

GUN VIOLENCE REDUCTION PROGRAM
FY 2022-23
GRANTEE HANDBOOK
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**HANDBOOK FOR GRANTS MADE BY THE DEPARTMENT OF JUSTICE TO COUNTY SHERIFF'S
DEPARTMENTS UNDER THE BUDGET ACT OF 2021.**

All items contained in this Handbook are subject to change.

TABLE OF CONTENTS

PART I: GRANT APPLICATION GUIDE	3
GENERAL INFORMATION	4
APPLICATION PROCESS	4
APPLICATIONS.....	4
REVIEW, AWARD AND TERMS.....	4
ADMINISTRATIVE REVIEW	4
MERITS REVIEW	4
NOTIFICATION OF AWARD, DENIAL OR DISQUALIFICATION.....	5
GRANT AGREEMENT	5
GRANT RESPONSIBILITY.....	5
PROCUREMENT OF GOODS OR SERVICES.....	5
USE OF CONTRACTORS.....	5
PROJECT REQUIREMENTS.....	5
ADMINISTRATIVE COSTS	6
PROJECT COSTS.....	6
PROJECT INCOME.....	6
OVERPAYMENT OF FUNDS	6
RECORDS RETENTION	6
NONCOMPLIANCE	6
NON-USE OF FUNDS	7
ALLOWABLE COSTS; REASONABLE COSTS; ALLOCABLE COSTS.....	7
SUPPLANTING	8
DEFINITIONS.....	9
PART II: GRANT OWNER'S MANUAL	11
GRANT ACCEPTANCE AND TERMS	12
AWARD	12
TERMS AND CONDITIONS.....	12
DEPARTMENT GRANT MANAGEMENT	12
ALLOWABLE COSTS.....	12

RESTRICTED ITEMS 14

ACCESSING GRANT FUNDS 14

EXTENSIONS..... 14

RECORDS RETENTION 15

AUDITS 15

CLOSING OUT..... 15

GVRP ANNUAL REPORT 15

PART I: GRANT APPLICATION GUIDE

GENERAL INFORMATION

In accordance with the State Budget Act (the "Act"), the California Department of Justice ("Department") intends to distribute up to \$5 million in FY 2022-23 to California sheriff's departments conducting activities related to the seizure of weapons and ammunition from persons who are prohibited from possessing them. Any county sheriff's department within the State of California that conducts activities related to the seizure of weapons and ammunition from persons who are prohibited from possessing them is eligible to receive funds. Grant funds may be used to support county sheriff's departments conducting activities related to the seizure of weapons and ammunition from persons who are prohibited from possessing them, including efforts based upon entries in the Department's Armed Prohibited Persons System (APPS). Grant funds will be awarded on a competitive basis in accordance with the Department's funding priorities.

APPLICATION PROCESS

APPLICATIONS

An eligible agency may submit one individual application.

REVIEW, AWARD AND TERMS

ADMINISTRATIVE REVIEW

Applications will undergo an administrative review by the Department to determine whether the application is timely and complete, and whether the applicant agency is eligible. An applicant may request to amend its application only if the due date for proposals has not passed.

MERITS REVIEW

Applications that satisfy the administrative review shall be reviewed by a Merits Review Committee (MRC).

The MRC shall initially assess whether each proposed project is within the scope of the Gun Violence Reduction Program. This will render a pass/fail score. The committee will then evaluate and score applications that are within the scope of the Program based on the extent to which the applications satisfy the scoring criteria set forth in the Request for Proposal (RFP); show capacity to refrain from using grant funds to supplant any existing state or local funding of activities that have the same purposes as those of the Act; and with the administrative requirements of the grant.

The MRC shall make a funding recommendation for each application, other than those that were disqualified or denied, based on the following factors:

- Amount of available funding.
- Amount of funding requested for eligible and meritorious activities.
- The merits of the application based on the scoring criteria set forth in the RFP.

- The Department's funding priorities as articulated in the RFP.

The MRC shall provide its scoring and recommendations as to approval or denial of applications, and as to the amount of funding for successful applications, to the Attorney General and/or his designee for final selection.

NOTIFICATION OF AWARD, DENIAL OR DISQUALIFICATION

The Department shall send out a notice via email and hard copy, to all applicants of disqualification, denial, or award.

Notification of award does not authorize commencement of grant activities. A completed Government Agency Taxpayer ID Form must be received in order for disbursement of funds to be made.

GRANT AGREEMENT

A written and signed Memorandum of Understanding (MOU) is requested for all grants. The grant agreement includes the RFP and associated documents, this Handbook, the Application, and any associated documents submitted in response to the RFP, and the signed MOU.

GRANT RESPONSIBILITY

The grantee is the responsible agency and may not transfer or assign the grant to another entity without prior written authorization from the Department.

PROCUREMENT OF GOODS OR SERVICES

The grantee shall follow its own written procurement policies and procedures when procuring goods or services for activities relating to performance of the grant. All documents related to the procurement of goods or services shall be maintained by the grantee for the records retention period (at least five years).

USE OF CONTRACTORS

Grantees may contract for services for performance of a project as set forth in the grant agreement or with prior written approval from the Department.

- Contractor services must be for the purpose of achieving the grant objectives.
- Grantees are responsible for ensuring that each contractor complies with the grant agreement, including, if applicable, collecting and reporting of inspection data and disallowance of supplanting.
- Contracting out shall not affect the grantee's overall responsibility for the management of a project, and the grantee shall reserve sufficient rights and control to enable it to fulfill its responsibilities for the grant.

PROJECT REQUIREMENTS

ADMINISTRATIVE COSTS

Administrative costs are the portion of staff time, office space, equipment and supplies needed to operate the program.

PROJECT COSTS

Project costs may include the reasonable and necessary cost of APPS-enforcement related items required to conduct grant-related operations.

PROJECT INCOME

Awarded funds should be used expeditiously and need not be deposited into interest-bearing accounts. Income generated from a project, if any, may not be reinvested by the grantee into the project for which the grant was awarded. Any funds in excess of the grant award shall be returned to the Department, in accordance with the general purposes of the grant. Project income does not include fines, penalties, legal costs, attorney's fees, or other property collected as a result of enforcement actions by the grantee.

OVERPAYMENT OF FUNDS

If an agency is inadvertently funded for more than the approved amount, the overpayment of funds must be returned to the Department, within ninety (90) days of the notice of overpayment. If the grant term has ended, the agency must return the unspent funds made payable to the California Department of Justice:

California Department of Justice
Division of Operations
GVRP Grant Program
P.O. Box 160167
Sacramento, CA 95816-9998

RECORDS RETENTION

Grantees shall maintain records relating to the application, grant agreement, scope of work, and performance of projects, for the records retention period established by the Grantee's agency for those types of records, or for five years from the date the grant was closed out, whichever is longer. These records include, but are not limited to, reports of enforcement activities, policy programs, accounting records (financial statements, general and subsidiary ledgers), personnel activity records, payroll records, travel claims, receipts, documents showing the calculation or methodology for determining whether funds were supplanted, and documents showing the calculation or methodology for determining administrative costs.

NONCOMPLIANCE

In the event a grantee fails to comply with the terms and conditions of the Act or grant agreement, the Department will notify the grantee, and meet and confer to resolve the issue.

In the event the Department and a grantee are unable to resolve a grantee's non-compliance with the terms and conditions of the Act or grant agreement, the Department may take one or more of the following actions:

- Recovery of funds paid to the grantee.
- Termination of the grant agreement.
- Disqualification from consideration for future grants.

NON-USE OF FUNDS

Grantees are expected to initiate enforcement activities within 60 days of receiving the grant funds and are responsible for advising the Department if they are unable to do so. Grantees who have not started their project and expended any funds within the first year of the beginning of the grant term shall forfeit their award.

ALLOWABLE COSTS; REASONABLE COSTS; ALLOCABLE COSTS

Costs must meet all of the following general criteria to be allowable. An allowable cost must:

- Be an actual incurred cost.
- Be reasonable for the performance of the grant and allocable to the grant.
- Be accorded consistent treatment. In the event a cost is assigned in one way and another cost incurred for the same purpose in like circumstances was previously allocated in another way, the grantee shall provide a description of both the current and the prior assignments. The description shall be sufficient for the Department to ascertain whether or not funds have been supplanted.
- Be adequately documented.
- Comply with the Act and terms and conditions of the grant agreement.
- Comply with applicable laws and regulations.

A cost is reasonable if, in its nature and amount, it does not exceed that which would be incurred by a prudent person under the circumstances, prevailing at the time the decision was made to incur the cost. In determining the reasonableness of a given cost, consideration will be given to:

- Whether the cost is generally recognized as ordinary and necessary for the proper and efficient performance of the grant.
- The requirements of the grant program and the terms and conditions of the grant agreement.
- Market prices for comparable goods or services for the geographic area.
- Whether the grantee deviates from its established practices and policies regarding the incurrence of costs, which may unjustifiably increase a cost.

A cost is allocable to the grant if the cost is incurred for grant-related activities.

Unless otherwise provided for in the grant agreement, if a cost is incurred for the performance of grant-related activities and also for other non-grant-related activities, and benefits both grant and non-grant activities, the proportion that is incurred for the performance of grant-related activities may be approximated using reasonable and properly documented methods and assigned to the grant.

SUPPLANTING

Grant funds may not be used to pay for costs that are already funded within the grantee agency's budget, or for which other funding has already been received, in order to reallocate existing funding to other purposes. If funds awarded under this grant are used to supplant existing agency resources previously allocated for the same purpose, the Department may pursue remedies for non-compliance.

DEFINITIONS

The following definitions apply to this Handbook and the associated RFP:

- **Administrative Costs.** Administrative costs are the portion of staff time, office space, equipment and supplies needed to operate the program. They include necessary and reasonable indirect expenses as allowed under the terms and conditions of the grant agreement, limited to five percent of the total expenditures.
- **AFS.** Automated Firearms System
- **Application.** A request by an eligible agency to receive a grant from the Department pursuant to Senate Bill 129 (Budget Act of 2021).
- **Armed Prohibited Persons System (APPS).** The Armed and Prohibited Persons Systems (APPS) database cross-references firearms purchasers against other records for individuals who are prohibited from possessing firearms. Prohibited Armed Persons File described in Section 30000 of the Penal Code.
- **CLEW.** California Law Enforcement Website
- **Contractor.** An entity or person, including a consultant, that enters into a contract with a grantee to perform an approved grant-related activity.
- **Department.** The California Department of Justice.
- **Enforcement.** Law Enforcement field work related to the seizure of firearms, ammunition and magazines from individuals that are prohibited from owning or possessing firearms in the APPS database
- **Grant.** An award of financial assistance made to a Grantee, the principal purpose of which is the transfer of funds to carry out a project of public benefit authorized and intended by Senate Bill 129 (Budget Act of 2021), a RFP, and the grant agreement between the grantee and the Department.
- **Grant Agreement.** The final agreement entered into between the Department and a grantee, which sets forth the terms and conditions of the Grant. The grant agreement includes the executed MOU, RFP and associated documents, application and associated documents, and this Handbook.
- **Grant Duration.** The period of time provided for in the Grant Agreement.
- **Grantee.** A county sheriff's department to which a grant is awarded.
- **Local Law Enforcement Agency.** A California county sheriff's department.
- **Project.** An undertaking that is planned to conduct activities and achieve stated goals and objectives for which funds were awarded by the Department to a grantee from the Gun Violence Reduction Program.
- **Records Retention Period.** The period of time after the grant is closed out that a grantee must maintain records related to the grant, which is at least five years.
- **Supplant.** Replace or reduce the amount of state or local funds currently being appropriated or previously appropriated for a purpose because grant funds are available or expected to be available to fund that same purpose. The effect of

supplanting would be to reduce the total amount that would have been available for the purpose stated in the application or grant agreement.

PART II: GRANT OWNER'S MANUAL

GRANT ACCEPTANCE AND TERMS

AWARD

Your award is not final upon initial notification. The Department will ensure all necessary documentation is in place prior to disbursing the grant funds.

The Department will send an MOU to successful grant applicants for signature. The Department will request agencies return the completed, signed MOU via email to GVRPGrants@doj.ca.gov.

TERMS AND CONDITIONS

By accepting these funds, your agency agrees to comply with, and be bound by, the conditions set forth in this Handbook.

DEPARTMENT GRANT MANAGEMENT

Agencies can contact the Department for assistance with implementation and oversight of the agency's specific grant program throughout the life of the grant. Questions can be directed to GVRPGrants@doj.ca.gov.

ALLOWABLE COSTS

In general, costs must meet all of the following general criteria to be allowable. An allowable cost must:

- Be an actual incurred cost.
- Be reasonable for the performance of the grant, and allocable to the grant.
- Be accorded consistent treatment. In the event a cost is assigned in one way and another cost incurred for the same purpose in like circumstances was previously allocated in the agency's budget in another way, the grantee shall provide a description of both the current and the prior assignments. The description shall be sufficient for the Department to ascertain whether or not funds have been supplanted.
- Be adequately documented.
- Comply with the Act and terms and conditions of the grant agreement.
- Comply with applicable laws and regulations.

A cost is reasonable if, in its nature and amount, it does not exceed that which would be incurred by a prudent person under the circumstances prevailing at the time the decision was made to incur the cost. In determining the reasonableness of a given cost, consideration will be given to:

- Whether the cost is generally recognized as ordinary and necessary for the proper and efficient performance of the grant.
- The requirements of the grant program and the terms and conditions of the grant agreement.

- Market prices for comparable goods or services for the geographic area.
- Whether the grantee deviates from its established practices and policies regarding the incurrence of costs, which may unjustifiably increase a cost.

A cost is allocable to the grant if the cost is incurred for grant-related activities. Unless otherwise provided for in the grant agreement, if a cost is incurred for the performance of grant-related activities and also for other non-grant-related activities, and benefits both grant and non-grant activities, the proportion that is incurred for the performance of grant-related activities may be approximated using reasonable and properly documented methods and assigned to the grant.

Specific costs that may be supported by funds awarded under the Gun Violence Reduction Program Grant Program are as follows:

Personnel

Salaries, benefits and overtime are allowable expenses.

Equipment

Equipment that directly supports the applicant's project proposal may be purchased using grant funds. Equipment is defined as an item that has a *per-unit* acquisition cost of \$5,000 or more and a useful life of at least one year.

Acceptable documentation to be retained by the grantee for equipment purchases include copies of receipts and proof of payment (copies of checks or credit card statements).

Supplies

Supplies that directly support the applicant's project proposal may be purchased using grant funds. Supplies are defined as items that have a per-unit cost of less than \$5,000 and may be consumable.

Acceptable documentation to be retained by the grantee for purchases of supplies include copies of receipts and proof of payment (copies of checks or credit card statements).

RESTRICTED ITEMS

Grant funds shall not be used to purchase items that are for personal use. Examples include, but are not limited to, the items on the following list. If an item appears on this list, or if there is a question about whether funding can be used to purchase the item, prior approval from the Department's Local Assistance Unit should be sought.

- Ammunition
- Briefcases
- Calendars (Decorative)
- Cleaning supplies
- Coffee pots and supplies
- Facilities renovations
- Firearms and related accessories (scopes, holsters, racks, etc.)
- Food, beverages, and any other consumables
- Gift cards
- Hand sanitizers
- K9
- Kleenex/tissue papers
- Luggage
- Luggage carriers
- Pepper spray
- Personalized products used to advertise an agency and/or programs (e.g., pens, magnets).
- Picture frames
- Plastic eating utensils
- Portable fans
- Portable heaters
- Refreshments for meeting/conferences
- Refrigerators
- **Vehicles and/or vehicle trailer purchases** (vehicle usage, leases, fees, and mileage reimbursement are allowable).

ACCESSING GRANT FUNDS

The grant recipient will not be eligible to receive funding for expenditures until a Government Agency Taxpayer ID Form is in place. Upon receipt of the finalized documents, the Department will request payment through the California State Controller's Office (SCO).

EXTENSIONS

If your agency needs additional time to fully expend awarded funds, an extension will not be granted. Grant funds shall be available for encumbrance or expenditure for two years from their award date. Pursuant to the Budget Act of 2021, any remaining funding allocated to county sheriff's departments pursuant to Provision 2 that are not expended

within two years from the award date shall revert to, and be paid and deposited in, the General Fund.

RECORDS RETENTION

Grantees shall maintain records relating to the application, grant agreement, scope of work, and performance of projects, for the records retention period established by the agency for those types of records, or for five years from the date the grant was closed out, whichever is longer. These records include, but are not limited to, reports of enforcement activities, policy programs, accounting records (financial statements, general and subsidiary ledgers), personnel activity records, payroll records, travel claims, receipts, documents showing the calculation or methodology for determining whether funds were supplanted, and documents showing the calculation or methodology for determining administrative costs.

AUDITS

Grant fund recipients are subject to audit by the California State Auditor. All documentation related to the receipt and use of grant funds shall be made open to inspection upon request by the California State Auditor.

CLOSING OUT

Once your agency's award expires, whether or not funds were fully expended, it must be closed out. Pursuant to the Budget Act of 2021, any remaining funding allocated to county sheriff's departments pursuant to Provision 2 that are not expended within two years from the award date shall revert to, and be paid and deposited in, the General Fund.

GVRP ANNUAL REPORT

Each grantee shall, by no later than the February 1 following each calendar year in which grant funds were used, complete the "Department Gun Violence Reduction Program Annual Reporting Template", which includes all of the following information for the calendar year in which grant funds were used:

- (1) The total number of individuals in the APPS within its jurisdiction and the number of cases that are active and pending, as follows:
 - a. For active cases, the agency shall report the status of each case for which the agency has initiated an investigation. This information shall include, at a minimum, the number of cases that have not been actively investigated for 12 months or longer, along with a breakdown of the time period that has elapsed since a case was added to the system. "Investigation" means any work conducted by sworn or nonsworn staff to determine whether a prohibited person possesses one or more firearms, whether to remove the person from the database, or whether to shift the person to the pending caseload; and
 - b. For pending cases, the department shall separately report the number of cases that are unable to be cleared, unable to be located, related to out-of-state individuals, related to only federal firearms prohibitions, and related to incarcerated individuals.

- (2) The number of individuals within the county added to the APPS database.
- (3) The number of individuals within the county removed from the APPS database, including a breakdown of the basis on which they were removed. At a minimum, this information shall separately report those cases that were removed because the individual is deceased, had prohibitions expire or removed, or had their cases resolved as a result of firearm seizure activities.
- (4) The degree to which the backlog in the APPS has been reduced or eliminated within its jurisdiction. For purposes of this section, "backlog" means the number of cases for which the agency did not initiate an investigation within six months of the case being added to the APPS or has not completed investigatory work within six months of initiating an investigation on the case.
- (5) The number of individuals within the county in the APPS before and after the relevant reporting period, including a breakdown of why each individual in APPS is prohibited from possessing a firearm.
- (6) The number of deputies and other staff hired for or tasked with enforcement of the APPS.
- (7) The number of firearms recovered / unaccounted for due to enforcement of the APPS and confirmation that the recovered firearms were entered into AFS
- (8) The number of contacts made during the APPS enforcement efforts.
- (9) Personal Information of prohibited subject (i.e., Name, Date of Birth, California Driver's License, etc.)
- (10) Agency report number.
- (11) Disposition of case.
- (12) Prohibited subject disposition in the APPS database (Via CLEW).

The template is available on the Department's website at: <https://oag.ca.gov/gvrp>