



BJA FY 13 John R. Justice Program 2013-H3985-HI-RJ



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APPLICATION FOR FEDERAL ASSISTANCE	2. DATE SUBMITTED	Applicant Identifier
1. TYPE OF SUBMISSION Application Non-Construction	3. DATE RECEIVED BY STATE	State Application Identifier
	4. DATE RECEIVED BY FEDERAL AGENCY	Federal Identifier
5. APPLICANT INFORMATION		
Legal Name Department of The Attorney General		Organizational Unit Crime Prevention And Justice Assistance Division
Address 425 Queen Street Honolulu, Hawaii 96813-2903		Name and telephone number of the person to be contacted on matters involving this application Tice, Shaleigh (808) 586-1157
6. EMPLOYER IDENTIFICATION NUMBER (EIN) 99-0267141		7. TYPE OF APPLICANT State
8. TYPE OF APPLICATION New		9. NAME OF FEDERAL AGENCY Bureau of Justice Assistance
10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBER: 16.816 CFDA TITLE: 16.816 & John R. Justice		11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT Hawaii John R. Justice Grant Program
12. AREAS AFFECTED BY PROJECT Statewide		
13. PROPOSED PROJECT Start Date: October 01, 2013 End Date: September 30, 2014		14. CONGRESSIONAL DISTRICTS OF a. Applicant b. Project HI01 HI02
15. ESTIMATED FUNDING		16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS? Program is not covered by E.O.
Federal	\$52,955	
Applicant	\$0	
State	\$0	

Local	\$0	12372
Other	\$0	
Program Income	\$0	17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT? N
TOTAL	\$52,955	
18. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION PREAPPLICATION ARE TRUE AND CORRECT, THE DOCUMENT HAS BEEN DULY AUTHORIZED BY GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS REQUIRED.		

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HAWAII JOHN R. JUSTICE GRANT APPLICATION

Program Abstract (Attachment 1)

Applicant: Hawaii Department of the Attorney General

Goals: To encourage qualified attorneys to choose careers as prosecutors and public defenders and to continue in that service.

Strategy: This program will provide student loan repayment assistance for state and federal public defenders and state and county prosecutors who commit to continued employment as public defenders and prosecutors for at least three years. A Selection Committee composed of representatives of the state Department of the Attorney General, the state Office of the Public Defender, the Federal Public Defender's Office for the District of Hawaii, and the four county prosecution offices will review applications and determine which eligible applicants will receive repayment awards of \$5,200 each. The Selection Committee will ensure that the total amount of loan repayment funding is allocated equally between prosecutors and public defenders and give priority to eligible applicants who have the least ability to repay their loans. The Department of the Attorney General will make payments directly to the financial institutions that hold the student loans.

HAWAII JOHN R. JUSTICE GRANT PROGRAM APPLICATION

Program Narrative (Attachment 2)

I. Background

The Hawaii State Judiciary system comprises four judicial circuit courts corresponding to Hawaii's four counties. The First Circuit encompasses the City and County of Honolulu (island of Oahu). The Second Circuit encompasses Maui County (Lanai, Maui, and Molokai islands). The Third Circuit encompasses Hawaii County (Hawaii island). The Fifth Circuit encompasses Kauai County (Kauai and Niihau islands). There is no fourth circuit.

The Department of the Attorney General's Criminal Justice Division prosecutes criminal and juvenile delinquency cases in all four counties and all state courts. The Department is headed by the Attorney General, who is appointed by the Governor. There are 16 Deputy Attorney General positions in the Criminal Justice Division, all based in Honolulu.

Each of the four counties has a prosecution office headed by a Prosecuting Attorney. The Prosecuting Attorneys of Honolulu, Hawaii, and Kauai Counties are elected. The Prosecuting Attorney of Maui County is appointed by the county mayor. The county prosecution offices prosecute criminal and juvenile delinquency cases in the state courts of their respective circuit. The City and County of Honolulu has 105 Deputy Prosecuting Attorney positions, Maui County has 32, Hawaii County has 35, and Kauai County has 11.

The Hawaii Office of the Public Defender provides legal representation to indigent persons in criminal and juvenile delinquency cases in all four counties. The

Defender Council, whose members are appointed by the Governor, appoints the state Public Defender. There are 100 state Deputy Public Defender positions: 67 are based in Honolulu, 13 in Maui County, 15 in Hawaii County, and 5 in Kauai County.

The Federal Public Defender's Office for the District of Hawaii provides legal representation to indigent persons in criminal or juvenile delinquency cases in the federal court in Honolulu. There are 8 federal Deputy Public Defender positions in Hawaii, all based in Honolulu.

The seven agencies described above will participate in the John R. Justice Grant Program.

II. Plan outlining the state's outreach strategy

The seven agencies participated in the development of this application. The Department of the Attorney General will post this document on the Department's website (www.hawaii.gov/ag), and provide copies to the participating agencies. Each participating agency will disseminate this document among the prosecutors or public defenders employed by the agency.

If this application is approved, the Crime Prevention and Justice Assistance Division (CPJAD) of the Department of the Attorney General will notify the participating agencies promptly. Within 45 days thereafter, CPJAD will develop application forms and instructions and written outreach materials explaining the program's purpose, application process, and criteria for eligibility and selection. (This time period includes review and approval by the Selection Committee described below, and by the Attorney General.)

CPJAD will provide the application forms and instructions and written outreach materials to the participating agencies and post them on the Department's website. Each participating agency will disseminate these materials among its employees, and may conduct informational sessions for its employees regarding this program. If requested, CPJAD will also conduct informational sessions for participating agencies. Additionally, CPJAD will provide the materials to the University of Hawaii's William S. Richardson School of Law for dissemination among law students. CPJAD will update the materials annually.

III. Overview (program plan) explaining how beneficiaries will apply for loan repayment and how decisions will be made as to eligibility and awards

A. Evaluation criteria for applicants

1. How decisions will be made as to eligibility

- a. An applicant must be a prosecutor or public defender employed in Hawaii.¹

“Prosecutor” means a full-time employee of a state or unit of local government who is continually licensed to practice law and prosecutes criminal or juvenile delinquency cases at the state or unit of local government level (including supervision, education, or training of other persons prosecuting such cases). Prosecutors who are employees of the federal government are not eligible. “Public Defender” means an attorney who is continually licensed to practice law and is a full-time employee of a state or

¹ In Hawaii, there is no full-time employee of a nonprofit organization operating under a contract with a state or unit of local government who devotes substantially all of the employee's full-time employment to providing legal representation to indigent persons in criminal or juvenile delinquency cases including supervision, education, or training of other persons providing such representation.

unit of local government who provides legal representation to indigent persons in criminal or juvenile delinquency cases including supervision, education, or training of other persons providing such representation; or employed as a full-time federal defender attorney in a defender organization pursuant to Subsection (g) of section 3006A of Title 18, United States Code, that provides legal representation to indigent persons in criminal or juvenile delinquency cases.

- b.** An applicant must have a qualifying student loan held by an institution. “Qualifying student loan” means (1) a loan made, insured, or guaranteed under part B of subchapter IV of chapter 28 of Title 20 (Federal Family Education Loan Program); (2) a loan made under part C or D of subchapter IV of chapter 28 of Title 20 (William D. Ford Federal Direct Loan and Federal Perkins Loans); or (3) a loan made under section 1078-3 or 1087e(g) of Title 20 (Federal consolidation loans and Federal Direct Consolidation loans, respectively). “Qualifying student loan” does *not* mean (1) a loan made to the parents of a dependent student under section 428B of the Higher Education Act of 1965 (20 U.S.C. 1078-2); (2) a Federal Direct PLUS Loan made to the parents of a dependent student; or (3) A loan made under section 428C or 455 (g) of the higher Education Act of 1965 (20 U.S.C. 1078-3 (Federal consolidation loans) and 1087e(g) (Federal Direct Consolidation loans)
- c.** An applicant must not be in default on repayment of any federal student loan.
- d.** An applicant must agree to remain employed as a prosecutor or public defender for a period of service of not less than three years (36 months) from

the date of selection as a beneficiary of this program unless involuntarily separated from the employment.

2. How decisions will be made as to awards

The Attorney General will convene a John R. Justice Grant Program Selection Committee to assist in outreach activities, review applications, select beneficiaries, determine loan repayment amounts, and monitor progress reports. The Selection Committee will meet at least once a year.

The Selection Committee will comprise seven members: the Attorney General or his or her representative; two employees of the Office of the Public Defender (at least one from Hawaii County, Kauai County, or Maui County); three employees of county prosecution offices selected by the Hawaii Prosecuting Attorneys Association (at least one from Hawaii County, Kauai County, or Maui County); and the Federal Public Defender for the District of Hawaii or his or her representative.

If the Federal Pubic Defender declines to participate in the Selection Committee, the Committee will comprise five members: the Attorney General or his or her representative; two employees of the Office of the Public Defender (at least one from Hawaii County, Kauai County, or Maui County); and two employees of county prosecution offices selected by the Hawaii Prosecuting Attorneys Association (at least one from Hawaii County, Kauai County, or Maui County).

The Selection Committee will:

- Ensure that the total amount of loan repayment funding is allocated equally between prosecutors and public defenders
- Give priority to eligible applicants who have the least ability to repay their loans

The Selection Committee may consider the following factors:

- Salary cap of \$80,000 for initial applicants (including “locality pay” for federal public defenders and furlough reductions for state and county prosecutors and state public defenders)
- Distribution of awards to ensure a range of geographic and demographic representatives
- Assistance from other sources
- Amount of qualifying loan debt
- Amount of the repayment benefit
- Academic achievement (for applicants with less than one year of service as a prosecutor or public defender)
- Employer’s statement of meritorious service
- Once approved for loan repayment, a beneficiary will be given priority consideration to receive funding during the second and third years of the three-year service agreement, depending on the availability of funds. Renewal is not automatic, and there is no obligation to renew a benefit in the same (or greater) amount previously received by a beneficiary.

The loan repayment amount for each beneficiary will be \$5,200 per year. The number of beneficiaries will be contingent on the amount of funding available. If the number of selected applicants is insufficient, the Selection Committee may increase the loan repayment amount up to \$10,000 per beneficiary, or reopen the application period to recruit additional applicants.

All final funding decisions will be made by the Department of the Attorney General.

The Selection Committee will select the beneficiaries, and CPJAD will notify them, within thirty days after the application deadline. Payment to the institution holding a beneficiaries' qualifying student loan will be made twelve months after the beneficiary has been selected (checks will be issued within 20 days after CPJAD receives proof of the beneficiary's employment during the twelve-month period).

Grant funds received by the Department of the Attorney General will be paid only to the institution holding the qualifying loan. No funds will be paid directly to the beneficiary. Payments made on behalf of approved beneficiaries will not exceed the total qualifying loan balance. The amount paid will not exceed \$10,000 for any individual in any calendar year or an aggregate total of \$60,000 in the case of any individual.

CPJAD will provide administrative support and progress reports to the Selection Committee. CPJAD will also provide fiscal management of the program and provide fiscal reports to the Selection Committee as needed. The Administration Division of the Department of the Attorney General will review documents and provide other legal services as needed.

B. General application process

Applicants must submit their application, including the required attachments, to CPJAD on or before the deadline. The deadline will be approximately thirty days after CPJAD issues the application forms and instructions. Applications must be received on or before the deadline. Incomplete or late applications will be returned without consideration.

C. Technical application process

Applications must be mailed or hand-delivered to CPJAD.

D. Attachments that applicants will be required to submit with their applications

- Application form, including information on applicant's total education debt, applicant's (or, if married, household's) gross or net income, total assets, and number of dependents; and statement that applicant is not in default on repayment of any federal student loan
- Statement of circumstances affecting ability to repay student loans
- Proof of employment and salary
- Proof of qualifying student loan(s), including original loan amount, current balance, and monthly payment amount
- John R. Justice Student Loan Student Loan Repayment Program Service Agreement (OMB No. 1121-0329)
- Optional: Statement of academic achievement and supporting documents (for applicants with less than one year of service)

IV. Plan to comply with the statutory requirement that priority consideration be given to those with "the least ability to repay" their loans.

To determine which applicants have the least ability to pay, the Selection Committee *will* assess the following:

- The applicant's total educational debt
- The applicant's gross or net income; or, if married, household gross or net income

Additionally, the Selection Committee *may* assess the following:

- The ratio of the applicant's total education debt to total assets
- Number of dependents claimed by the applicant

The Selection Committee *will not* consider an adjustment for the cost of living because the cost of living is relatively consistent across the state.

V. Plan to consider a fair distribution of funding based on geography and population density.

The Selection Committee will ensure that funding is not isolated or heavily concentrated in any particular metropolitan area or geographic section of the state, and will ensure that distribution is as widespread as possible. To accomplish this, the Selection Committee will consider the distribution of prosecutor and public defender positions shown in the following table:

State Judicial Circuit* * (No Fourth Circuit)	Prosecutors/Deputy Attorneys General	County/Federal Public Defenders
First Circuit (City and County of Honolulu)	123	76
Second Circuit (County of Maui)	32	13
Third Circuit (County of Hawaii)	35	15
Fifth Circuit (County of Kauai)	11	5
Total	201	108

VI. Program Timeline

CPJAD will establish the following tentative timeline for the application notification, beneficiary selection and payment process for the grant program:

Program Activity	Schedule
Notification to participating agencies and development of application forms and posting on CPJAD website	45 days after notification of award from BJA
Application due date	30 days from date of application/instruction issuance by CPJAD
Award notification to beneficiary	30 days after application due date
Payment to institution of beneficiary	20 days after CPJAD receives verification of beneficiary's employment of 12 months

VII. Performance Measures

The Department of the Attorney General will collect the required Performance Measures that are stipulated in the John R. Justice (JRJ) FY 2013 Solicitation, which includes, but not limited, to the following:

A. Number of eligible JRJ program applicants. The Department will collect and report the following data:

- Total number of applicants during the reporting period.
- Total number of eligible applicants (unique count) as of the reporting period, including the number who are prosecutors, state or local public defenders, and federal public defenders.

B. Number of JRJ program applicants selected to receive loan repayments, based on the least ability to repay. The Department will collect and report the following data:

- Total number of prosecutors selected to receive loan repayments during the reporting period, based on the least ability to repay.

- Total number of state or local public defenders selected to receive loan repayments during the reporting period, based on the least ability to repay.
- Total number of federal public defenders selected to receive loan repayments during the reporting period, based on the least ability to repay.

C. Number of previous JRJ recipients selected under priority consideration. The Department will collect and report the following data:

- Total number of previous JRJ recipients selected under priority consideration.

D. Dollar amount of loan repayments awarded. The Department will collect and report the following data:

- Total dollar amount awarded to prosecutors during the reporting period.
- Total dollar amount awarded to state or local public defenders during the reporting period.
- Total dollar amount awarded to federal public defenders during the reporting period.

E. Dollar amount of loan repayments distributed. The Department will collect and report the following data:

- Total dollar amount distributed to prosecutors during the reporting period.
- Total dollar amount distributed to state or local public defenders during the reporting period.
- Total dollar amount distributed to federal public defenders during the reporting period.

F. Length of time between initial outreach to eligible applicants and the opening of the JRJ loan repayment application period. The Department will collect and report the following data:

- Number of days between initial outreach to eligible applicants and the opening of the JRJ application period.
- Type of outreach conducted.

G. Number of days the application period remained open for applicants. The Department will collect and report the following data:

- The dates the application period opened, scheduled close date, and actual closed date.

H. Number of days between the close of the application period and the repayment of loans. The Department will collect and report the following data:

- Date of the first payment made to a loan company.

The Department will collect this data from the spreadsheets used to track the reimbursement process.

Budget Detail Worksheet

Purpose: The Budget Detail Worksheet may be used as a guide to assist you in the preparation of the budget and budget narrative. You may submit the budget and budget narrative using this form or in the format of your choice (plain sheets, your own form, or a variation of this form). However, all required information (including the budget narrative) must be provided. Any category of expense not applicable to your budget may be deleted.

A. Personnel - List each position by title and name of employee, if available. Show the annual salary rate and the percentage of time to be devoted to the project. Compensation paid for employees engaged in grant activities must be consistent with that paid for similar work within the applicant organization.

Name/Position	Computation	Cost
Position 1, each position entry limited to one line		
Position 2		
Position 3		
Position 4		
Position 5		
Position 6		
SUB-TOTAL		\$0.00

B. Fringe Benefits - Fringe benefits should be based on actual known costs or an established formula. Fringe benefits are for the personnel listed in budget category (A) and only for the percentage of time devoted to the project.

Name/Position	Computation	Cost
Fringe benefit 1, each benefit entry is limited to one line		
Fringe benefit 2		
Fringe benefit 3		
Fringe benefit 4		
Fringe benefit 5		
SUB-TOTAL		\$0.00
Total Personnel & Fringe Benefits		\$0.00

C. Travel - Itemize travel expenses of project personnel by purpose (e.g., staff to training, field interviews, advisory group meeting, etc.). Show the basis of computation (e.g., six people to 3-day training at \$X airfare, \$X lodging, \$X subsistence). In training projects, travel and meals for trainees should be listed separately. Show the number of trainees and the unit costs involved. Identify the location of travel, if known. Indicate source of Travel Policies applied, Applicant or Federal Travel Regulations.

Purpose of Travel	Location	Item	Computation	Cost
Airfare - Neighbor Island travel for committee members	Oahu	Airfare	5 x \$171	\$855.00
Ground Transportation for Neighbor Island committee	Oahu	Car Rental	2 x \$50	\$100.00
Travel entry 3				
Travel entry 4				
Travel entry 5				
Travel entry 6				
Travel entry 7				
TOTAL				\$955.00

D. Equipment - List non-expendable items that are to be purchased. Non-expendable equipment is tangible property having a useful life of more than two years and an acquisition cost of \$5,000 or more per unit. (Note: Organization's own capitalization policy may be used for items costing less than \$5,000). Expendable items should be included either in the "supplies" category or in the "Other" category. Applicants should analyze the cost benefits of purchasing versus leasing equipment, especially high cost items and those subject to rapid technical advances. Rented or leased equipment costs should be listed in the "Contractual" category. Explain how the equipment is necessary for the success of the project. Attach a narrative describing the procurement method to be used.

Item	Computation	Cost
Equipment entry 1, one line per entry		
equipment entry 2		
equipment entry 3		
equipment entry 4		
equipment entry 5		
TOTAL		\$0.00

E. Supplies - List items by type (office supplies, postage, training materials, copying paper, and expendable equipment items costing less than \$5,000, such as books, hand held tape recorders) and show the basis for computation. (Note: Organization's own capitalization policy may be used for items costing less than \$5,000). Generally, supplies include any materials that are expendable or consumed during the course of the project.

Supply Items	Computation	Cost
Supply item 1, one line per entry		
supply item 2		
supply item 3		
supply item 4		
supply item 5		
supply item 6		
supply item 7		
supply item 8		
supply item 9		
TOTAL		\$0.00

F. Construction - As a rule, construction costs are not allowable. In some cases, minor repairs or renovations may be allowable. Check with the program office before budgeting funds in this category.

Purpose	Description of Work	Cost
four lines per entry, use boxes below or an additional page for more space if required		
TOTAL		\$0.00

G. Consultants/Contracts - Indicate whether applicant's formal, written Procurement Policy or the Federal Acquisition Regulations are followed.

Consultant Fees: For each consultant enter the name, if known, service to be provided, hourly or daily fee (8-hour day), and estimated time on the project. Consultant fees in excess of \$450 per day require additional justification and prior approval from OJP.

Name of Consultant	Service Provided	Computation	Cost
Supply item 1, one line per entry	maximum of three lines		
Supply item 1, one line per entry			
Supply item 1, one line per entry			
Supply item 1, one line per entry			
<i>Subtotal</i>			\$0.00

Consultant Expenses: List all expenses to be paid from the grant to the individual consultants in addition to their fees (i.e., travel, meals, lodging, etc.)

Item	Location	Computation	Cost
	maximum of three lines		
Consultant expense entry 1, one line per	maximum of three lines		
<i>Subtotal</i>			\$0.00

Contracts: Provide a description of the product or service to be procured by contract and an estimate of the cost. Applicants are encouraged to promote free and open competition in awarding contracts. A separate justification must be provided for sole source contracts in excess of \$100,000.

Item	Cost	
Student loan repayment sub-awards: \$5,200 x 10 loans	\$52,000.00	
maximum of four lines		
<i>Subtotal</i>		\$52,000.00
TOTAL		\$52,000.00

H. Other Costs - List items (e.g., rent, reproduction, telephone, janitorial or security services, and investigative or confidential funds) by major type and the basis of the computation. For example, provide the square footage and the cost per square foot for rent, or provide a monthly rental cost and how many months to rent.

Description	Computation	Cost
four lines per entry, use boxes below or an additional page for more space if required		
TOTAL		\$0.00

I. Indirect Costs - Indirect costs are allowed only if the applicant has a Federally approved indirect cost rate. A copy of the rate approval, (a fully executed, negotiated agreement), must be attached. If the applicant does not have an approved rate, one can be requested by contacting the applicant's cognizant Federal agency, which will review all documentation and approve a rate for the applicant organization, or if the applicant's accounting system permits, costs may be allocated in the direct costs categories.

Description	Computation	Cost
one line per entry		
TOTAL		\$0.00

Budget Summary- When you have completed the budget worksheet, transfer the totals for each category to the spaces below. Compute the total direct costs and the total project costs. Indicate the amount of Federal requested and the amount of non-Federal funds that will support the project.

Budget Category	Amount
A. Personnel	\$0.00
B. Fringe Benefits	\$0.00
C. Travel	\$955.00
D. Equipment	\$0.00
E. Supplies	\$0.00
F. Construction	\$0.00
G. Consultants/Contracts	\$52,000.00
H. Other	\$0.00
Total Direct Costs	\$52,955.00
I. Indirect Costs	\$0.00
TOTAL PROJECT COSTS	\$52,955.00
Federal Request	\$52,955.00
Non-Federal Amount	_____

**Hawaii FY 2013 John R. Justice Grant
Budget Narrative**

A. Personnel

B. Fringe

C. Travel

Travel cost includes airfare to bring the three neighbor island committee members to Oahu for the initial grant program review meeting, and subsequently bring in two of the members to sit on the selection committee meeting. The only means of interisland transportation is via airplane. It is anticipated that only these two committee meetings will be held. Ground transportation (car rental) will be provided. Airfare of \$171.00 roundtrip/person is the estimated average cost, and one shared car rental will be arranged for each of the two one-day meetings at the rate of \$50/day.

D. Equipment

E. Supplies

F. Construction

G. Consultants/Contracts

Ten student repayment loans at \$5,200/each will be paid.

H. Other Costs