods or services in any manner deemed practical or convenient.
- Procurement more than \$10,000 but less than \$150,000: Grantee must solicit quotes or bids from at least three sources.
- Procurement more than \$150,000: Grantee must formally advertise the proposed procurement through an invitation for bids (IFB) or a request for proposals (RFP).

Note: Grantees must follow the threshold limitations established in their own procurement procedures if their internal procedures are more restrictive than the federal threshold.

In accordance with ORS 279B (Oregon’s Public Contracting and Public Procurement statutes), grantees must submit all IFBs and RFPs greater than \$150,000 that involve the use of federal or matching funds to the CJC for review and approval prior to their issuance. Interagency agreements between units of government are excluded from this provision.

4.6 SOLE-SOURCE PROCUREMENT

In rare and unusual circumstances it may be necessary to waive the competitive bid process and use a noncompetitive sole-source procurement. If a grantee’s established sole-source requirements are less stringent than the identified requirements, the grantee must adhere to the following.

Grantees may make the determination that competition is not feasible if one of the following circumstances exists:

- An item or service is available only from a single source;
- A public exigency or emergency will not permit a delay resulting from a competitive solicitation or it can be shown unequivocally that desired time frames for delivery must be met or the entire program will suffer as a direct result of the delay; or
- After solicitation of a number of sources, competition is considered inadequate.

If sole-source procurement is pursued, documentation reflecting actions taken and the position of the grantee is required. A justification statement for all sole-source contracting should include the following:

- A brief description of the program, the amount to be designated for the sole-source procurement, and the purpose of the contract.
- An explanation of why it is necessary to contract in a noncompetitive manner by providing supporting information as identified below in the applicable section(s):
 - Available from only one source: Describe the contractor's expertise related to the current program, the uniqueness of items to be procured from the contractor, and any additional information that would support the case.
 - Public exigency or emergency: Describe when the contractual coverage is required, the impact on the program if deadline dates are not met, how long it would take an alternate contractor to reach the same level of competence, and any additional information that would support the case.
 - Competition is determined inadequate after solicitation: Describe the market survey or similar effort used to determine competition availability and any additional information that would support the case.
- A declaration that this action is in the best interest of the agency.

For all sole-source procurements in excess of \$150,000, grantees must submit a justification statement to the CJC for review and approval prior to the procurement. Interagency agreements between units of government are excluded from this provision.

4.7 SUB-AGREEMENTS

Financial arrangements with other entities or individuals to accomplish a portion of the program activities, sub-awards, and procurement transactions must be formalized in written and signed agreements between the parties involved. Sub-agreements must be made available for the CJC to review upon request.

An agreement must include the following:

- Activities to be performed;
- Budget;
- Project start and end dates;
- All required representations, certifications, and assurances;
- Program policies and procedures to be followed;
- Dollar limitation of the award or contract and any match requirements;
- Payment procedure and schedule;
- Cost principles to be used in determining allowable costs; and
- All clauses required by the Award Agreement to be included in agreements with sub-grantees.

The written agreement will not affect the grantee's overall responsibility for the duration of the federally funded program and accountability to the CJC. The grantee is responsible for monitoring the sub-grantee and monitoring program and financial responsibilities.

4.8 PROGRAM INCOME

Program income is gross income received by the grantee or sub-grantee directly generated by a grant-supported activity or earned only as a result of the Award Agreement during the project period.

Examples of program income include, but are not limited to, income from fees for services performed; registration fees; usage and rental fees from real or personal property acquired with grant funds; sales of commodities or items fabricated under a grant; sale of property; royalties; attorney's fees and costs; or proceeds received through asset seizure and forfeiture.

Unless specifically identified in the Award Agreement, program income does *not* include interest on grant funds; rebates, credits, discounts, or refunds; or taxes, special assessments, levies, fines, or other such revenues raised by a grantee or sub-grantee. Specifically, fines as a result of law enforcement activities are not considered program income.

Use of Program Income

The grantee must retain program income earned during the grant period and must use it in one or more of the following ways:

- *Addition*: This reflects income added to the funds committed to the grant by the CJC and the grantee and used to further eligible program objectives.
- *Cost sharing or matching*: This is income used to meet the non-federal matching requirement of the Award Agreement. The amount of the federal grant award remains the same.
- *Deduction*: Program income may be deducted from the total allowable costs to determine the net allowable costs.

Program income must be used to further eligible objectives of the grant award and must be used under the conditions applicable to the award. If the cost is allowable under the grant program, the cost would be allowable using program income.

Program income and expenditures must be reported and submitted quarterly with each request for reimbursement. If any program income remains unexpended upon expiration of the Award Agreement, it must be reported in a Program Income Report submitted with the final RFR.

Even after a grant is closed, grantees remain obligated to use program income generated *during* the award period for purposes that further the objectives of the original award.

There are no federal requirements governing the disposition of program income earned *after* the end of the award period. Income generated from grant activities after the grant is closed is not program income for these purposes and does not need to be reported or expended in furtherance of grant objectives.

Program Income from Asset Seizures and Forfeitures

Program income from asset seizures and forfeitures is considered earned when the property has been adjudicated to the benefit of the plaintiff (such as a law enforcement entity or task force), all appeals have been finalized, and income is available for the grantee's use.

Statutory direction for seized and forfeited assets (personal and real property) can be found in ORS 131A.010 to 131A.460 and ORS 131.550 to 131.604.

4.9 SUPPLANTING

Funds must be used to supplement existing funds and not replace (supplant) funds that have been appropriated for the same purpose. Grant funds may not be used to pay for program activities the grantee is already obligated to pay or has already funded. Grant funds must be used to increase the total amount of

funds available to deliver program services. The rules governing supplanting also apply to any funds used as match.

Supplanting will be a subject of post-award monitoring and audit. If there is a potential presence of supplanting, the grantee will be required to supply documentation demonstrating that the reduction in resources occurred for reasons other than the receipt or expected receipt of funds.

4.10 MATCHING FUNDS

The purpose of matching contributions is to *increase* the amount of resources available to a program supported by grant funds. Funds allocated for use as match funds must be used to support a federally funded program and supplement funds that would otherwise be made available for the stated program purpose. Grantees must maintain records that clearly show the source, amount, and period during which the match was allocated. Grantees must ensure that a match is identified in a manner that guarantees accountability during an audit.

For grant programs that require a matching contribution, the full match amount must be expended by the end of the grant period. Match and grant funds constitute program funds and must be reported.

4.10.1 Cash Match

A cash match must be from a non-federal source, be spent on allowable program-related costs, and be included in the grantee's financial records.

4.10.2 In-kind Match

In-kind matches may include donations of expendable equipment, office supplies, workshop or classroom materials, work space, or the monetary value of time contributed by professional and technical personnel and other skilled and unskilled labor if the services they provide are an integral and necessary part of a funded program. The following stipulations apply:

- The value placed on loaned or donated equipment may not exceed its fair rental value.
- The value placed on donated services must be consistent with the rate of compensation paid for similar work in the organization or the labor market.
- Fringe benefits may be included in the valuation.
- Volunteer services must be documented and, to the extent feasible, supported by the same methods used by the grantee organization for its own employees.
- The value of donated space may not exceed the fair rental value of comparable space as established by an independent appraisal of comparable space and facilities in a privately owned building in the same locality.

The basis for determining the value of volunteer services, materials, equipment, and space must be documented.

4.11 AUDITS

Non-federal entities that expend \$500,000 or more in federal funds (all sources) in the grantee's fiscal year shall have a single organization-wide audit conducted in accordance with the provisions of OMB Circular A-133. Nonfederal entities that expend less than \$500,000 in a year are exempt. All federally funded projects require a CFDA number that is verified as part of the audit.

Records must be available for review or audit by appropriate officials including the federal agency, pass-through entity, and General Accounting Office. Grantees must complete and submit a signed audit certification to the CJC within 90 days of the end of the grantee's fiscal year.

The audit objective is to review the grantee's administration of the program for the purpose of determining whether the grantee has:

- An accounting system integrated with adequate internal fiscal and management control to provide full accountability for revenues, expenditures, assets, and liabilities;
- Prepared financial statements that are presented fairly, in accordance with generally accepted accounting principles;
- Prepared financial reports to support claims for reimbursement that contain accurate and reliable financial data and are presented in accordance with the terms of the applicable agreements; and
- Expended program funds in accordance with the agreement of federal and state rules.

Note: Audit costs for those not required in accordance with OMB Circular A-133 are unallowable. If the grantee did not expend \$500,000 or more in federal funds in its fiscal year but contracted with a certified public accountant to perform an audit, these costs cannot be charged to the grant.

Section 5: Accounting and Auditing Requirements

5.1 ACCOUNTING SYSTEMS

Grantees must maintain accounting systems that accurately account for grant and match funds. Grantees must maintain adequate books, records, and supporting documents to verify the amounts, grantees, and uses of all disbursements of funds passing in conjunction with this agreement for a minimum of six years after completion of the grant or a minimum of three years after an audit is completed, whichever comes later.

5.2 COMMINGLING OF FUNDS

The accounting of grantees and sub-grantees must ensure that Award Agreement funds are *not* commingled with funds from other sources. Each award must be accounted for separately. Grantees and sub-grantees are prohibited from commingling funds on both a program-by-program basis and project-by-project basis.

Funds specifically awarded to one program may not be used to support another. If accounting cannot comply with this requirement, the grantee or sub-grantee shall establish a system to provide adequate fund accountability for each program awarded.

Section 6: Publicity and Publications

A grantee or sub-grantee may produce different types of publications, including newsletters, journals, fact sheets, reports, summaries, and videos. Project directors are encouraged to make the results and accomplishments of their activities available to the public. A grantee or sub-grantee who publicizes project activities and results must adhere to the following requirements:

- The CJC is not responsible for the direction of the project activity. The publication must include the following statement: “The opinions, findings, and conclusions or recommendations expressed in this publication, program, or exhibition are those of the author(s) and do not necessarily reflect the views of the U.S. Department of Justice or the Oregon Criminal Justice Commission.” The receipt of CJC funding does not constitute official recognition or endorsement of any project. A separate application for official recognition may be requested from the CJC.
- 2. All materials publicizing or resulting from award activities must contain an acknowledgement of the CJC’s assistance through use of the following, or a comparable, footnote: “This project was supported by Award No. _____ awarded by the Office of Justice Programs, Bureau of Justice Assistance through the Oregon Criminal Justice Commission.” Or “This project was supported by Award No. _____ awarded by the State of Oregon, through its Criminal Justice Commission.”
- 3. When requested by the CJC, a grantee or sub-grantee is expected to publish or otherwise make widely available to the public the results of work conducted or produced under an award.
- All publication and distribution agreements with a publisher must include provisions giving the State of Oregon and the federal government a royalty-free, nonexclusive, and irrevocable license to reproduce, publish, or otherwise use, and to authorize others to use, the publication for State of Oregon and federal government purposes. The agreements with a publisher should contain information on the CJC requirements.
- Unless otherwise specified in the award, the grantee or sub-grantee may copyright any books, publications, films, or other copyrightable material developed or purchased as a result of award activities. Copyrighted material is subject to the provisions of the State of Oregon and the federal government.
- The grantee or sub-grantee is permitted to display the agency logo in connection with the activities supported by the award. In this respect, the logo shall appear in a separate space, apart from any other symbol or credit. The words “Funded or Funded in part by OJP and CJC” shall be printed as a legend, either below or beside the logo, each time it is displayed. Use of the logo must be approved by the CJC in writing.

Note: The grantee or sub-grantee is required to submit a publication and distribution plan to the CJC before materials developed under an award are commercially published or distributed. The plan must include a description of the materials, the rationale for commercial publication and distribution, the criteria to be used in the selection of a publisher, and, to assure reasonable competition, the identification of firms that will be approached. The CJC must approve this plan prior to any publishing project activities.

Appendix A: CIVIL RIGHTS POLICY

Pursuant to *Department of Justice Grants and Cooperative Agreements: Statutes and Regulations related to Civil Rights and Nondiscrimination*, this policy is to establish:

1. Procedures for responding to discrimination complaints from employees and applicants for employment of grantees and sub-grantees receiving funding from the U.S. DOJ.
2. Procedures for responding to service discrimination complaints from clients, customers, consumers, or participants against CJC grant sub-grantees.

The CJC strives to create an inclusive environment that welcomes and values the diversity of the people we serve. The agency fosters fairness, equity, and inclusion to create a workplace environment where everyone is treated with respect and dignity.

Section 1: Complaint Alleging Employment Discrimination

A.1.1 POLICY

Employees and applicants for employment of grantees and sub-grantees shall be treated equally regardless of race, color, religion, sex (including pregnancy or gender identity), national origin, age, military or veteran status, disability, sexual orientation, or any other basis prohibited by state or federal law.

It is a discriminatory or prohibited employment practice to refuse to hire, promote, discharge, demote, terminate, or to retaliate against, or to discriminate in matters of compensation, or in terms, privileges, and conditions of employment against any persons otherwise qualified, because of race, color, sex, pregnancy or pregnancy-related conditions, age (40 and over), religion, national origin, or disability.

No person shall intimidate, threaten, coerce, discriminate, or retaliate against an individual for taking action or participating in an action to secure rights protected by these laws.

The CJC will address complaints to ensure compliance with applicable state and federal laws regarding employment discrimination.

A.1.2 COMPLAINT PROCEDURE

The CJC and grantees will provide the *Civil Rights Discrimination by Grantee Complaint Form* (Form) and contact information for the Complaint Coordinator to any person who raises civil rights compliance by grantee concerns.

- Employment discrimination complaints against grantees or sub-grantees may be filed using the Form.
- Individuals who have questions about the complaint process or need assistance with the complaint paperwork may contact the Complaint Coordinator.
- A complainant must submit a completed Form to the Complaint Coordinator at cjc.grants@oregon.gov or mail to:

Criminal Justice Commission
Alex Pichel, Complaint Coordinator
885 Summer St NE
Salem, Oregon 97301

Note: A complainant may request assistance from the CJC to complete the Form or through

dictation if a disability impairs the ability to file a complaint.

- The CJC employees who receive a discrimination complaint will forward the complaint to the Complaint Coordinator to be addressed.
- The complaint should be submitted as soon as possible but no later than 60 days following the alleged offense. The date the Form is received by the CJC will be considered the filing date.
- The Complaint Coordinator will provide a copy of the complaint to the Executive Director. The Executive Director and Complaint Coordinator will evaluate whether the complaint alleges a valid claim against a grantee or sub-grantee.
 - a. If a complaint's validity cannot be determined, it may be forwarded to the United States Department of Justice Office of Civil Rights (OCR) for preliminary review.
 - b. The Complaint Coordinator will administratively close the complaint if it is determined that it does not contain a claim of employment discrimination by a CJC grantee or sub-grantee.
- Within ten calendar days of receiving a complaint, the Complaint Coordinator will notify the complainant about the status of the complaint, specifically whether the complaint has been referred to BOLI, the OCR, or been administratively closed.
- Complaints that allege a violation of federal civil rights law are forwarded to the Oregon Civil Rights Division:

Oregon Civil Rights Division,
Bureau of Labor and Industries
800 NE Oregon St., Suite 1045
Portland, Oregon 97232

~ and/or ~

Office of Justice Programs
U.S. Department of Justice
810 7th Street NW
Washington, DC 20531

Note: If the complaint is referred to BOLI or the OCR, the Complaint Coordinator will notify the complainant of the contact information for BOLI or OCR and the date the complaint is considered filed.

A.1.3 GRANTEE AND SUB-GRANTEE OBLIGATIONS

Grantees and sub-grantees must review this policy and certify compliance with civil rights laws upon acceptance of a CJC grant award. Procedures must be in place for responding to discrimination complaints alleging employment discrimination filed directly with the grantee. At a minimum, these processes should include forwarding the Form to the Complaint Coordinator (Reference in A.1.2).

Section 2: Complaint Alleging Client/Customer Discrimination

2.1 POLICY

Clients, customers, participants, or consumers of services provided by grantees and sub-grantees shall be afforded an equal opportunity to participate in programs and activities regardless of race, color, religion, sex (including pregnancy or gender identity), national origin, age, military or veteran status, disability, sexual orientation, or any other basis prohibited by state or federal law.

It is a discriminatory delivery of services to exclude an individual from participation in, deny the benefits to, or subject an individual to discrimination under any DOJ-funded program or activity based upon race, color, national origin, sex, religion, age, or disability.

No person shall intimidate, threaten, coerce, discriminate, or retaliate against an individual for taking action or participating in an action to secure rights protected by these laws.

Compliance with all applicable state and federal laws regarding discrimination is required as a condition of funding.

Civil Rights Laws: Apply to any entity that receives an award of federal financial assistance— regardless of which federal agency awards the grant or cooperative agreement—and encompass the “program or activity” funded in whole or in part with the federal financial assistance.⁸

- *28 C.F.R. Part 42, Subpart C and D Section 601 of Title VI of the Civil Rights Act of 1964* (42 U.S.C. § 2000d): “No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.”
- *28 C.F.R. Part 42, Subpart G Section 504 of the Rehabilitation Act of 1973* (29 U.S.C. 794): “No otherwise qualified individual with a disability in the United States, as defined in [29 U.S.C. 705(20)], shall, solely by reason of her or his disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance [.]”
- *28 C.F.R. Part 42, Subpart D; 28 C.F.R. part 54 Section 901 of Title IX of the Education Amendments of 1972* (20 U.S.C. 1681): “No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.”
- *28 C.F.R. Part 42 Subpart I Section 303 of the Age Discrimination Act of 1975* (42 U.S.C. 6102): “No person in the United States shall, on the basis of age, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under, any program or activity receiving Federal financial assistance.”

⁸ Department of Justice Office of Justice Programs. “Department of Justice Grants and Cooperative Agreements: Statutes and Regulations related to Civil Rights and Nondiscrimination” (retrieved August 16, 2017).

Nondiscrimination Provisions: Apply to all CJC federal financial awards.

- *28 C.F.R. Part 42, Subpart D Section 815(c) of Title I of the Omnibus Crime Control and Safe Streets Act of 1968* (codified at 42 U.S.C. 3789d(c); see also 42 U.S.C. 5672(b)): “No person in any State shall on the ground of race, color, religion, national origin, or sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination under or denied employment in connection with any programs or activity funded in whole or in part with funds made available under this chapter.”
- *28 C.F.R. Part 94, Subpart B Section 1407(e) of the Victims of Crime Act of 1984* (codified at 42 U.S.C. 10604(e)): “No person shall on the ground of race, color, religion, national origin, handicap, or sex be excluded from participation in, denied the benefits of, subjected to discrimination under, or denied employment in connection with, any undertaking funded in whole or in part with sums made available under this chapter.”
- *28 C.F.R. Part 38 Partnerships with Faith-Based and Other Neighborhood Organizations:* “No person or organization shall be discriminated against on the basis of religion in the delivery of services or benefits, and ensures that faith-based or religious organizations are able to participate in such programs on an equal basis with other organizations.”

The CJC will address complaints to ensure compliance with applicable state and federal laws regarding violations to these laws and regulations.

A.2.2 COMPLAINT PROCEDURES

The CJC and grantees will provide the Form and contact information for the Complaint Coordinator to any person who raises concerns regarding grantee civil rights compliance.

- Employment discrimination complaints against grantees or sub-grantees may be filed using the Form.⁹
- Individuals who have questions about the complaint process or need assistance with the complaint paperwork may contact the Complaint Coordinator.
- A complainant must submit a completed Form to the Complaint Coordinator at cjc.grants@oregon.gov or mail to:

Criminal Justice Commission
Alex Pichel, Complaint Coordinator
885 Summer St NE
Salem, Oregon 97301

Note: A complainant may request assistance from the CJC to complete the Form or through dictation if a disability impairs the ability to file a complaint.

- CJC employees who receive a discrimination complaint will forward the complaint to the Complaint Coordinator to be addressed.
- The complaint should be submitted as soon as possible but no later than 60 days following the alleged offense. The date the Form is received by the CJC will be considered the filing date.

- The Complaint Coordinator will provide a copy of the complaint to the Executive Director. The Executive Director and Compliant Coordinator will evaluate whether the complaint alleges a valid claim against a grantee or sub-grantee.
 - a. If a complaint’s validity cannot be determined, it may be forwarded to the OCR for preliminary review.
 - b. The Complaint Coordinator will administratively close the complaint if it is determined that it does not contain a claim of employment discrimination by a CJC grantee or sub-grantee.
- Within ten calendar days of receiving a complaint, the Complaint Coordinator will notify the complainant about the status of the complaint, specifically whether the complaint has been referred to BOLI, the OCR or been administratively closed.
- Complaints that allege a violation of federal civil rights law are forwarded to the Oregon Civil Rights Division:

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Note: If the complaint is referred to BOLI or the OCR, the Complaint Coordinator will notify the complainant of the contact information for BOLI or OCR and the date the complaint is considered filed.

A.2.3 GRANTEE AND SUB-GRANTEE OBLIGATIONS

Grantees and sub-grantees must review this policy and certify compliance with civil rights laws upon acceptance of a CJC grant award. Procedures must be in place for responding to discrimination complaints alleging employment discrimination filed directly with the grantee. At a minimum, these processes should include forwarding the Form to the Complaint Coordinator (Reference in A.2.2).