

BUREAU OF JUSTICE ASSISTANCE

# PROSECUTING COLD CASES USING DNA PROGRAM GRANTEE ORIENTATION WEBINAR

January 17, 2024



**BJA**  
Bureau of Justice Assistance  
U.S. Department of Justice



# Presenters

- **Carey Hendricks** – BJA Policy Office
- **Esmeralda Woche** – BJA Programs Office
- **Monte Evans II** – BJA Programs Office
- **Nichole Norvesh** – BJA Operations Office
- **Lindsey Wade** – RTI, BJA Forensics TTA Program

# Agenda

Welcome and Introduction to OJP and BJA

Program and JustGrants Overview

Grants Management Overview

Performance Reporting

Resources

Q&A

SECTION 1

# WELCOME AND INTRODUCTION



**BJA**  
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# What is the Office of Justice Programs?

- The Office of Justice Programs (OJP) provides grant funding, training, research, and statistics to the criminal justice community.
- OJP is one of three grant-making components of the Department of Justice along with the **Office on Violence Against Women (OVW)** and the **Office of Community Oriented Policing Services (COPS)**.

**BJA** – Bureau of Justice Assistance



**BJS** – Bureau of Justice Statistics



**NIJ** – National Institute of Justice



**OVC** – Office for Victims of Crime



**OJJDP** – Office of Juvenile Justice and Delinquency Prevention



**SMART** – Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering, and Tracking



# U.S. Department of Justice Bureau of Justice Assistance

**Mission:** BJA's mission is to provide leadership and services in grant administration and criminal justice policy development to support state, local, and tribal justice strategies to achieve safer communities. BJA works with communities, governments, and nonprofit organizations to reduce crime, recidivism, and unnecessary confinement, and promote a safe and fair criminal justice system.

**Karhlton F. Moore, BJA Director**



<https://bj.a.ojp.gov/>



# How BJA Supports the Field



## Fund

Invest diverse funding streams to accomplish goals.



## Educate

Research, develop, and deliver what works.



## Equip

Create tools and products to build capacity and improve outcomes.



## Partner

Consult, connect, and convene.

# Poll Question

Has your organization been awarded federal grants in the past?

Yes, my organization has extensive experience with federal grants.

Yes, though my organization does not currently have any federal grants.

My organization has limited experience with federal grants.

My organization is new to federal grants and looking to learn more!

# BJA Prosecuting Cold Cases Using DNA (COLD) Program Team



**Carey Hendricks** – Policy Advisor, Policy Office



**Hannah Barcus** – Associate (Contractor), Policy Office



**Esmeralda Woche** – Division Chief, Programs Office



**Monte Evans** – State Policy Advisor, Programs Office



**Nichole Norvesh** – Research Associate (Contractor), BJA Performance Metrics

# BJA Team – Contact Information

Name	Email	Phone
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# Award Management Structure



## SECTION 2

# PROSECUTING COLD CASES USING DNA (COLD) PROGRAM OVERVIEW



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# COLD Program Overview

- Competitive grant program designed to decrease the number of violent crime cold cases awaiting prosecution. Supports the **prosecution** of violent crime cold cases, **where DNA from a suspect has been identified** (suspect(s) may be known or unknown).
- **Main Goals**
  - 1) Prosecute violent crime cold cases
  - 2) Decrease the number of violent crime cold cases awaiting prosecution
- Prosecuting agencies, law enforcement, state agencies, or local crime laboratories may partner with the agency that serves as the lead applicant for the award to work toward achieving the program goal of seeking resolution in violent crime cold cases. **However, a prosecuting entity must be fully engaged in the project.**

# Suspect DNA

- “DNA from a suspect” means DNA from a crime scene, attributed to a suspect, ***which has already been analyzed***, with a statistically relevant profile developed
  - Suspect may be known or unknown
  - CODIS Hit or no Hit (John Doe warrant type of situation)
  - No untested SAKs
  - **Does not mean - DNA evidence present, but no testing has occurred**
- Familial searching must be conducted (if allowed in your state) prior to any FGG work, *however*
- Please contact Carey Hendricks if the familial searching backlog is >3 months.
- **If you do not already have a statistically relevant suspect DNA profile, you cannot use COLD funds to work a case**

# FY 2023 COLD Solicitation Highlights

- **Violent crime cold case definition:** FBI UCR Part 1 Violent crime, Missing Persons/Unidentified Persons case that is unsolved at the time of the application submission. (page 9)
  - Although the Cold Case definition includes MP/UP cases, funding from this program may not be used for these cases unless a suspect in each case has been ID'd & a corresponding DNA profile has been generated.
- **Required training:** “Award recipients must attend an annual 2-day forensics workshop that will take place *virtually*.\*\* Up to three representatives will be allowed to attend each annual meeting during the course of the grant period (starting in 2024), and applicants should budget accordingly.” (page 14)
- **In-house Genealogy:** “...(i.e., tree-building and subsequent steps in the process) will be required to complete the BJA/FBI archived Forensic Genetic Genealogy training as well as any future BJA/FBI forensic genetic genealogy trainings that may occur during the grant’s lifespan. Visit <https://www.sakitta.org/newsandevents/events.cfm> for additional information.” (page 14)
- **Inventory certification:** Access of up to 25% of grant funds in order to complete the inventory. BJA must approve of the inventory completion. Forensics TTA is available to help with this process. (page 10)

# Inventory Certification Form

Please submit your completed Inventory form including the total number of cold cases to Carey and Hannah for final BJA approval. The approved form will be subsequently attached to your account in JustGrants, allowing the special condition withholding to be lifted and the remainder of your funds to become available, provided all other special conditions have been met.

Agency Case Number or Unique Identifier	Year the crime occurred	What year was the suspect profile developed?	What technology developed suspect profile? (STR, YSTR, ...)	What level of CODIS is the suspect profile in? (LDIS, NDIS, SDIS)	Has this profile had a CODIS hit and a corresponding subsequent investigation?	If the profile is not in CODIS- does your prosecutor deem the profile to be statistically relevant/statistically significant?

# Infant Homicide Cases

- If there is already a suspect DNA profile developed in the case, you **do not** need to worry with this additional case criteria. This guidance is only applicable to cases in which you believe the infant's DNA profile is probative and potentially identifying to the suspect (and there is no other suspect DNA profile developed).
- If you would like to submit infant homicide cases in which you believe the infant's DNA profile is probative of the suspect, the following must be submitted to BJA for approval, in an email to Carey and Hannah, certifying that ...

# Infant Homicide Cases Criteria

1. The cause of death is ruled a homicide and/or the prosecutor assigned to the project accepts the case as a homicide.
2. The initial DNA testing of the infant's remains has been completed and the corresponding profile is uploaded to the Missing and Unidentified Index of CODIS.
3. A statement certifying that the DOJ Interim Policy of FGJ will be followed. Current Interim Policy can be located [here](#).

# Allowable Uses of Funds

- Federal funds must be used to supplement existing state and local funds for program activities and must not supplant those funds that have been appropriated for the same purpose.
- All expenditures under this program must relate directly to violent crime cold cases where **a suspect has been identified by DNA**, and for activities that may lead to the prosecution of such violent crime cold cases.
- This may include:
  - Investigative activities: interviewing witnesses, victims, and suspects; crime analysis
  - Identifying, locating, collect, processing, and analyzing evidence
  - Overtime
  - Travel
  - Familial DNA searches
  - Forensic Genetic Genealogy
  - Consultant costs
  - Computer equipment



# Unallowable Uses of Funds

Salaries, benefits, or overtime for staff who are not directly engaged in prosecution, case review, investigation, location of evidence, and forensic analysis of evidence for violent crime cold cases where DNA from a suspect has been identified (suspect(s) may be known or unknown)

Laboratory equipment

Portable investigative equipment

Vehicles

Construction

Renovation

Rental costs for space

Office furnishings



Costs for general cold case investigations — those that do not involve UCR, Part 1 violent crimes, and do not have suspect DNA identified

General laboratory capacity enhancement or general casework backlog reduction

Unmanned aircraft systems (UAS), including unmanned aircraft vehicles (UAV), and all accompanying accessories to support UAS or UAV



# Forensic Genetic Genealogical (FGG) DNA Analysis and Searching

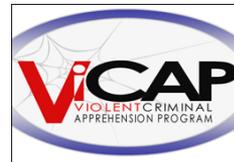
Award recipients utilizing funds for forensic genealogy testing must adhere to the United States Department of Justice Interim Policy Forensic Genealogical DNA Analysis and Searching available at: [United States Department of Justice Interim Policy: Forensic Genetic Genealogical DNA Analysis and Searching](#).

In accordance with Section IX, grantees must collect and report the following metrics to BJA:

1. The type of crime investigated
2. Whether forensic genetic genealogical DNA analysis (FGG)/forensic genetic genealogical DNA analysis and searching (FGGS) was conducted on a forensic sample or a reference sample
3. The type of forensic sample subjected to FGG and a description of the total amount, condition, and concentration of that sample (e.g., single source, mixed profile, degradation status, etc.)
4. Whether FGG analysis resulted in a searchable profile
5. The identity of the vendor laboratory used to conduct FGG and the genetic genealogy service(s) used to search the FGG profile
6. Whether the investigation resulted in an arrest that was based, in part, on the use of FGGS
7. The total amount of federal funding used to conduct FGG/FGGS in each case

# FGG Interim Policy Highlights

- Suspect cannot be arrested based solely on association from a FGGS
- Must conduct STR DNA Typing to confirm identity to initial profile uploaded to CODIS
- A forensic profile must have been uploaded to CODIS prior to any FGGS
- There must be failed attempts to find matches in CODIS searches
- Where applicable, relevant case information must be entered into NamUs and ViCAP



SECTION 3

# COLD PERFORMANCE MEASUREMENT

BJA Operations Office



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# COLD Operations Office Team



**Nichole Norvesh**  
Research Associate  
(Contractor)

# Overview of Performance Metrics and Progress Reports

- A copy of the performance measures can be shared with you via email
- **Due: Semi-Annually – Please Include:**
  - **Successes**
  - **Challenges**
  - **Any links** to publications/media coverage of cases
- Ensure your narrative matches your numeric Metric
- **Metric question** *“As of the date of award acceptance, how many “violent crime cold cases” where suspect DNA was identified (whether the suspect is known or unknown) does your agency expect to be able to work with this grant funding?”* – **This # will be the same for every report.**
- Your **FINAL** report will be cumulative of the entire award
  - You will submit your last 6 month (semi-annual) regular report + a FINAL report

# Overview of Performance Metrics

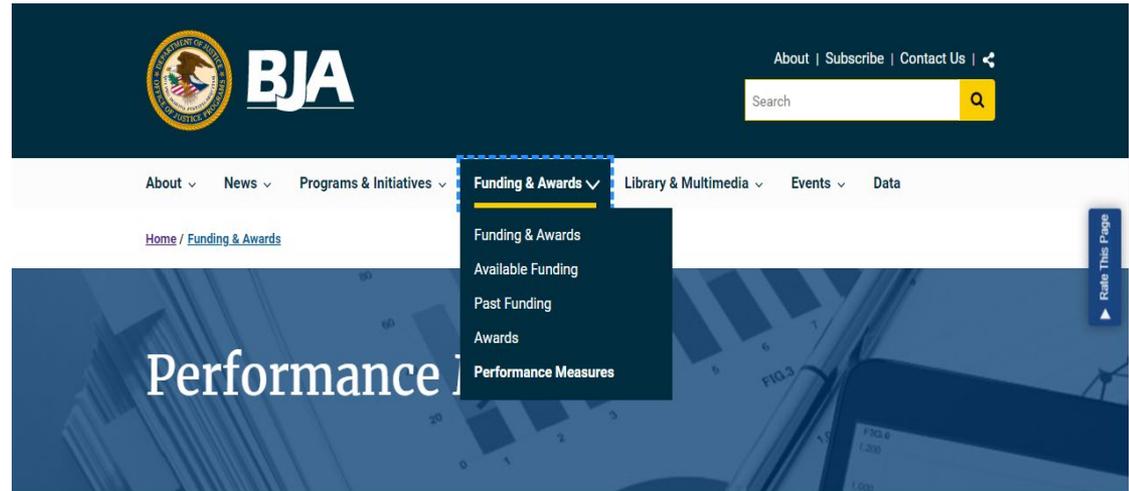
The performance report is broken down into 5 main topics

- **General Award Administration**
  - 2 metrics static across all programs. This tells us if grant funds were utilized during the reporting period or not.
- **Baseline**
  - 1 question regarding how many violent crime cold cases your agency expects to work with grant funds.
  - This gives us an idea of your goal and allows us to compare what is expected to what is completed, which can help identify areas of concern or areas of good progress.
- **Grant**
  - 27 metrics regarding the grant funded activities that were performed.
  - Metrics include a variety of question types covering topics from suspect identifications, evidence, and CODIS hit activities, to ViCAP, NamUs, and NIBIN activities.
- **FGG**
  - 10 metrics regarding grant-funded FGG activities (e.g., how many samples were subjected to FGG, specific information on those samples, number of suspects identified using FGG).
- **Semiannual Narrative Questions**
  - Static across all programs. This is a chance to go into detail about how your agency is using funds and what progress is being made towards goals.

# BJA Performance Measures Webpage

## Resources Available to BJA Grantees

- Specific performance measure reporting guidance
- Training videos
- Data collection best practices
- Managing subrecipient reporting tip sheet
- And more!



- <https://bja.ojp.gov/funding/performance-measures>
- <https://www.youtube.com/dojbja> - YouTube Channel

SECTION 4

# COLD GRANT MANAGEMENT

BJA Programs Office



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# COLD Programs Office Team



**Esmeralda Woche**  
Division Chief



**Monte Evans II**  
State Policy Advisor

# Programs Office Role

Programs Office staff are committed to ensuring that the highest level of service is provided to our customers.

Programs Office staff provide timely and accurate information and assistance to their customers on the broad array of grant programs and other activities we support.

Programs Office staff members develop and maintain mutual and professional relationships with all customers and provide prompt, courteous, and well-informed responses to grant applicants and recipients; local, state, and federal agencies and organizations; American Indian tribes; OJP; and the general public.

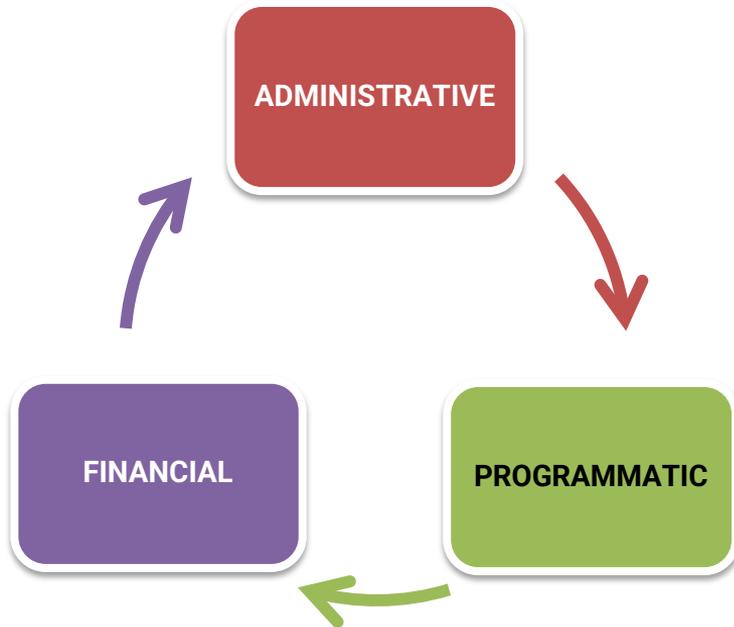
# State Policy Advisor/Grant Manager Role

As first line of direct communication with grantees within BJA, is responsible for reviewing and approving grantee reports and grant adjustment modifications, and processing grant closeouts.

Addresses all questions regarding programmatic, financial, and administrative elements of your grant.

Communicates about all the award conditions, including the award release conditions related to COLD program requirements.

# Three Areas of Grant Management



- **Administrative**
  - Award acceptance
  - Award condition compliance
  - Semi-Annual progress reports
  - Grant award modifications
- **Programmatic**
  - Implementation of project
  - Goals, objectives, and activities
- **Financial**
  - Federal financial reports
  - Budget clearance, modifications, and reallocations

# Working Effectively Together

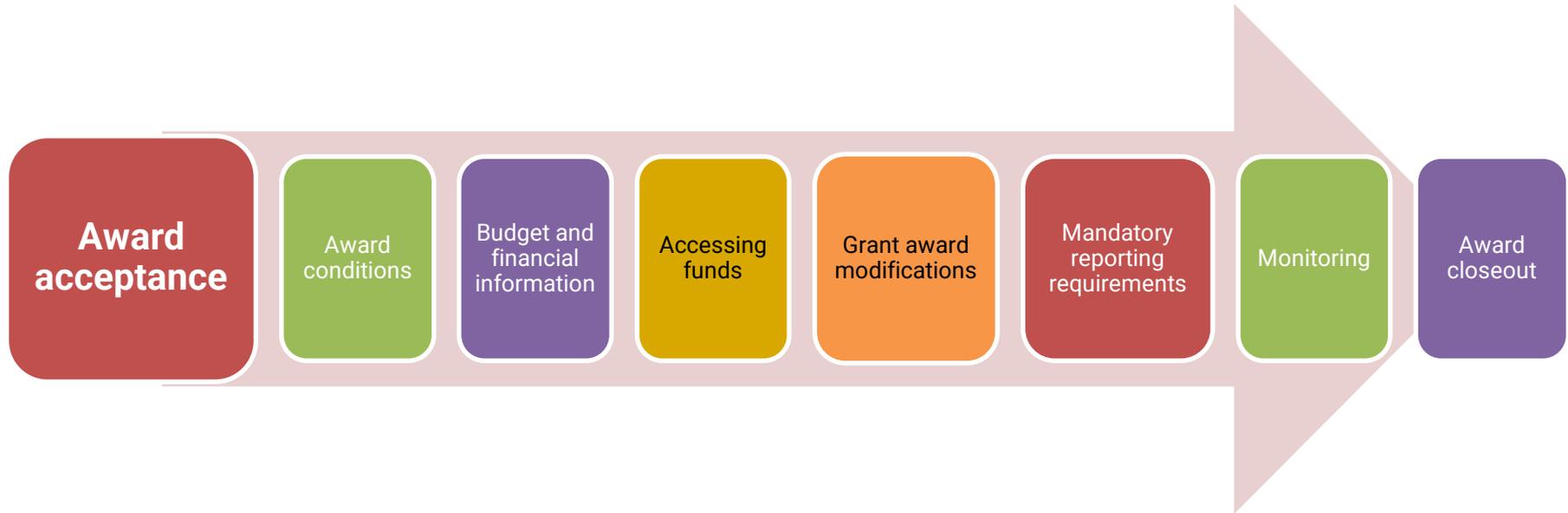
Share updates about your project—we appreciate those e-mails!

We are available to troubleshoot or talk through issues you encounter.

Programs Office State Policy Advisors talk to Policy and the TTA provider all the time. The more we know, the better we can support you.

If a request is a little unusual, it's okay to e-mail or call and talk through it before you spend time submitting it.

# Grant Management Cycle



# Award Acceptance

- The grant award agreement is a legally binding contract with the federal government.
- **The Authorized Representative accepts the award electronically in JustGrants.**
- **TIP:** Before the award can be accepted, the Entity Administrator must assign key roles in JustGrants.



# Award Acceptance

Award conditions may be attached to an award for financial and/or programmatic issues requiring resolution, referred to as withholding conditions.

Applicants have 45 days to accept the award through JustGrants from the date of award notification. The following training video regarding acceptance/denial may be helpful:

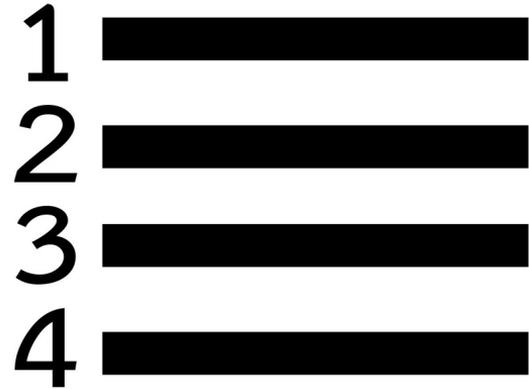
<https://justicegrants.usdoj.gov/training/training-grant-award-acceptance>.

Program-specific award conditions may be applied based on the individual needs, goals, and objectives of each grantee.

Please contact your State Policy Advisor/Grant Manager for any questions regarding the award acceptance process, or for any programmatic, financial, or administrative questions.

# Award Conditions

- **You are responsible for adhering to all award conditions.**
- The award conditions numbered 1 through 29 are the OJP standard conditions.
- Information on the standard OJP conditions is available at the following link:  
<https://www.ojp.gov/funding/explore/legal-overview-fy-2022-awards>.
- BJA specific award conditions begin at number 30 in the award agreement.



# Award Conditions

The most common award withholding conditions

- **Uncleared budget**  
Conditional Clearance
- **Missing documents**
  - Disclosure of Duplication
  - Disclosure of Lobbying Activities (SF-LLL)
  - Application Attachments

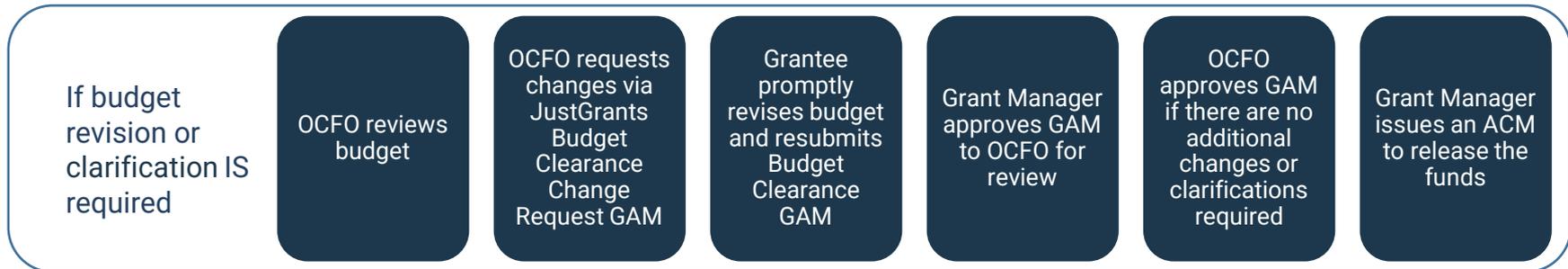
Program specific conditions, including withholdings will typically be found on the last page of your conditions.

Withholding conditions must be removed/resolved before funds can be obligated, expended, or drawn down.

Regular communication with your assigned Grant Manager is critical. You cannot begin activities until these holds have been cleared.

# Budget Clearance Process

All new awards include a withholding award condition for budget approval a Grant Award Modification (GAM) and subsequent Award Condition Modification (ACM) must be processed in order to access funds.



# Grants Financial Management Training

- The Grant Award Administrator and Financial Manager assigned to your award must complete training within 120 days of grant acceptance (if it was not previously completed on/after 1/1/2020).
  - If the Grant Award Administrator and/or Financial Manager change, they will have 120 days to complete their training from the day they are added within the JustGrants system.
- **For certain recipients, this will be a withholding condition.**
- Must be completed every three years.
- Available online at <https://onlinegfmt.training.ojp.gov/>.
- Submit Grants Financial Management Training certificates to your BJA State Policy Advisor/Grant Manager.



# Poll Question

Is there an award condition that your agency has difficulty with or questions on?

Conditional Budget Clearance

NEPA

Indirect Costs

Deliverables

# Accessing Funds

In order to access funds, the following actions must be completed:

- Valid award acceptance in JustGrants.
- Removal of all withholding award conditions, if applicable.
- Entity registration in the U.S. Treasury's Automated Standard Application for Payments (ASAP) system.
- Submission of any delinquent reports, if applicable.



# Grant Award Modifications (GAM) Overview

- A GAM is used to request project changes that require prior approval.
- The assigned GAA must submit GAMs in JustGrants.
- GAM types include:
  - Budget Modification
  - Change Project Scope
  - Project Period Extension
  - Sole Source Approval
  - Programmatic Costs



**BEST PRACTICE: Contact your State Policy Advisor/Grant Manager if you have questions prior to submitting a GAM.**

# Grant Award Modifications (GAM)

## Programmatic

- Programmatic Costs GAM
- Scope Change GAMs alter programmatic activities, change the purpose of the project, change the project site, or change key staff

## Financial

- Budget Clearance GAM
- Budget Modification GAM
- Sole Source GAM requires substantial justification, must receive prior approval for any sole source procurement in excess of simplified acquisition threshold (currently \$250,000)



# GAM: Project Period Extension

- Must be requested through JustGrants at least 30 days prior to the current end date.
- Must include narrative justification and a revised timeline. **Extensions should not be requested solely to expend remaining funds.**
- Generally, no more than one extension not to exceed 12-months is approved.
- See Financial Guide for all requirements.
- OJP will consider exceptions on a case-by-case basis.



# Reporting Requirements: Overview

Report Type	Reporting Period	Due	JustGrants Role
<b>Federal Financial Report (SF-425) – Submitted in JustGrants</b>	<ul style="list-style-type: none"> <li>• Jan 1 – Mar 31</li> <li>• Apr 1 – Jun 30</li> <li>• Jul 1 – Sep 30</li> <li>• Oct 1 – Dec 31</li> </ul>	<ul style="list-style-type: none"> <li>• April 30</li> <li>• July 30</li> <li>• October 30</li> <li>• January 30</li> </ul>	Financial Manager
<b>Semi-Annual Performance Report - Submitted in JustGrants</b>	<ul style="list-style-type: none"> <li>• Jan 1 – Jun 30</li> <li>• Jul 1 – Dec 31</li> </ul>	<ul style="list-style-type: none"> <li>• July 30</li> <li>• January 30</li> </ul>	Grant Award Administrator (Alternate GAA can edit but not submit)

**The Final FFR and Final Performance Reports will be due 120-days from the project end date.**

# Important Reporting Reminders

## Federal Financial Reports (SF-425)

- Report funds obligated and/or expended, NOT draw-down amounts.
- Ensure funds that have been obligated align with approved budget.
- Report for every quarter regardless of whether or not expenses were incurred.
- Report CUMULATIVE amounts each quarter.

## Performance Reports

- Answer performance measure questions specifically written in the solicitation.
- Provide BJA Grant Manager accurate snapshot of implementation.
- Report must be submitted even if no activities occurred in report period.

JustGrants automatically freezes grant funds for delinquent reports. It is important to submit reports on time. Late reports also influence how your award risk is assessed by OJP and may affect subsequent applications.

# Semi-Annual Question Sets

The performance measure questions found in the solicitation are imbedded in your progress report.

You must answer these questions even if there was no activity.

Do not submit a blank report.

If you have questions – please reach out to your Grant Manager prior to submitting your report.

Submission Tip: Make sure to complete the question set, after submitting scroll down to the bottom of the performance report and hit submit.

# Grant Monitoring

- Monitoring activities can be conducted by Program and/or OCFO Staff on-site or remote through an EPDR (Enhanced Programmatic Desk Review).
- Monitoring allows Grant Managers to:
  - Observe compliance with requirements and progress against project goals,
  - Identify opportunities to provide technical assistance, and
  - Ensure that adequate controls are in place to improve accountability of federal funds.
- Per the Uniform Guidance, recipients are required to monitor subrecipients.

# Subrecipient Monitoring and FFATA Reporting Requirements

Recipients must have written policies and procedures for subrecipient award process per 2 C.F.R. § 200.303 and 200.331. Post-award procedures must:

- Contain a risk-based approach for selecting subrecipients to monitor,
- A process for monitoring,
- A monitoring checklist that satisfies administrative, financial, and programmatic elements,
- Process for documenting findings in a report, and
- Procedures for follow-up on issues for resolution.

The grantee's subrecipient policies and procedures should include a process for closing out subawards.

FFATA Reporting:

- Prime recipients of awards \$30,000.00 or more, must report on any first-tier subawards and subcontracts of \$30,000.00 within one month following subaward.
- To help navigate the submission process, user guides, FAQs, and online demos are available at [www.fsrs.gov/resources](http://www.fsrs.gov/resources).

# Closeout

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- All obligations must be incurred on or before the last day of the period of performance.
- Liquidation period of up to 120-days after to make any remaining payments.
- After submitting the Final Performance Report, Final FFR, and last drawdown in ASAP, the GAA submits the closeout.
- **Note:** the ASAP account will be suspended automatically upon submission of the closeout or 120 days after the project end date.



# Forensics Training and Technical Assistance (Forensics TTA) Program



## The Who:

- Led by RTI International
- Cadre of Subject Matter Experts (SMEs)

## The What:

- Provide TTA in support of grantees' strategic goals and objectives across forensic disciplines
- Proactively engage grantees to develop materials based upon agency needs
- Support sustainability through TTA surrounding the implementation of new policies/practices and enhancement of existing policies/practices

## The How:

- National Grantees Meeting
- Virtual TTA engagements
- Peer-to-peer connections
- Online learning (webinars, written briefs, working groups)
- Social media

# Contact Us!



[forensicstta@rti.org](mailto:forensicstta@rti.org)



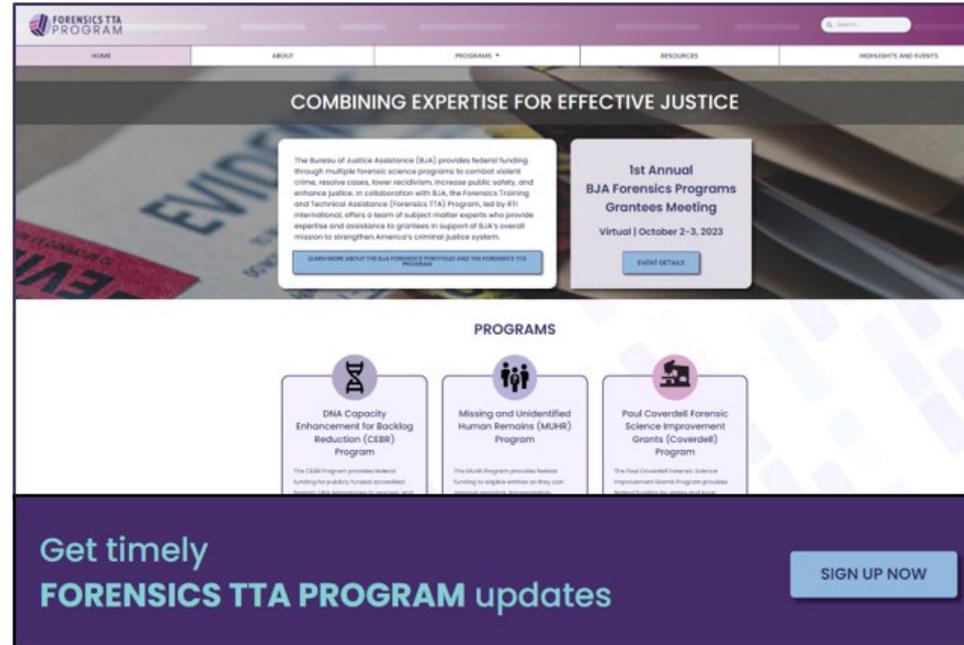
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- **YouTube:** <https://www.youtube.com/dojbja>
- Use the QR code to subscribe to “**Justice Matters**” and “**News From BJA**” to receive the latest information from BJA and the field.
- For information on funding opportunities, publications, and initiatives, visit **BJA’s website:** [www.bja.ojp.gov](http://www.bja.ojp.gov).





## Questions?

Enter in the Q&A box and send to All Panelists.