

BUREAU OF JUSTICE ASSISTANCE

FY24 Postconviction Testing of DNA Evidence

Grantee Orientation

December 3, 2024





Congratulations!



Introductions

BJA Staff

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Quattrone Center for the
Fair Administration of Justice
UNIVERSITY of PENNSYLVANIA



FORENSICS TTA
PROGRAM

FY 2024 Grantees

- **University of Wisconsin**
- **County of Dutchess (NY)**
- **University of Colorado**
- **New York Office of the Chief Medical Examiner**
- **Department of Emergency Services and Public Protection (CT)**
- **County of Alameda (CA)**
- **Committee for Public Counsel Services (MA)**



Grantees

Grantee agencies will be called on one by one to introduce themselves

Please select one individual per agency to introduce the team and let us know:

- Name of your team members
- What type of entity you are (CRU, CIU, IO or something else)
- Whether you are new to the Postconviction grant program



Agenda

- BJA Overview
- Program Overview
- Next Steps
- Additional Training
- Resources
- Q&A





BJA Overview

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.

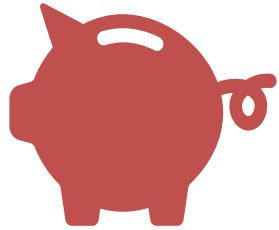


<https://bja.ojp.gov/>

Karhlton F. Moore, BJA Director



How BJA Supports the Field



Investments

Provide diverse funding to accomplish goals.



Sharing Knowledge

Research, develop, and deliver what works to build capacity and improve outcomes.



Engagement

Consult, connect, and convene.





Program Overview

FY 2024 Postconviction Testing of DNA Evidence (PC) Program

The FY 2024 Postconviction Testing of DNA Evidence (PC) Program is a competitive grant program designed to defray the costs associated with postconviction DNA testing in cases of violent felony offenses (as defined by state law) in which actual innocence might be demonstrated.

Two funding categories this year!



Main Objectives – Category 1

1. Identify potential postconviction DNA testing cases. A maximum of 15 percent of the proposed budget may be dedicated to case identification activities.
2. Review appropriate postconviction cases to identify those in which DNA testing could prove the actual innocence of a person convicted of a violent felony offense as defined by state law.
3. Locate biological evidence associated with such postconviction cases.
4. Perform DNA analysis of appropriate biological evidence and report and review the DNA test results.



Main Objectives – Category 2 – **New!**

1. Locate, record, store, and retain biological evidence in adjudicated cases in accordance with best practices.
2. Modernize evidence retention practices for biological evidence in accordance with best practices.
3. Modernize and digitize the storage of existing files and records in adjudicated cases.
4. Implement modern, digitized file and record retention systems.



Solicitation Highlights

Case Identification

Performing outreach or initial screening activities, other than “case review” as defined below, designed to identify postconviction cases of violent felony offenses (as defined by state law) where DNA analysis might demonstrate actual innocence.

In previous years, there was a restriction of no more than 15% of the budget that could be used for this purpose – this restriction has been removed in FY24





Solicitation Highlights

Case Review: Review of files or documentation of postconviction cases of violent felony offenses (as defined by state law) by appropriate persons (e.g., prosecutors, public defenders, law enforcement personnel, and medical examiners) to determine whether biological evidence exists that might, through DNA analysis, demonstrate the actual innocence of the person previously convicted.



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 specific performance metrics to BJA.



Allowable Uses of Funds

All expenditures under this program must relate directly to defraying the costs associated with postconviction DNA testing.

Some examples include:

Salary and benefits of additional employees, temporary personnel, or OT for individuals directly engaged in the objectives of the program/category.

Victim Advocates. **New in FY24!**

Laboratory supplies.

Training directly related to the four objectives of the program.

Contracts with accredited DNA laboratories for DNA analysis.



Unallowable Uses of Funds

Costs associated with civil litigation related to the original criminal conviction

Salaries, benefits, or overtime for staff who are not directly engaged in objectives of category/program

Laboratory equipment, instrumentation, and software such as, but not limited to, genetic analyzers, DNA extraction robotics, and probabilistic genotyping software

Construction/Renovation

Prohibited and controlled equipment, consistent with Executive Order (EO) 14074, per OJP policy

Witness travel

Office furnishings

General litigation training or training that is not relevant to postconviction work involving DNA

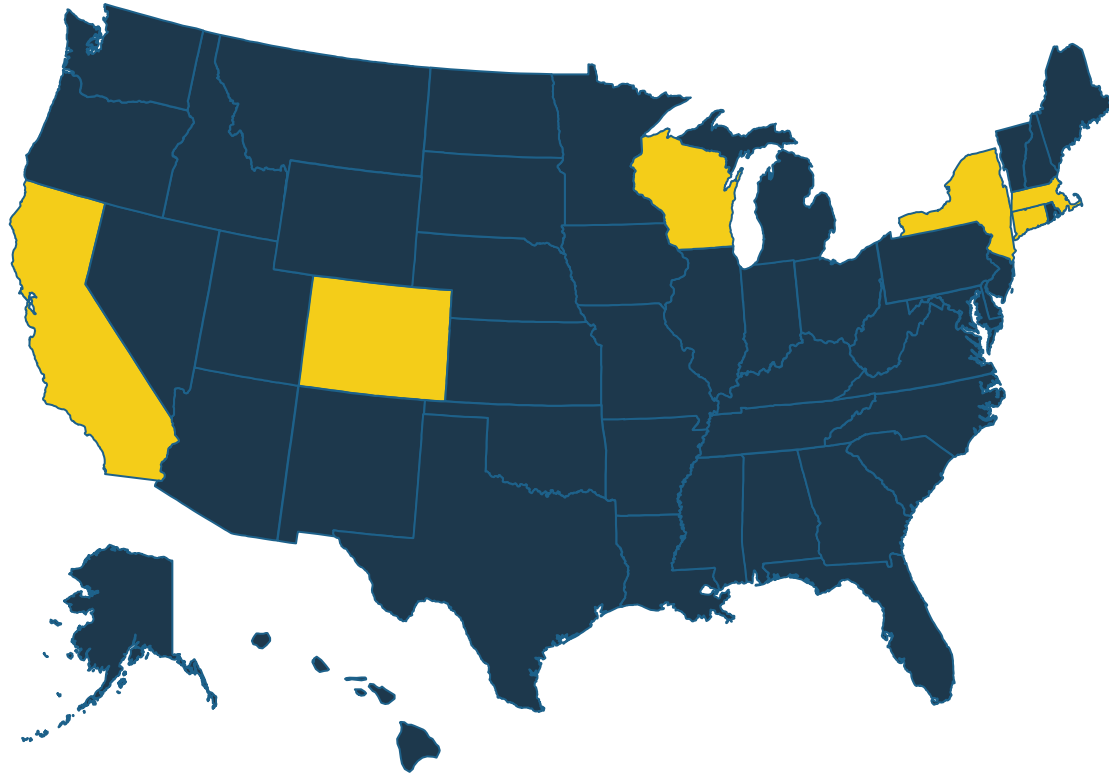


Direct administrative expenses that exceed 5 percent of the federal portion of the award

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



FY 2024 Grantees



- **Select a spokesperson**
- **Describe the goals of your project**
- **What are you hoping to achieve in the long term?**
- **How does this funding source help with your goals?**



Supporting Your Program



BJA POLICY TEAM

Provide national leadership in criminal justice policy, training, and technical assistance to further the administration of justice.



BJA PROGRAMS TEAM

Grant monitoring and administration assistance to ensure success and compliance. Primary point of contact.



BJA PPI TEAM

Sets program goals and collects performance measures data to assess achievement of those goals. All BJA grantees collect and report performance data.



TTA PROVIDER

Assist BJA grantees in accomplishing strategic goals and objectives.

Working Effectively Together

Share updates about your project—we appreciate those emails!

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

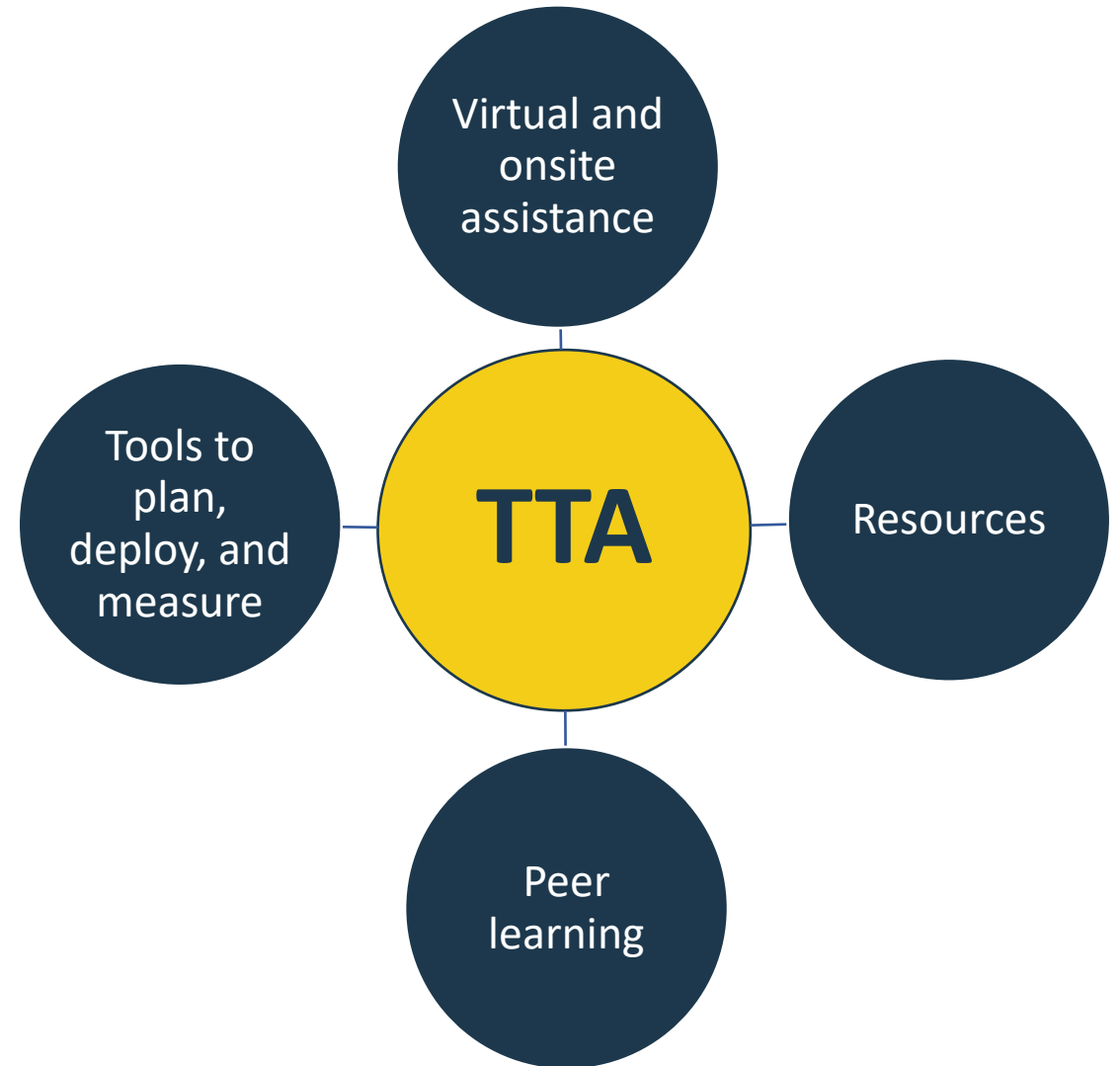
Programs Office State Policy Advisors talk to the BJA Policy Office and the TTA provider all the time. The more we know, the better we can support you.

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



TTA

- Quarterly virtual convenings
- Monthly webinars
- Annual virtual grantee meetings
- Online resources
- No cost to grantees





Next Steps

Two Parts to Success

1

Manage the award to comply with all conditions.

2

Implement your project.



Grant Agreement

Review for special conditions to be resolved

- Press releases (38)
- Certification (43)
- CODIS (44)

- > Project Information
- > Financial Information
- < Award Conditions

This award is offered subject to the conditions or limitations set forth in the Award Information, Project Information, Financial Information, and Award Conditions.



Meaningful access requirement for individuals with limited English proficiency

The recipient, and any subrecipient at any tier, must take reasonable steps to ensure that individuals with limited English proficiency (LEP) have meaningful access to their programs and activities to comply with Title VI of the Civil Rights Act of 1964 (Title VI), which prohibits discrimination on the basis of national origin, including discrimination against individuals with LEP. Such steps may require providing language assistance services, such as interpretation or translation services. The Department of Justice guidance on compliance with this requirement may be found at "Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons" (67 Fed. Reg. 41455-41472) (<https://www.federalregister.gov/d/02-15207>) and is incorporated by reference here.



Compliance with general appropriations-law restrictions on the use of federal funds (FY 2024)

FY24 Postconviction Requirements



Bi-annual check-in calls (usually ~April and ~October) with BJA and must include the grantee financial manager, grant manager and principal investigator



BJA requires that grantees attend the Virtual Grantees Conference held annually by Forensics TTA. Up to 3 key personnel may attend the conference.



Semi-annual progress reports must be submitted.

- List of performance measures can be found here <https://bj.a.ojp.gov/funding/performance-measures>



FY 2024 Postconviction Performance Management

- Performance reports are required semi-annually

- Responses are input in PMT and uploaded to JustGrants

- Review section headers for critical reporting information



What are the Postconviction Performance Measures?

CASE REVIEW

An occasion on which someone compensated for this work with award funds looks through any paperwork or documentation associated with the identified case to determine whether biological evidence exists that might, through DNA analysis, demonstrate the actual innocence of a person previously convicted. Regardless of how many times a case was reviewed during the reporting period or by how many grant-funded staff, all reviews of a single case will count as one (1) review for the purposes of reporting during a single reporting period. If a case is reviewed again during a later reporting period or had been reviewed and recorded as a case review under another BJA award, it should then be counted under "continuing" case reviews.

11. During the reporting period, did you review any new postconviction DNA cases?
 A "new" case is one that has not had any part of its review, evidence search, or other activities funded by any BJA Postconviction Testing of DNA Evidence award.
- A. Yes/No
 - B. If Yes, please enter the number of new postconviction DNA cases reviewed

	This reporting period	Cumulative total since the beginning of the award
New cases		<Auto calc>

What are the Postconviction Performance Measures?

29. During the reporting period, did any postconviction DNA case yield a viable DNA profile, even if the profile was inconclusive with respect to the postconviction claim? *A profile is a genetic sequence related to an individual contributor. A viable DNA profile is a full or partial DNA profile, or mtDNA sequence, that can be uploaded to Combined DNS Index System (CODIS) or could be used to compare against other DNA profiles such as the postconviction claimant's profile. One case may generate one or more profiles. The case is related to the incident where the evidence was gathered. This does not include reference samples from victims or defendants.*

A. Yes/No

	During the reporting period	Cumulative total since the beginning of the award
<p>Postconviction DNA cases that yielded a viable DNA profile <i>A full or partial DNA profile, or mtDNA sequence, that can be uploaded to CODIS or could be used to compare against other DNA profiles such as the postconviction claimant's profile. A profile is a genetic sequence related to an individual contributor. One case may generate one or more profiles. This does not include reference samples from victims or defendants.</i></p>		<Auto calc>
<p>Number of postconviction DNA cases for which DNA results supported the postconviction claim <i>These are cases for which the DNA results tended to support the claimant's proposition (e.g., claim of actual innocence). For example, the generated profile did not match the claimant.</i></p>		<Auto calc>



Next 30-60 Days

- Meet with the main players in your agency involved in managing your award: grant management, financial management and principal investigator.
- Continue meeting monthly to review timeline, budgets and availability of funds.
- Work on clearing award conditions and finalizing the budget (if revisions were necessary).
- Review performance measures, access PMT and ensure you meet progress report deadlines.





Upcoming Trainings and Meetings

Trainings

- Managing Your Award
 - [Thursday, December 12, 2024](#), from 1:00-2:30 p.m. ET
 - Thursday, January 16, 2025 (tentative)
 - Thursday, February 13, 2025 (tentative)
- Performance Measures
 - [Thursday, December 5, 2024](#), from 3:00-4:30 p.m. ET
 - January 2025 (date TBD)
- Civil Rights Obligations (date TBD)

[Grantee Training Series | Bureau of Justice Assistance](#)

Meetings

- Virtual Grantee's Conference (June 2025 tentative)
- Quattrone Center Webinars (monthly)





Resources



Recipient Resources

<https://www.ojp.gov/funding/implement/overview>

Once you receive an award notification that your application was selected for funding, it's time to get to work. The OJP Recipient Resources provide instructions and training from implementing to closing your award.

Need help managing your OJP award? [🔗](#)

NEW! Do You Have Questions About JustGrants? Register to Attend a [Virtual Q&A Session](#) [🔗](#)

- [Legal Notices](#)
- [OJP Grants Overview](#)
- [OJP Training Guiding Principles for Grantees and Subgrantees](#)
- [JustGrants Login](#)
- [JustGrants Informational Website](#)
- [JustGrants Training](#)

Financial and Grant Reporting Resources [🔗](#)

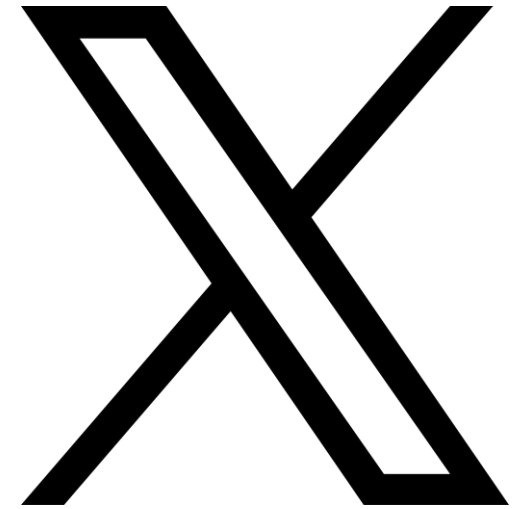
- Real Property Reporting resources:
 - [Frequently Asked Questions](#)
 - [Facility Utilization for Reporting Period Addendum](#)
 - [Instructions for the SF-429 Real Property Status Report](#)
 - [Real Property Status Report Attachment A \(General Reporting\) SF-429-A](#)
- [DOJ Grants Financial Guide](#)
- [OJP Financial Guide](#)
- [Guide to Procurement Procedures for Recipients of DOJ Grants and Cooperative Agreements](#)
- [Policy and Guidance for Conference Approval, Planning, and Reporting](#)
- [FFATA Subaward Reporting Webcast](#)
- Federal Financial Report (SF-425) [Instructions](#) and [Fillable Form](#) for OJP
- [Federal Financial Report \(SF-425\) for COPS Office](#)
- [Audit Confirmation Request Form](#)
- [Grant Performance Measurement and Progress Reporting Information](#)

Grant System Resources [🔗](#)

- [JustGrants](#)
- [JustGrants Resources](#)
- [JustGrants Training](#)
- [IT State and Territory Points of Contact](#)

Stay Connected!

- **Facebook:**
<https://www.facebook.com/DOJBJA>
- **X:** <https://x.com/DOJBJA>
- **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.



Q&A



Please submit questions using the Q&A feature

