



Edward Byrne Justice Award Grants 'Byrne JAG'

The Edward Byrne Justice Assistance Grant Program, commonly referred to as '[Byrne JAG](#)', is the leading source of federal funding for state and local government public safety initiatives and criminal justice funding. The program is *formula based* and administered by the Department of Justice's [Bureau of Justice Assistance](#) (BJA) which provides public safety funding that can be used for law enforcement; prosecution and courts; prevention and education; corrections and community corrections, including reentry; drug treatment and enforcement; planning, evaluation, and technology improvement; crime victim and witness initiatives; mental health programs and related law enforcement and corrections programs, including behavioral programs and crisis intervention teams; and 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. (*This program area was added as a result of the Bipartisan Safer Communities Act of 2022.*)

Overview of the Byrne JAG Formula:

Once the fiscal year allocation for the Byrne JAG program has been determined by Congress the [Bureau of Justice Statistics](#) (BJS) can calculate each state's allocation according to the congressionally mandated formula based on state population and state share of *reported* violent crime over the past three years to the Federal Bureau of Investigation. For FY 2023, the allocated amount for Byrne JAG is \$770.8m. State and Local Allocations for FY 2022 are available [here](#).

Once a state's allocation has been calculated it is divided in a 60/40 split. **60% goes to state governments and 40% to local governments.** Funds are disbursed from your state's State [Administering Agency](#).

Minimum Award Allocation – The law requires that *each state* is guaranteed a minimum allocation of 0.25% of the total amount. If a state or territory's calculated allocation based on crime and population is less than the minimum amount the state will receive the minimum 0.25% (i.e., Wyoming or North Dakota). Conversely, if a state or U.S. territory's allocation exceeds the minimum amount, they are awarded the minimum allocation plus an amount based on population and share of crime. Areas such as D.C. or Puerto Rico are awarded the minimum amount plus an additional allocation.

Calculating Award Process:

BJS allocates half of a state's available funds based on the state or territory's share of reported violent crime over the past three years while the other half is determined by the state population.

Local Awards – If a local jurisdiction’s calculated awards sum is more than \$10,000, the local government is eligible to apply for an award. BJS determines which jurisdictions are eligible based on reported violent crime averages over a three-year period for the jurisdiction. Averages are based upon the data reported to the [FBI’s Uniform Crime Reporting \(UCR\) program](#). To be eligible for a local award, a jurisdiction must provide a total of violent crimes for a minimum of three years *during* the past 10 years. Jurisdictions that do not provide this information in their application are not eligible for a local award.

Variable Pass Through – JAG legislation requires that states may only retain award amounts that have the same ratio of total expenditures on criminal justice by the state government and the total expenditures on criminal justice by the state government and units of local government. This is known as the variable pass through or VPT. **The process of VPT determines how much each state must pass down to local governments within the state.** See [VPT percentages](#) for FY 2020 and beyond.

Additional Considerations

- States that have not substantially implemented the [Sex Offender Registration and Notification Act](#) (SORNA) will result in receiving a 10% decrease of the state’s allocation (from the 60% of the state’s total award) after VPT percentages have been calculated.
- States where governors have not certified full compliance with DOJ’s National Standards to Prevent, Detect and Respond to Prison Rape are subjected to a 5% penalty from the state’s 60% allocated funds.
 - If the governor submits to the Attorney General assurances that 5% will be used to implement full compliance on rape in prisons in the future, the state may keep the 5%.
 - 35 states were not compliant with DOJ’s standards on prison rape, resulting in an over \$3m loss for their JAG awards.
- States that have implemented SORNA in the current fiscal year are eligible to receive compliance bonus funding in addition to the JAG award.
- According to SORNA’s web page, [only 18 states](#) have substantially implemented SORNA.

Fast Facts:

- States with the largest total allocations in 2021 included California (\$32m), Texas (\$23m), Florida (\$16m), New York (\$14m) and Illinois (\$10m).
- 10% of the awarded amount may be used for administrative purposes that must be tracked separately.

For more information on accessing and utilizing Byrne JAG funds please see the resources below:

- Identify and build relationships with your [State Administering Agency](#) (SAA)
 - [Bureau of Justice Assistance Contact](#) for awards above \$25k
 - [Bureau of Justice Contact](#) for awards below \$25k

- Identify which law enforcement agencies track violent crime that is reported to the [FBI's UCR program](#)
- For further technical information and examples of award allocations visit [BJS' technical report for 2021](#)
- For additional guidance on local awards please watch [the Bureau of Justice Assistances' webinar](#)
- For general assistance on applying for a DOJ grant visit [the Office of Justice Program's website](#)
 - For more detailed information on applying for a justice award grant (JAG) please view BJP's webinar [here](#)

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