

**STATE OF SOUTH DAKOTA APPLICATION FOR
FY2023 EDWARD BYRNE MEMORIAL
JUSTICE ASSISTANCE GRANT (JAG) PROGRAM**

SAA Responsibilities

In each state and territory, the Governor or other Chief Executive Officer designates an agency (the State Administering Agency or SAA) to apply for and administer these funds. In South Dakota, the Governor has designated the Secretary of the South Dakota Department of Public Safety as the SAA. The point of contact is the Internal Control/Grant Specialist of the Department of Public Safety.

The SAA and Point of Contact are responsible for:

- Coordinating JAG funds among state and local justice initiatives.
- Preparing and submitting the state JAG application.
- Coordinating efforts to develop a strategic plan to guide JAG spending under this appropriation.
- Administering JAG funds including establishing funding priorities, distributing funds, monitoring subrecipients' compliance with all JAG special conditions and provisions, and providing ongoing assistance to subrecipients.
- Complying with all reporting requirements as described in the Reporting

Requirements:

- Once an award is accepted, SAAs must submit quarterly financial status (SF-425) and annual programmatic reports through JustGrants, quarterly performance metrics reports through BJA's Performance Measurement Tool (PMT), and Federal Funding Accountability and Transparency Act

(FFATA) reports through the FFATA Sub-award Reporting System (FSRS) as necessary.

- Ensuring that subgrantees are aware of and in compliance with all programmatic and financial rules through the usage of special conditions and subgrantee monitoring.
- Passing through a pre-determined percentage of funds to local jurisdictions as well as administering the pass-through of funds from “less than \$10,000 jurisdictions” to the state police and/or jurisdictions that were not eligible for a direct award.

Purpose Areas

JAG funds may be used for state and local initiatives, technical assistance, strategic planning, research and evaluation (including forensics), data collection, training, personnel, equipment, forensic laboratories, supplies, contractual support, and criminal justice information systems that will improve or enhance such areas as:

- Law enforcement programs
- Prosecution and court programs
- Prevention and education programs
- Corrections and community corrections programs
- Drug treatment and enforcement programs
- Planning, evaluation, and technology improvement programs
- Crime victim and witness programs (other than compensation)
- Mental health programs and related law enforcement and corrections programs, including behavioral programs and crisis intervention teams.
- Implementation of state crisis intervention court proceedings and related programs or initiatives, including, but not limited to, mental health courts, drug courts, veterans’ courts, and extreme risk protection order programs.

Program Narrative

JAG funds available to South Dakota will be used to continue to fund state and local initiatives in the following priority purpose areas: law enforcement; prosecution and court; and corrections and community corrections programs. The need has been determined from a historical basis of what has been funded in the past, the annual state budgeting process, and available funds. The funds are used in the following areas:

LAW ENFORCEMENT

The State Multi-Jurisdictional Drug Task Force Program provides one of the means for effective targeting and sharing of personnel, time, equipment, and intelligence information. This Drug Task Force Program is the highest priority for continued funding to provide support to local jurisdictions.

The South Dakota Highway Patrol is a statewide law enforcement agency that focuses on public safety. The funding is used to cover law enforcement equipment and/or specialized training equipment that is not budgeted for in their current budget. These funds also cover training for uniform members to enhance the law enforcement operations that have been established.

PROSECUTION AND COURT

The workload of some local prosecutors has been lessened through the establishment of the Attorney General's Statewide Drug Prosecution Program. The goal of the Statewide Drug Prosecution Program is to enhance enforcement and prosecution efforts in their assistance to State and local law enforcement agencies while bringing the full impact of State law to bear on specifically

targeted narcotics trafficking conspiracies and offenders. Emphasis is placed on a formal mechanism whereby investigative and prosecutorial resources can be allocated, focused, and managed against targeted drug traffickers. Continuation of this program will provide the means to place prosecutors in specific geographic areas and offer training to increase the effectiveness of prosecution.

LOCAL CITIES/COUNTIES AND TRIBAL ENTITIES

Funding for local cities, counties and tribal entities will be available once the award has been accepted. Local and tribal agencies will have the opportunity to request funding, through a competitive process, to support their public safety mission for their communities within the State of South Dakota.

Local input is solicited for JAG through the Notice of Application Review process. Other stakeholders in the JAG planning process include the SD Department of Public Safety, Office of Attorney General Division of Criminal Investigation, and SD Department of Corrections. The Secretary of Department of Public Safety (SAA), and the Secretary of Department of Corrections are all part of the Governor's Cabinet which lends the opportunity to coordinate criminal justice/juvenile justice efforts.

Subgrant recipients will abide by all reporting, monitoring and evaluation requirements of the State Administrative Agency (SAA). Reports of program activities, project status, and progress in meeting stated goals and objectives will be submitted as required by the SAA. The SAA will submit quarterly financial status reports and an annual programmatic report through the OJP Just Grants system. In addition, there are

JAG Programmatic Measures required. They are customized dependent on activity type within each purpose area. Grantees and subgrantees will report on performance measures for only those activities funded by JAG. These programmatic measures will be collected quarterly 30 days after the end of the quarter in the BJA online Performance Measurement Tool (PMT)

DEATH IN CUSTODY REPORTING ACT (DCRA)

Due to the Death in Custody Reporting Act (DCRA) of 2013, South Dakota is currently gathering information on any death in custody that occurs in our State Correctional Facilities as well as our Highway Patrol Department. When an award is granted to any local or tribal institutions, death in custody information is a reporting requirement of the award conditions. Each death reported is required to have the following information:

- The decedent's name, date of birth, gender, race, and ethnicity
- The date, time, and location of the death
- The law enforcement or correctional agency involved
- Manner of death
- Description of the circumstances leading to the death

This information is requested and reported in the PMT system quarterly. For cases that remain under investigation the "manner of death" is reported as "unavailable, investigation pending" and the state will specify when it anticipates to obtain the information. Once information is available the state will update the report in PMT.

**Budget Worksheet and Budget Narrative
State of South Dakota
FY23 Edward Byrne Memorial
Justice Assistance Grant (JAG) Program**

FY23 State JAG Allocation Summary:

Administration Maximum 10%	\$ 109,571.00
Required Variable Passthrough Amount	\$ 466,592.00
Less than \$10,000 Allocation	\$ 145,514.00
Remaining Calculation	<u>\$ 374,037.00</u>

Total Award \$1,095,714.00

Categories	Salaries/ Benefits	Travel	Contractual	Supplies	Equipment	Allocation	Total
DPS Admin	40,000.00	2,945.00	6,055.00	1,000.00			50,000.00
Drug Task Force		114,000.00	184,380.00				298,380.00
Prosecutors			135,201.00				135,201.00
Highway Patrol				145,541.00			145,541.00
Local Projects						466,592.00	466,592.00
Total	40,000.00	116,945.00	325,636.00	146,541.00	-	466,592.00	1,095,714.00

Administration: \$50,000.00

Funds will be used by the SAA’s office to cover salary and benefits for a grant manager and accountants. These positions only code time to this grant as they are providing direct services to the award. These funds will be used for the accountants and grant manager to process quarterly reports, training/conference travel, monitoring visit travel, NCJA membership fees, misc. service fees and general office supplies.

Drug Task Force/Drug Prosecution Unit: \$433,581.00

Funds are used as a direct benefit to the local units of government by funding the operating expenses of the Drug Task Force agents and the Drug Prosecution Unit. The funding includes travel costs that cover drug related travels and motor pool expenses; contractual services cover costs for computer billings, health lab-drug tests, rents and legal document fees; supplies include general office supplies; indirect costs are based on the current federally approved rate.

SD Highway Patrol: \$145,514.00

Funds will be used to cover law enforcement equipment and/or specialized training equipment that is not budgeted for in their current budget. These funds

will also cover training for uniform members to enhance the law enforcement operations that have been established.

Remaining Calculation: \$466,592.00

Funds will be used to support our local cities, counties, and tribal law enforcement agencies in their endeavors to provide public safety to South Dakota. Projects will be submitted for approval once identified.