



John R. Justice Program 2016-H1888-HI-RJ



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APPLICATION FOR FEDERAL ASSISTANCE	2. DATE SUBMITTED April 25, 2016	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 John R. Justice Prosecutors and Defenders TITLE: Incentive Act		11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT Hawaii John R. Justice Grant Program	
12. AREAS AFFECTED BY PROJECT State of Hawaii			
13. PROPOSED PROJECT Start Date: October 01, 2016 End Date: September 30, 2017		14. CONGRESSIONAL DISTRICTS OF a. Applicant b. Project HI00	
15. ESTIMATED FUNDING		16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS? Program is not covered by	
Federal	\$32,515		
Applicant	\$0		
State	\$0		

Local	\$0	E.O. 12372
Other	\$0	
Program Income	\$0	17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT?
TOTAL	\$32,515	N
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.		

Continue

HAWAII JOHN R. JUSTICE GRANT APPLICATION

Program Abstract (Attachment 1)

Applicant: Hawaii Department of the Attorney General

Goal: 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 Planning 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 the program materials and selection criteria, assist in the outreach process, and determine award amounts. A Selection Committee (a subgroup of the Planning Committee) will review applications and determine which eligible applicants will receive repayment awards of a determined amount. 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.

Number Employed: Prior to the availability of JRJ funds there were 198.5 Prosecutors, 99 Public Defenders, and 9 Federal Public Defenders employed statewide. Currently there are 201 Prosecutors, 102 Public Defenders, and 5 Federal Assistant Public Defenders employed in the state of Hawaii.

HAWAII JOHN R. JUSTICE GRANT PROGRAM APPLICATION

Program Narrative (Attachment 2)

I. Background

The Hawaii State Judiciary system is comprised of four judicial circuit courts that correspond 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 15 Deputy Attorney General positions in the Criminal Justice Division, all based in Honolulu.

Each county has a prosecution office headed by a Prosecuting Attorney. The Prosecuting Attorney of Maui County is appointed by the county mayor. The Prosecuting Attorneys of Honolulu, Hawaii, and Kauai Counties are elected. 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 100 Deputy Prosecuting Attorney positions, Maui County has 34, Hawaii County has 37, and Kauai County has 15.

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 102 state Deputy Public Defender positions: 68 are based in Honolulu, 13 in Maui County, 16 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 cases in the federal court in Honolulu. There are five federal Assistant Public Defender positions in Hawaii, all based in Honolulu.

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

II. Outreach Plan

The Department of the Attorney General will post this FY 16 JRJ Application on the Department's website (www.ag.hawaii.gov), and provide copies to all of the participating agencies.

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 update the 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 Planning Committee and by the Attorney General.

The application forms and instructions and written outreach materials will be posted on the Department's website. Each participating agency will disseminate these materials among its employees (including current and continuing JRJ beneficiaries), 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.

III. Program Plan Overview

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 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

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.

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) to the extent that such loan was used to repay a loan described in clause (1) or (2).

- 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 application 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 Planning Committee to assist in outreach activities, review application materials and criteria, and determine loan repayment amounts. The Planning Committee will meet at least once a year.

Applications will be reviewed and beneficiaries will be chosen by a Selection Committee (sub-group of the Planning Committee) comprised of seven members: the Attorney General or his 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 representative.

If the Federal Public Defender declines to participate in the Selection Committee, the Committee will comprise of five members: the Attorney General or his 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 \$82,000 for applicants (including “locality pay” for federal 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 determined by the Selection Committee. 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 30 days after the application deadline. A lump sum payment to the institutions holding a beneficiaries' qualifying student loan will be issued within 20 days after the Department of the Attorney General receives the lender and employment verification forms from the beneficiaries.

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 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 (including listing of all financial obligations other than educational debt)
- Employment and salary
- Proof of qualifying students 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)
- 2015 Form 1040, Form 1040A, or Form 1040EZ
- Optional: Statement of academic achievement

E. Process for Awarding Additional JRJ Benefits

No priority consideration will be given to individuals who have already completed the initial three-year term of service of their original JRJSLRP Service Agreement. If an individual does apply for additional benefits in exchange for additional terms of service, they will be considered along with the new applicants. If they are

selected as a beneficiary, they will be required to fill out the JRJSLRP Secondary Term of Service Agreement.

F. Data Collection and Performance Measures

The Department of the Attorney General will collect and report the required Performance Measures data elements that are stipulated in the John R. Justice (JRJ) FY 2016 Solicitation. The Department will collect this data from the spreadsheets used to track the applicants. The data will include, but is not limited, to the following:

- **Number of eligible JRJ program applicants**
 - Total number of applicants during 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.
- **Number of JRJ applicants selected to receive loan repayments, based on the least ability to repay**
 - 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.

- **Number of previous JRJ recipients selected under priority consideration.**
 - Total number of previous JRJ recipients selected under priority consideration.
- **Dollar amount of loan repayments awarded.**
 - 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.
- **Dollar amount of loan repayments distributed.**
 - 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.
- **Outreach.**
 - Type of outreach conducted.
- **Number of participants exiting the program without completion.**
 - Total number of prosecutors who exited the program without completion during the reporting period.

- Total number of state and local public defenders who exited the program without completion during the reporting period.
- Total number of federal public defenders who exited the program without completion during the reporting period.

IV. Compliance with Statutory Requirements

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 educational debt to total assets
- Number of dependents claimed by the applicant
- Financial obligations other than educational debt

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. Distribution of Funding

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	State/Federal Public Defenders
First Circuit (City and County of Honolulu)	115	73
Second Circuit (County of Maui)	34	13
Third Circuit (County of Hawaii)	37	16
Fifth Circuit (County of Kauai)	15	5
Total	201	107

Beneficiaries who have received repayment benefits in the prior fiscal year and who have completed less than three years of their initial JRJSLRP Service Agreement 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.

VI. Performance Measures

CPJAD understands that upon award acceptance, quarterly performance metrics reports must be submitted through BJA’s online Performance Measurement Tool (PMT). The list of performance measures has been reviewed, including the requirement to provide information related to the recruitment and retention of prosecutors and public defenders. The data and information required for the PMT reports will be collected in the project file and reported as required. Additionally, copies of the executed JRJ Student Loan Repayment Program (JRJSLRP) Services Agreements will be submitted via the Grants Management System as a “Special Report.”

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 lender verification and employment verification forms from beneficiary

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 funds requested and the amount of non-Federal funds that will support the project.

Budget Category	Federal Request	Non-Federal Amounts	Total
A. Personnel	\$0	\$0	\$0
B. Fringe Benefits	\$0	\$0	\$0
C. Travel	\$451	\$0	\$451
D. Equipment	\$0	\$0	\$0
E. Supplies	\$0	\$0	\$0
F. Construction	\$0	\$0	\$0
G. Consultants/Contracts	\$32,064	\$0	\$32,064
H. Other	\$0	\$0	\$0
Total Direct Costs	\$32,515	\$0	\$32,515
I. Indirect Costs	\$0	\$0	\$0
TOTAL PROJECT COSTS	\$32,515	\$0	\$32,515

Federal Request	\$32,515
Non-Federal Amount	\$0
Total Project Cost	\$32,515

Public Reporting Burden

Paperwork Reduction Act Notice: Under the Paperwork Reduction Act, a person is not required to respond to a collection of information unless it displays a current valid OMB control number. We try to create forms and instructions that are accurate, can be easily understood, and which impose the least possible burden on you to provide us with information. The estimated average time to complete and file this application is four (4) hours per application. If you have comments regarding the accuracy of this estimate, or suggestions for making this form simpler, you can write the Office of Justice Programs, Office of the Chief Financial Officer, 810 Seventh Street, NW, Washington, DC 20531; and to the Public Use Reports Project, 1121-0188, Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, DC 20503.

**Hawaii FY 2016 John R. Justice Grant
Budget Narrative**

A. Personnel

B. Fringe

C. Travel

The Department of the Attorney General will convene a one day Selection Committee meeting to review applications and select beneficiaries. Airfare will be paid for 2 neighbor island members to attend a Selection Committee Meeting. Two Neighbor island members (one deputy PD and one deputy PA) x \$200 roundtrip airfare = \$400. One rental car (shared) for Selection Committee Meeting will be used at \$51/per day.

Total Travel Amount = \$451

D. Equipment

E. Supplies

F. Construction

G. Consultants/Contracts

Subawards of student loan repayment will be distributed to 24 beneficiaries.

12 Prosecutors + 12 Public Defenders = 24 of Repayment Loans

24 student repayment loans at \$1,336/each will be paid = \$32,064

H. Other Costs

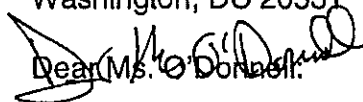


Attachment 3
EXECUTIVE CHAMBERS
HONOLULU

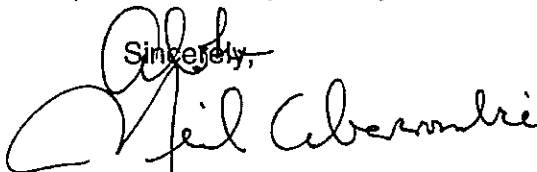
NEIL ABERCROMBIE
GOVERNOR

April 18, 2012

Ms. Denise E. O'Donnell
Director
Bureau of Justice Assistance
Office of Justice Programs
810 Seventh Street NW
Washington, DC 20531


Dear Ms. O'Donnell:

I am designating the Department of the Attorney General to administer the John R. Justice grant. As the Department that administers the Byrne JAG formula grant and other federal crime grants, we look forward to collaborating with the Bureau of Justice Assistance on another program to improve criminal justice system.

Sincerely,


NEIL ABERCROMBIE
Governor, State of Hawaii

FY 2016 JRJ Program Application: **ATTACHMENT 5**

Disclosure of Pending Applications:

The Hawaii Department of the Attorney General does not have pending applications submitted within the last 12 months for Federally funded grants or subgrants (including cooperative agreements) that include requests for funding to support the same project being proposed under this solicitation and will cover the identical cost items outlined in the budget narrative and worksheet in the application under this solicitation.

Hawaii John R. Justice FY 2016 Program Application

CFDA #: 16.816

Disclosure of High Risk Status

The Hawaii Department of the Attorney General is not currently designated high risk by any federal grant making agency.