

**STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC SAFETY
OFFICE OF THE ATTORNEY GENERAL**

**SFY21 BODY-WORN CAMERA
GRANT PROGRAM**



PROGRAM ADMINISTRATION AND GUIDELINES

STATE OF NEW JERSEY
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PROGRAM ADMINISTRATION AND GUIDELINES

I. ADMINISTRATION

This document has been compiled to assist in the application, program development, and implementation processes, as well as the reporting and compliance requirements, of the SFY21 Body-Worn Camera (BWC) Grant Program.

The State of New Jersey, Department of Law & Public Safety, Office of the Attorney General (OAG) received funds from the SFY21 Budget to administer the Body-Worn Camera Grant Program. A total of \$57,500,000 of the budget will be awarded to participating law enforcement agencies, for use by December 31, 2025.

Under the BWC Grant Program, law enforcement agencies are eligible to receive grant funding for the purchase of body-worn cameras and related expenses. Law Enforcement agencies are required to store data from body-worn cameras using a tamper-proof digital evidence management system that is compliant with Criminal Justice Information Services and has the ability to securely share data, while maintaining an audit trail and chain of custody.

The OAG will award, administer, and monitor awards made under the BWC Grant Program. Staff from OAG will be available to provide technical assistance during the award process and award period.

Recipients of Body-Worn Camera Grant Program funding will be allotted a fixed dollar amount for each camera to be purchased. This dollar amount will exceed the cost of a camera. The excess funding is to be used for ancillary equipment such as clips, chargers, batteries, etc., as well as storage costs. Recipients are not to profit from this funding; ALL funding is to be used towards the cost of implementing the Body-Worn Camera Grant Program. It is the responsibility of the recipient to maintain proof of all expenditures; this documentation will be requested in the event of an audit or site visit.

The number of body-worn cameras requested by an applicant does not constitute a guarantee of funding; instead funding decisions will be based on demand and available appropriations.

The funding is for a 60-month period from January 1, 2021 through December 31, 2025.

All inquiries concerning the grant award process should be addressed to:

Office of the Attorney General
Grant Operations
Phone: 609-292-9660
E-mail address: BWCGrants@njoag.gov

II. APPLICATION AND AWARD REQUIREMENTS

A. PARTICIPATION and SUBMISSION

Any law enforcement agency wishing to participate in the BWC Grant Program must complete an application package and submit via e-mail to BWCGrants@njoag.gov, no later than **April 30, 2021**. Failure to timely submit a complete package may result in a delay or denial of your award.

B. GRANT APPLICATION

Applicants must complete and return the following:

1. Applicant Information Form
2. Application Authorization
3. Program Application Narrative
4. Timeline of Deliverables/Milestones

C. GRANT AWARD

Recipient will be notified of awards on or about June 1, 2021. Award packages will be sent out upon notification of award.

Recipients must complete and return the following:

1. Award Contract
2. Governing Body Resolution & Certification
3. General and Special Conditions

III. PROGRAM GUIDELINES

The Applicant agrees to adhere to the following guidelines. Failure to do so may result in suspension or termination of a grant award.

- Funding is to be used for the purchase of body-worn cameras, ancillary equipment, and storage costs.
- Law enforcement agencies are required to store data from body-worn cameras using a tamper-proof digital evidence management system that is compliant with Criminal Justice Information Services and has the ability to securely share data, while maintaining an audit trail and chain of custody.
- Recipients are not to profit from this funding; ALL funding is to be used towards the cost of implementing the Body-Worn Camera Grant Program. It is the responsibility of the recipient to maintain proof of all expenditures; this documentation will be requested in the event of an audit or site visit.
- Law enforcement agencies must comply with Attorney General Law Enforcement Directive No. 2015-1, *Law Enforcement Directive Regarding Police Body-Worn Cameras (BWCs) and Stored BWC Recordings*; as well as any updates to laws and statutes, and/or new or supplemental guidance to policy, Directives, or Guidelines, concerning BWCs that may occur at the direction and authority of the Attorney General. Attorney General Law Enforcement Directive 2015-1 provides guidance on how BWCs are to be used, when they will be activated, when they may be de-activated, and when and how a BWC recording may be accessed, viewed, copied, disseminated, or otherwise used. The Directive establishes certain foundational requirements that all police departments must satisfy. Law enforcement agencies nonetheless are expressly authorized to impose additional requirements beyond—but not inconsistent with—those established in the Directive. You may access the Directive at: https://nj.gov/oag/newsreleases15/AG-Directive_Body-Cams.pdf.
- Law enforcement agencies must comply with all applicable statutes and regulations related to the use of BWCs, including, but not limited to, N.J.S.A. 40A:14-118.3-5 (operable as of June 1, 2021) regardless of whether or not the agency receives this, or other, funding for BWCs.

IV. APPLICATION AUTHORIZATION

The submission of any grant application requires the signature of the applicant's Authorized Official (see Application Authorization Form) indicating that the application is authorized by the agency or unit of government. The signature of the Authorized Official indicates that the information provided within the application is truthful, accurate, and complete; that the

applicant intends to comply with all requirements regarding the use of grant funds; and the applicant will use the grant funds to carry out the project as described in the application.

The Authorized Official also acknowledges that they are responsible for authorizing expenditures and disbursing grant funds. The Applicant certifies that all grant funds will be used exclusively for the purposes specified in the grant award; and it will pay for all costs in excess of the grant award.

V. TIMELINE OF DELIVERABLES/MILESTONES

In lieu of creating a line item budget, applicants are being asked instead to create a Timeline of Deliverables/Milestones. Recipients will be paid upon completion of these milestones/deliverables. Payments are made based on meeting specific requirements of the grant. There is no review of the actual costs incurred by the recipient.

When creating your deliverables/milestones, the applicant should take into consideration the immediate need for funding, how often BWCs may be purchased over the life of the grant, as well as immediate and future needs to ancillary equipment and storage. A sample Timeline of Deliverables/Milestones can be found as an addendum to the Program Administration and Guidelines.

To receive payment upon completion of each deliverable/milestone, the recipient will need to submit a Detailed Cost Statement (template will be provided upon award), a State of New Jersey Payment Voucher, and proof that the deliverable/milestone was met.

VI. RESOLUTION

Applicants must return a certified Resolution with their Award Package.

The Resolution must contain all data requirements listed on the Required Resolution & Certification Checklist which is provided as a reference document in the Award Package.

The Resolution must be certified by the recording officer and should contain the official seal.

VII. LEGAL COMPLIANCE

Applicants and their contractors are required to comply with the New Jersey Law Against Discrimination, N.J.S.A. 10:5-1 et seq. Applicants are expected to comply with all applicable New Jersey statutes, regulations, policies, and guidelines, including Attorney General Law Enforcement's Directive No. 2015-1 and any supplemental guidance or updates to policy, Directives, or Guidelines as referenced above. In addition, applicants, regardless of whether they receive funding or not, are required to comply with N.J.S.A. 40A:14-118.3-5 (operable as of June 1, 2021) with respect to BWCs.

VIII. DEBARMENT

Applicants and their subcontractors should not obtain goods and services from other agencies which are debarred, suspended or disqualified from doing business with the State of New Jersey.

Applicants are also expected to comply with state Executive Order No. 34 (March 17, 1976), and state circular letter OMB 93-13-GSA regarding debarments, suspensions, and disqualifications. The State Department of Treasury has an on-line, searchable database of those individuals, corporations, and agencies, who are debarred from conducting business with the State of New Jersey: <http://www.state.nj.us/treasury/revenue/debarment/index.shtml>. In the performance of any grant, recipients cannot conduct business with ineligible firms or individuals who are considered debarred, suspended, or disqualified.

IX. NEW JERSEY PENALTIES FOR CORRUPTION OF PUBLIC RESOURCES

While enacting ethics and government corruption reforms, the New Jersey Legislature enacted Public Law 2007, Chapter 158, which makes knowingly misusing public resources for an unauthorized purpose a crime. N.J.S.A. 2C:27-12. Under the Crime of Corruption of Public Resources, an individual commits a crime if (1) the public resource is subject to an obligation to be used to perform or facilitate the performance of a governmental function or public service, (2) a person knowingly uses a public resource for an unauthorized purpose, or (3) a person makes a material representation that is false to a government agency . . . to obtain or retain a public resource, or with the purpose to mislead or deceive any person as to the use or disposition of a public resource. *Id.* The Legislature defines a public resource as including grants awarded by the government. *Id.* Convictions under this act could result in a 20-year prison term and \$200,000 fine. *Id.* The Legislature also enhanced public corruption penalties under the Public Corruption Profiteering Penalty Act, N.J.S.A. 2C:30-8, which subjects individuals convicted under public corruption laws, including N.J.S.A. 2C:27-12, to fines up to \$500,000. Under N.J.S.A. 2A:32C-3, a person shall also be subject to civil penalty and treble damages for making false claims under New Jersey's False Claims Act.

X. RECIPIENT OFFICIAL FILE

Recipients are required to maintain a master file for grant documents. The following documents must be available for on-site review by OAG program monitors and auditors:

- A. Copy of approved application and award package for the grant including: Applicant Information Form; Application Authorization; Program Narrative; Timeline of Deliverables/Milestones; Award Letter; Grant Award Contract; General and Special Conditions; the Resolution; and related written approvals from OAG.
- B. Copies of all Requests for Reimbursements.

- C. Banking Information: Cash verification, receipts documentation, check register, canceled checks, and bank statements. (if applicable)

XI. REPORTING PROCEDURES

A. PROGRAMMATIC REPORTS

- Specific programmatic reports will not be required for this grant program. However, if a recipient is having difficulty meeting the goals and objectives of the grant, they should contact OAG and document the difficulties. OAG would also like to be made aware of any “success stories” that arise through the BWC Grant Program.

B. FINANCIAL REPORTS

- Recipients are required to submit Detailed Cost Statements that coincide with agreed upon deliverables/milestones. These should be submitted each time a deliverable/milestone is met. Proof of meeting the deliverable/milestone must also be submitted.
- Detailed Cost Statements with signatures should be sent, *via e-mail*, to BWCGrants@njoag.gov. For each funding request, a separate State of New Jersey Payment Voucher must be submitted.

XII. AUDIT REQUIREMENTS

The Recipient must comply with audit requirements located in the State Treasury Department, State Circular, Single Audit Policy for Recipients of Federal Grants, State Grants and State Aid, 15-08- OMB, 2 CFR Part 200, Subpart F, Audit Requirements (2 C.F.R. § 200.500, et seq.), and the Government Accountability Office's Generally Accepted Government Auditing Standards (also known as the Yellow Book).

1. Applicants that expend Federal and/or State financial assistance of \$100,000 or more, but less than \$750,000 of Federal or State financial assistance during their fiscal year (including federal pass-through funds), must have either:
 - a. A financial statement audit performed in accordance with Government Auditing Standards (Yellow Book); or
 - b. A program specific audit performed in accordance with 2 C.F.R. § 200.500, et seq., and state policy.
2. For applicants that expend Federal or State financial assistance, (including funds received from the Federal Government or federal

funds passed through state agencies) of \$750,000 or more during their fiscal year must have:

- a. A single audit performed; or
 - b. A program specific audit performed in accordance with 2 C.F.R. § 200.500, et seq., and state policy.
3. For applicants receiving less than \$100,000 of State and/or Federal financial assistance, no audit is required.

The recipient must maintain a bookkeeping system, records, and files to account for all monies spent implementing the project. While a preferred system is not specified, recipients are expected to conform to accepted accounting standards.

XIII. MONITORING OF PROGRAM PERFORMANCE

- A. The recipient must assure that performance goals are being achieved.
- B. The recipient shall inform OAG of the following types of conditions which affect program objectives and performance as soon as they become known:

Problems, delays, or adverse conditions which will materially impair the ability to attain program objectives, prevent meeting time schedules and goals, or preclude the attainment of project work units by established time periods. This disclosure shall be accompanied by a statement of the action taken, or contemplated, and any OAG assistance required to resolve the situation.

- C. OAG may, at its discretion, make site visits to:
 1. Review program accomplishments and management control systems.
 2. Provide such technical assistance as may be required.
 3. Perform fiscal reviews to ensure grant funds are being properly expended in a timely manner.

OAG may also request documents related to the above independent of a site visit. In all cases, Applicant is obligated to comply with requests associated with site visits or document production.

ADDENDUM – SAMPLE TIMELINE OF DELIVERABLES/MILESTONES

Timeline of Deliverables/Milestones

Activity Dates	Activity/Deliverable/Milestone	Person(s) Responsible	Payment
4/1/21 – 5/15/21	Complete and Return to OAG the Application and Award Documents including: Applicant Information, Application Authorization, Program Application Narrative, Timeline of Deliverables/Milestones, Award Contract, Resolution & Certification, and Conditions	Authorized Official, Project Director	20% of Award upon Execution of Contract by OAG
1/1/21 – 8/31/21	Research BWC vendors, choose a vendor and submit a purchase order for 25% of our initial BWC request. Receive BWCs, pay vendor.	Program Manager, CFO	20% of Award
5/15/21 – 9/30/21	Research storage solutions, choose a solution and begin implementation.	Program Manager, CFO	25% of Award
9/1/21 – 8/31/22	Assess need for additional BWCs, replacement clips, additional batteries and charging stations. Submit purchase order, receive order and pay vendor.	Program Manager, CFO	20% of Award
9/1/22 – 8/31/23	Submit purchase order for remaining BWCs, and any needed ancillary equipment and storage. Receive order and pay vendor.	Program Manager, CFO	15% of Award