



Witness Protection Grant Program Funding Opportunity

Guidelines and Application Procedures

***Application Due Date
March 28, 2024***

Virginia Department of Criminal Justice Services
1100 Bank Street, Richmond, Virginia 23219
www.dcjs.virginia.gov

Issued: March 1, 2024

Witness Protection Grant Program Solicitation Guidelines and Application Procedures

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I. Introduction

The Virginia Department of Criminal Justice Services (DCJS) is pleased to announce the availability of grant funds to assist localities with providing temporary assistance to help alleviate potential intimidation of witnesses. The purpose of the Witness Protection Grant Program (WPGP) is to support witnesses and their families who may be in danger because of their cooperation with the investigation and prosecution of serious crimes. Grant awards shall be used to provide time-limited assistance of up to 90 days to witnesses to defray the costs associated with their ability to safely serve as a witness including, but not limited to, lodging, medical, transportation, food, and relocation expenses.

II. Eligibility

Participation in the Witness Protection Grant Program is open to all local law enforcement agencies, Commonwealth's Attorneys' offices, and other local government agencies as appropriate.

- Law enforcement and other local government agencies must be willing to acknowledge collaboration with the Commonwealth's Attorneys' Office for services.
- One application can be submitted on behalf of the locality, allowing local agencies to submit a request under the same grant number. However, the grant must be assigned to a specific agency for grant management purposes.

III. Amount Available

The maximum amount that may be requested is \$25,000 per locality. The final initial award amount will be determined based on the number of applicants who enroll. DCJS may also give priority or larger awards to localities whose applications reflect services to a larger citizen group.

IV. Grant Application Deadline

Applications for this program will be received on an ongoing basis, subject to the availability of funding. However, applicants are **strongly** encouraged to apply for enrollment to reduce the reimbursement timeframe. **Enrollment is required prior to seeking reimbursement.**

Initial enrollment applications are encouraged to be submitted in the DCJS Online Grants Management System (OGMS) no later than 5:00 p.m. on March 28, 2024. Enrollment will expedite the claims reimbursement process in the event the agency has a claim. Instructions on how to register in OGMS are available as an attachment. If you have not already done so, it is recommended that you register for OGMS as soon as possible as the registration process can take several days.

Applications may be submitted on an as-needed basis by eligible entities beyond the enrollment application deadline.

V. Summary of WPGP Process

1. Apply for Enrollment—*ALLOWS THE AGENCY TO BE POSITIONED FOR REIMBURSEMENT*

Eligible agencies must enroll to participate in the WPGP in OGMS. A confirmation of enrollment will be sent via OGMS. Agencies are strongly encouraged to apply for enrollment early to reduce the amount of time for claims processing. It is not necessary to wait until there is claim.

2. Submit a Pre-Approval Request Form—*DETERMINES PRELIMINARY APPROVAL*

Once enrolled, agencies may submit a Pre-Approval Request form for preliminary approval. All requests must be strictly for the provision of witness protection services deemed allowable per this notice. A narrative, to clearly justify the request, is required on the form. DCJS will send notice of approval, denial, or request more information via OGMS.

3. Submit Claim and Required Supporting Documentation—*DETERMINES APPROVAL FOR PAYMENT*

Upon review of the supporting documentation (proof of payment), the claim may receive final approval and payment will be issued. If any item requested is not adequately justified or is not supported by the required documentation, the payment will be reduced by that amount.

4. Reimbursement —*INITIATES PAYMENT*

Agencies are typically reimbursed within 30 days barring any extenuating circumstances via an Electronic Fund Transfer (EFT) transaction.

All claims must be submitted via DCJS approved claim forms provided upon grant award. Because funds are distributed on a first-come, first-served basis, agencies are cautioned against submitting past 90 days of the expenditure occurrence.

The WPGP operates on a reimbursement basis only. To be reimbursed, the law enforcement agency or Commonwealth Attorney's Office must first pay/obligate funds.

VI. Definitions

Witness Protection — temporary emergency placement based upon imminent and preset threat of danger to the witness. Placement is based upon a determination of need and length of time that witness needs to be removed from current circumstances. Safety planning (see the definition below) is required as part of this process.

Witness Relocation — a permanent move of the witness from their current living situation to housing that will provide an opportunity for greater safety. Safety planning from a long-term perspective is required as part of this process.

Violent Crime — an act committed in Virginia which, regardless of adjudication, involves the application of force or violence or the threat of force or violence by the offender upon the victim. For the purposes of this program, violent crime includes homicide, aggravated assault, rape, sexual assault, and attempted murder.

Dependent — may include but not be limited to mother, father, spouse, spouse's mother, spouse's father, child, grandchild, adopted child, or others who are wholly or partially dependent for support upon the witness, both living with and not living with, the witness at the time of the crime or others deemed necessary/integral for the prosecution of the crime.

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Director — the Director of DCJS or his/her designee for the purposes of this notice.

Family Member — may include but not be limited to the spouse, parent, grandparent, stepmother, stepfather, child, grandchild, brother, sister, half-brother, half-sister, adopted children of parent, or spouse's parents.

Offender — a person who commits a crime.

Safety Planning — a preliminary threat assessment and interim plan to help ensure witness safety until a more comprehensive assessment and planning can be conducted. A safety plan is a personalized plan that includes practical information about staying safe, physically and emotionally. A useful safety plan includes all the important information needed to help witnesses take control of an unsafe situation and move forward after experiencing a crime.

Supplanting — State funds must be used to supplement existing State and local funds for program activities and must not supplant (replace) those funds that have been appropriated for the same purpose. If the agency has funds already budgeted for the same services allowable through the WPGP, those funds must be exhausted prior to acceptance of WPGP funds.

Victim — a person, a dependent or family member of a person who suffers emotionally, psychologically, or physically as a direct result of a crime.

Witness — a person whose testimony is desired in any proceeding or investigation by a grand jury or in a criminal action, prosecution or proceeding.

VII. Mandatory Program Requirements

All local law enforcement agencies, Commonwealth's Attorneys' offices, and other local government agencies as appropriate are eligible for participation in the WPGP. Agencies will be required to include, at a minimum, the following information throughout the WPGP process:

1. A statement that assistance from the WPGP is not contingent upon the witness offering testimony in a judicial or law enforcement matter.
2. The Commonwealth Attorneys' Office or law enforcement agency must provide a statement of conditions that qualify each witness to be serviced for protection.
3. A statement of the projected costs over a specific period of time.
4. The agency receiving assistance will be responsible for the development and implementation of a record-keeping system, based on the following criteria, to verify the eligibility of witnesses of crime and/or their dependents to receive services:
 - a. The crime must have been committed in Virginia.
 - b. The crime must have involved the threat or the use of force or violence in its commission.
 - c. The witness of the crime cannot be the perpetrator, principal, or accessory involved in the commission of the crime for which WPGP services are being provided.

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5. The agency must provide services to eligible witnesses through the WPGP funded program free of charge.
6. The agency must ensure coordination of services available for witnesses of crime through local victim-witness services agencies or the Commonwealth Attorney's Office, as well as the Virginia Victims fund.

VIII. Grant Period

Grants will initially be awarded a fifteen-month period beginning April 15, 2024, to June 30, 2025. (Applications received after the original deadline of March 28, 2024, may have a shorter grant period.)

IX. Match Requirement

There is no match requirement for the grant program.

X. Restrictions

The WPGP allows for participation in criminal justice and other public proceedings arising from violent crime. Allowable costs may include the following: (*list may not be all-inclusive*)

- Safety Planning (*if not already supported by another grant or funding source*)
- Interpreting for deaf or hard of hearing, or with limited English proficiency
- Security/Surveillance
- Emergency food; (not to exceed state per diem rates)
- Emergency clothing
- Body-worn cameras, body armor, “burner” cell phones specifically used for witnesses
- Window and/or lock replacement or repair, and other repairs necessary to ensure a witness's safety
- Emergency legal assistance, such as for filing for restraining or protective orders, and obtaining emergency custody orders and visitation rights
- Out-patient therapy/counseling
- Witness Transportation (in-state, local bus/mass-transit fare, truck rental to transport witness belongings)
- Transportation of witness to receive services and to participate in criminal justice proceedings
- Temporary storage rental for personal possessions
- Childcare and respite care to enable a witness who is a caregiver to attend activities related to criminal justice proceedings
- Shelter and/or rental or modification of protected housing facilities/temporary relocation expenses

The following services or activities are unallowable (*this list may not be all-inclusive*):

- Crime Prevention Programs and other activities intended to educate the community on the prevention of crime and to raise the public's consciousness regarding crime
- Indirect Costs
- Vehicles purchased or leased

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- Professional dues, subscriptions, and memberships
- Lobbying or advocacy activities with respect to legislation or for administrative changes to regulations or administrative policy, whether conducted directly or indirectly
- Fundraising—any activities related to fundraising including grant writing
- Capital expenses/improvements; property losses and expenses (except windows & locks), real estate purchases; mortgage payments; and construction
- DNA testing of evidentiary materials, uploading DNA profiles to a database, and entry of records into state repositories
- Medical care, except as otherwise allowed by other provisions of this funding opportunity

XI. Availability of Continuation Funding

The grant may be eligible for continuation dependent upon available state funds in subsequent years.

XII. Application Forms and Instructions

Each application for the Witness Protection Grant Program (WPGP) funding **must be submitted using the DCJS Online Grant Management System (OGMS)**. Email files or paper applications will not be accepted. All required fields must be completed to submit your application. Do not include any items not requested such as letters of support, annual reports, publicity articles, etc.

General Information: The OGMS Application Creation Wizard will assist you in completing the application's General Information form.

Step 1: The Wizard requires an application title and a primary contact. The application title should include the locality's name and fiscal year (e.g., MyTown WPGP FY24).

The primary contact is the person who has the day-to-day responsibility for managing the grant. It is recommended that the Project Director (definition under Face Sheet) be listed as the primary contact. You will be able to add other persons to give them access to edit the application in step 3 or associate them later if the grant is awarded.

Once the information has been entered, click "Save Form" to enter Step 2.

Step 2: Under this step, an Application ID will be assigned, and Program Area, Funding Opportunity, Application Stage, and Application Status will be auto populated. Select the organization for whom you will be submitting this application. **The organization must be the locality.** Click "Save Form Information" to start Step 3.

Step 3: Under "**Additional Applicants**," select any additional contacts within your organization that will also manage the grant and work on the application, to include the Project Administrator and Finance Officer (definitions under Face Sheet). Only individuals listed as an applicant will have access to the application. Once you click "Save Form Information" on Step 3, you will have completed the General Information component of the application.

After General Information has been finished, you can complete the application in any order or save to return at another time.

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Face Sheet: Required

- *Congressional District*: Select the Congressional District(s) that will benefit from the program. To select more than one, hold down the Ctrl key.
- *Best Practice*: This **does not apply** to the Witness Protection Grant Program (it is only required of JJDP programs).
- *Jurisdiction(s) Served*: Select all jurisdiction(s) served.
- *Program Title*: Provide a program title that includes the agency's name and the grant program (e.g., MyTown WPGP FY24).
- *Certified Crime Prevention Community*: Click the hyperlink on the form to see if your locality is certified.
- *Type of Application*: For this funding opportunity, you will choose "New."
- *Community Setting*: Check the box(es) that best describes the applicant service area.
- *Brief Project Overview*: Provide a short description of the proposed project (maximum of 750 characters).
- *Project Director*: List the person who will have the day-to-day responsibility for managing the project and provide all required contact information.
- *Project Administrator*: Name and contact information for the County Administrator or City Manager (Administrative and Fiscal Agent) who has the authority to formally commit the organization/locality to complying with all the terms of the grant application, including the provision of the required match, if applicable.
- *Finance Officer*: List the person who will be responsible for the fiscal management of the funds and provide all required contact information.

Budget: Required

- *Budget*: Click "Edit Grid" and enter your requested state amount under the "State" column.

Project Narrative: All questions in this section are **required**.

- *Demonstration of Need*: Provide a description of your agency and a description of the unmet need or problem that the grant project will address. Describe your existing resources and services that are available to address the identified problems, and state why those resources and services are not adequate to address the unmet needs. (maximum of 5000 characters).
- *Project Description*: Provide a detailed description of the project design and planned implementation activities. Describe how the project will reach the stated goals and the capabilities of your organization to implement and manage the project. The project description should tie implementation activities to project goals and objectives (maximum of 5000 characters).
- *Project Budget*: Justify the amounts entered in the budget and explain how the amounts were determined.

Program Requirements:

- This section is required under this grant program. The Project Administrator, or the individual who has been delegate or designated as the signing authority, must certify that all mandatory program requirements will be met. By clicking "Yes" next to each requirement, the person signing the form confirms they have read and understands the requirement.

Attachments:

- If another individual has been given signing authority by the Project Administrator, you must attach a memo from the Project Administrator giving permission for a specific person

to sign in their stead.

Non-Supplantation:

- The section is required under this grant program. The Project Administrator, or the individual who has been delegated or designated as the signing authority, must certify that the grant funds requested under this grant program will be used to supplement existing funds and will not replace (supplant) funds appropriated for the same purposes.

Authority Certification:

- This section is **required** under this grant program. If the person completing the application is not the Project Administrator, as previously defined, a letter from the Project Administrator delegating signing authority must be attached.

XIII. Reporting Requirements

Grant recipients must submit a financial and status reports online to DCJS at the close of each award. Failure to comply in a timely manner may result in DCJS withholding disbursement of grant funds and/or termination of the grant. DCJS will provide the grant reporting requirements at the time of grant award. In addition to reporting, DCJS may request other data for use in annual reporting to the General Assembly on the use of these funds.

XIV. How and Where to Submit Application

Applications should be submitted in the DCJS Online Grants Management System (OGMS) no later than 5:00 p.m. on March 28, 2024. Each application form in OGMS must be marked as complete before you can submit the application. If you receive an alert, you will need to review the form for any missing required information.

XV. Grant Application Review Process

DCJS staff will utilize a Compliance Review to rate requests. Staff recommendations will be presented to the Director of DCJS (or their designee) for final approval.

Please contact the following DCJS staff for questions regarding your Witness Protection Grant Program application at: wpgp@dcjs.virginia.gov or

Tracy Matthews: email tracy.matthews@dcjs.virginia.gov or telephone (804) 371-0635

For questions and technical assistance relating to the OGMS system, contact ogmssupport@dcjs.virginia.gov. Please include your grant program area in the Subject line.