



## Maximizing Federal Criminal Justice Funding

BY ALISON LAWRENCE

While federal funding accounts for only 1% to 2% of state corrections spending, its effect can be much larger. Take, for example, the Multnomah County, Ore., [Reentry Enhancement Coordination Program](#), which used federal funding to get off the ground. The program provides high-risk offenders leaving prison with counseling and substance abuse treatment that was proven to work. An evaluation found that new arrests decreased by one-third and that for every dollar put into the program, \$6.73 was saved from potential future criminal justice and victimization costs.

The seed money for this program was provided by the [Edward Byrne Memorial Justice Assistance Grant](#) (Byrne JAG) program. Byrne JAG supports initiatives across the entire criminal justice system that are innovative or replicate evidence-

based practices. It is this breadth and flexibility, unique from other federal justice grants, that makes these funds so effective. Statewide coordination and planning can help to identify programmatic needs and leverage the funds to fill those gaps.

### Federal Action

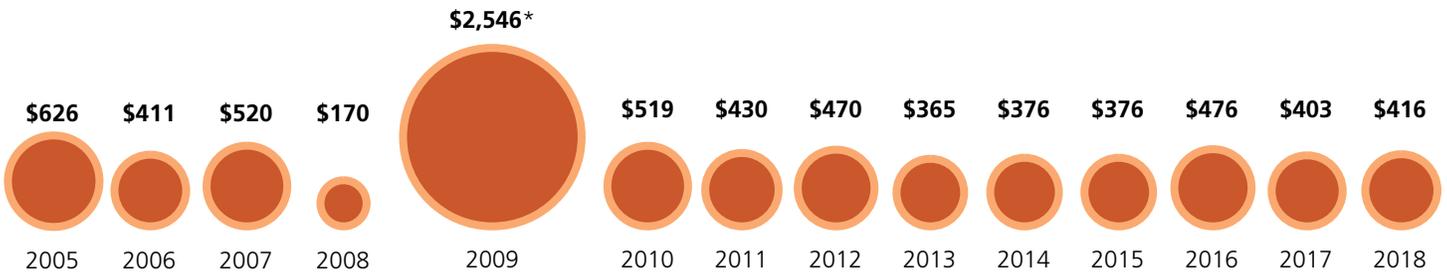
Byrne JAG is the primary source of federal justice funding to states and localities. It was first created in the Omnibus Crime Control and Safe Streets Act of 1968 and most recently amended in the [Justice For All Reauthorization Act of 2016](#). Appropriations peaked in FY 2002 at \$830 million but have been on the decline in recent years, hovering around \$350 million. While the law permits up to \$1.1 billion per year, the actual amount allocated by Congress has not come close in recent years.

### Did You Know?

- The nation's first drug court, started in Miami in 1989, was supported by Byrne JAG funding.
- There are 56 State Administering Agencies, one for each state and territory, to distribute federal criminal justice funding. [Find your contact.](#)
- In FY 2016, Byrne JAG funding supported reentry and recidivism reduction initiatives in at least 26 states.

## Federal Byrne JAG Appropriations for Criminal Justice Programs

Fiscal year 2005-2018, in millions.



\* **Note:** One-time increase because of the American Recovery and Reinvestment Act

Source: Congressional Research Service, 2018

The majority of Byrne JAG funding is distributed according to a statutory formula that is based on population and certain violent crime statistics. Designated state agencies, known as [State Administering Agencies \(SAAs\)](#), are charged with applying for and distributing these and other federal justice funds. The remaining funds are awarded directly to local jurisdictions using an application process administered by the U.S. Department of Justice's Bureau of Justice Assistance.

Congress has enacted a handful of laws establishing that states found to be noncompliant will lose a portion of their funding. These "penalty" bills include the [Sex Offender Registration and Notification Act](#), [Prison Rape Elimination Act](#), National Instant Criminal Background Check System and Deaths in Custody Act. NCSL has responded to these penalty bills in its [criminal justice policy](#). The policy opposes federal legislation or regulations that would withhold a portion of Byrne JAG funds as a penalty for noncompliance with federal criminal justice policies.

While not a penalty, the Justice For All Act did add a new requirement for states to receive funding. Starting with FY 2019, SAAs must submit a statewide strategic plan that maps out the state's resource allocation, data collection and evidence-based practices implementation. States are using the strategic plan as a catalyst to assess their entire criminal justice system, not just those areas receiving federal dollars.

### State Action

Many programs that were first tested with Byrne JAG grants have been brought to scale within their state and across the nation. The research conducted and lessons learned have helped inform the

entire criminal justice community. Highlights of [state work](#) supported by Byrne JAG include:

■ **Law Enforcement.** In FY 2016 alone, at least 40 states supported multi-jurisdictional task forces that tackle complex criminal activity related to drug, gangs, human trafficking and weapons. Many states also support technology and equipment upgrades. Arkansas, for example, operates a grant program for primarily rural agencies that do not have adequate funds to purchase the equipment.

■ **Courts and Prosecution.** Byrne JAG supports testing new approaches in specific problem-solving courts, like drug court, veteran's court and mental health court. Wisconsin expanded nine court programs and started two others in 2015 and 2016. Mississippi funds a statewide certification and oversight board to ensure that courts are following the [established research model](#).

■ **Mental Health and Substance Abuse Treatment.** Byrne JAG supplements other sources of federal behavioral health treatment funding. Massachusetts provides vocational and educational training in its jail-based residential drug treatment programs, a service not standard in treatment settings. Virginia provides naloxone kits to reverse opioid overdoses to law enforcement officers who participate in a specialized training operated by the state.

■ **Corrections and Reentry.** How to treat young adults in the criminal justice system is an emerging criminal justice issue. Connecticut created a special housing unit for prisoners ages 18 to 25. Byrne JAG funds transitional services like housing vouchers in Nebraska, family reunification services in Washington, D.C., and temporary transportation services in Tennessee for people under supervision who've had their driver's license revoked.

### Additional Resources

- [NCSL letter to Congress supporting Byrne JAG FY 2020 funding](#)
- [National Criminal Justice Association](#)
- [Byrne JAG state funding allocations FY 2018](#)
- [Cornerstone for Justice: Byrne JAG and its Impact on the Criminal Justice System](#)

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