



Administering the Byrne SCIP Grant Program

Program Overview

In June of 2022, the Bipartisan Safer Communities Act (BCSA) was signed into law, with the goal of reducing firearm-related violence. The Act created the Byrne State Crisis Intervention Program (Byrne SCIP), a five-year funding source to implement extreme risk protection order (ERPO) programs, state crisis intervention court proceedings and related gun violence reduction programs/initiatives. Administered by the Department of Justice, Bureau of Justice Assistance (BJA), funding can be used to implement and support a broad range of activities including, but not limited to:

- ▶ **Support** for states implementing ERPO programs; training for those implementing ERPO programs; communication, education and public awareness campaigns/initiatives for existing ERPO laws.
- ▶ **Support** for problem solving court programs such as treatment, mental health and veterans treatment courts to expand programming to specifically accept clients with firearm violations.
- ▶ **Support** for court-based programs that identify and provide support to people in crisis, including those at risk of harm to themselves or others with a firearm, assessing their circumstances and needs, and connecting them with programs and services that can provide them with needed help and support.
- ▶ **Support** for deflection and diversion to behavioral health treatment and support services for those at risk to themselves or others.
- ▶ **Funding** for law enforcement agencies on crisis intervention programs or initiatives.

*For additional ideas regarding what Byrne SCIP funds can be used for, refer to [BJA's Byrne SCIP FAQs](#).

This document outlines key components of the Byrne SCIP grant administration process, including pass-through requirements, key stakeholders to engage and the training and technical assistance partners attached to this program to help State Administering Agencies (SAAs).

Grant Administration Overview

Two foundational resources for State Administering Agencies (SAAs) to consult regarding Byrne SCIP program administration are the Bureau of Justice Assistance’s Byrne SCIP **Frequently Asked Questions document** and **fact sheet**. In addition to these resources, the following section of this document outlines some key components of Byrne SCIP grant administration, including the creation of the required crisis intervention advisory board, grant pass-through requirements and three key differences between the administration of the Byrne Justice Assistance Grant (Byrne JAG) and Byrne SCIP programs. For complete information on the Byrne SCIP grant administration process, please refer to the BJA FAQs and past notices of funding opportunities (NOFOs) **on the program overview page**. Any questions regarding administration of Byrne SCIP should be directed to the BJA SCIP program contacts.



SCIP Crisis Intervention Advisory Board

The Byrne SCIP requires Byrne SCIP SAAs to establish a crisis intervention advisory board to provide guidance on gun violence reduction programming and expenditures under this grant. SAAs are permitted to use an existing advisory board or working group, such as the state’s Byrne JAG advisory board, for this grant program, provided the existing advisory body contains the required representation. Required representatives include:

- ▶ Law enforcement
- ▶ Community
- ▶ Courts
- ▶ Prosecution
- ▶ Behavioral health providers
- ▶ Victims’ services
- ▶ Legal counsel

*In determining a community representative for the advisory board, BJA strongly encourages representation from members of the community with lived experience. This could include, but is not limited to a prominent community member, an owner of a local business and/or a community resident. Additionally, BJA urges SAAs to include representation from community-based organizations for behavioral health and victims’ services. Keep in mind that advisory boards can have more than one representative per category.

The crisis intervention advisory board must provide input on and approve grant program plans and budgets and will be required to approve any subsequent changes to the state’s SCIP project scope or budget.

Before SAAs can draw down SCIP funds, BJA must approve the state’s proposed program plan and budget, as developed in conjunction with and approved by the crisis intervention advisory board. Additionally, BJA must approve each subaward before funds are drawn down. However, SAAs may draw down up to \$20,000 in advance from their total award for the purposes of developing program and budget plans in conjunction with the crisis intervention advisory board.

Grant Pass-through Requirements

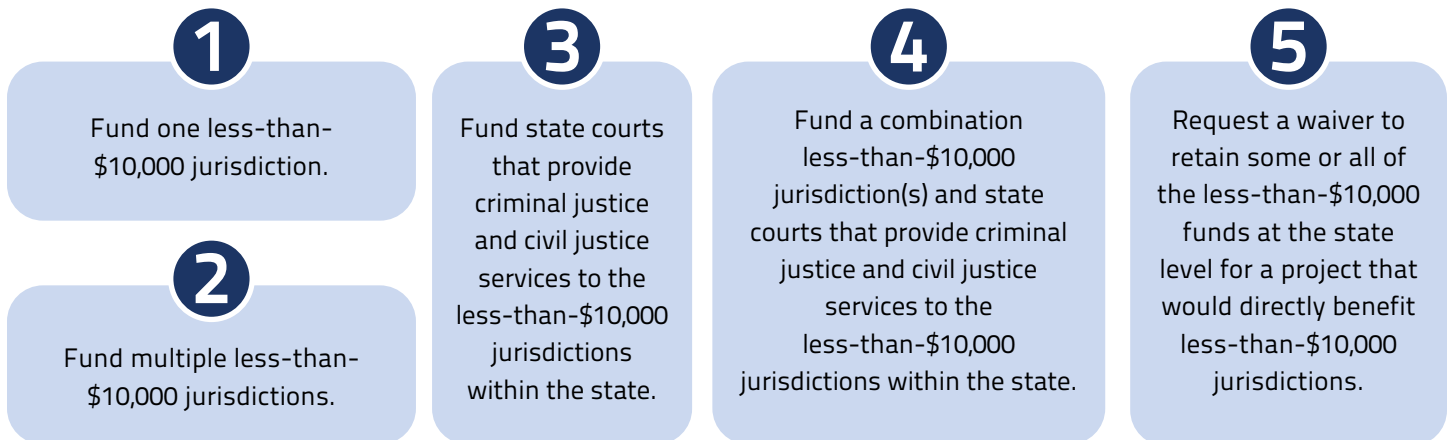
The pass-through requirements for this grant program are as follows:

Local Pass-through Requirement

- ▶ SAAs are required to award no less than 40 percent of the state’s total Byrne SCIP allocation to units of local government. According to BJA and for the purpose of Byrne SCIP, a “unit of local government” is a city, county, township, town, or certain federally recognized American Indian tribes. States have discretion in the process and purpose of the awards, as informed by their crisis intervention advisory body. This pass-through is mandatory and not eligible for a waiver.

Less than \$10,000 Pass-through Requirement

- ▶ SAAs must pass through the funds that are added to the state’s share for the less-than-\$10,000 jurisdictions, either to state courts that provide criminal justice and civil proceeding services for the “less-than \$10,000 jurisdictions” within the state and/or directly to such jurisdictions. This stipulation mirrors the requirement in Byrne JAG for the less-than-\$10,000 jurisdiction funds to be used for state police or for programs that benefit the less-than-\$10,000 jurisdictions, but for the Byrne SCIP grant, these funds must go to state courts (or directly to the less-than-\$10,000 jurisdictions) as opposed to state police. **View the list here to find a state’s allocation.** As informed by the crisis intervention advisory board, states have discretion to utilize the less than \$10,000 pass-through funding in several ways:



Program and Budget Plan Guidance

Program and budget plans for Byrne SCIP funds are required to be expressly approved by BJA after receipt of the award through a scope change Grant Award Modification (GAM). The following is a list of components required for both the program and budget plans:

Program Plan Requirements

- ▶ Describe overall goals for the use of Byrne SCIP funds.
- ▶ Describe the crisis intervention advisory board, its membership and its governance structure.
- ▶ Explain the process for awarding subawards.
- ▶ Documentation, such as a signed letter, from the crisis intervention advisory board confirming the board coordinated with the SAA to develop the program and budget plans and that the board approves all submitted plans.
- ▶ An explanation of how the required 40 percent pass-through requirement and the under \$10,000 allocation will be met.



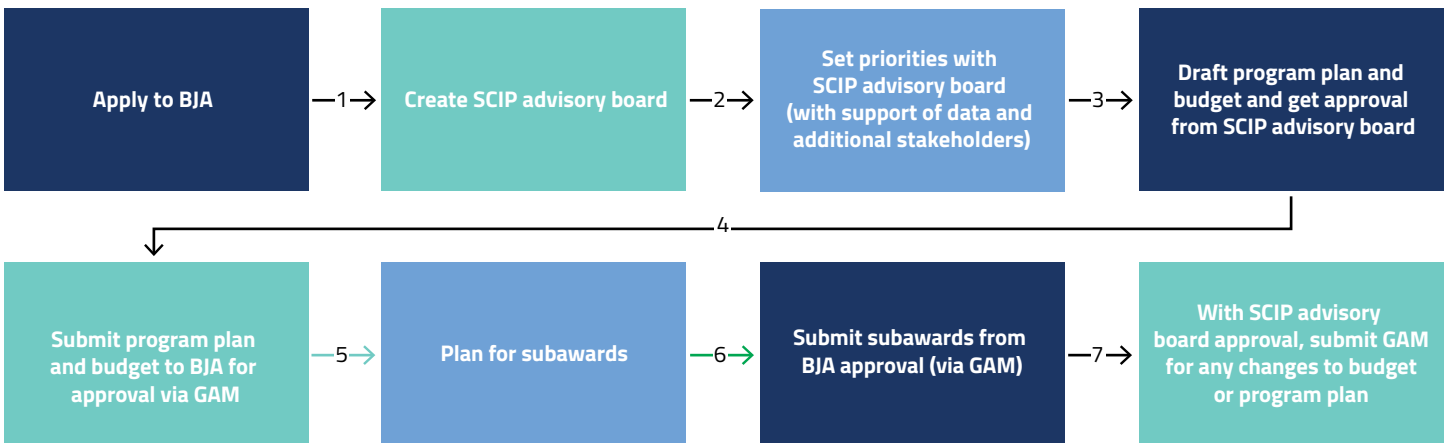
Budget Plan Requirements

- ▶ Provide a detailed, itemized budget narrative and breakdown of costs; identify administrative costs and the required pass-through amount by category.
- ▶ The budget plan may be integrated into the program plan but must still provide the full itemized breakdown of costs.

When submitting the scope change GAM for program plan and budget approval, make sure to also update the project description for the award; this will populate **the information available to the public about the award**.

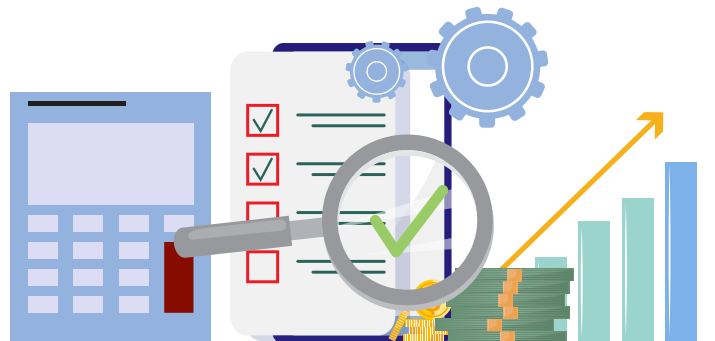
Once the program and budget plans are approved by BJA, SAAs will receive a notification from JustGrants of the GAM approval and BJA will remove the associated withholding condition.

A Graphic Overview of the Byrne SCIP Process



Administrative Costs

SAAs will have access to the full 10 percent of administrative costs once the program plan and budget plan are approved. As a reminder, administrative costs derive from the SAA’s entire SCIP award, but will come from the state share of the allocation (the pass-through allocations cannot be reduced). Once the program/budget plan is approved, SAAs will have access to their administrative money as it is spent, not in advance, as Byrne SCIP operates on an immediate disbursement/reimbursement model. Draw downs must be timed to ensure that cash on hand can be disbursed within 10 days.



Three Key Differences from Administering Byrne JAG

1

SAA's must utilize the Byrne SCIP grant program as an immediate disbursement/reimbursement model; states will not be allowed to draw down the entirety of the award and place the funds in an interest-bearing account, as many have done with Byrne JAG.

2

Whereas Byrne JAG has a requirement that SAA's must submit a comprehensive statewide strategic plan every five years that details planned resource allocation, use of data and implementation of evidence-informed practices, Byrne SCIP instead requires a BJA-approved program plan and budget plan each award year the SAA seeks to draw down funds.

3

Keep in mind that BJA will need to review and explicitly authorize all subawards under the Byrne SCIP program. Seeking approval of subawards under SCIP includes drafting a scope change Grant Award Modification (GAM) through the JustGrants system and submitting a letter that includes the following: the selection process for the subawards; the entities receiving subawards, along with their grant award amounts and project periods; subaward descriptions; and subaward budgets. Some SAA's may be ready to have their board and BJA approve subawards along with the program plan, whereas other SAA's may need to receive program and budget plan approval first and subaward approval second.

*Keep in mind that the advisory board will need to approve any substantive changes to the SAA's SCIP program plan.

SCIP Evaluation Component

The Bipartisan Safer Communities Act requires the Department of Justice to evaluate and report to Congress on the effectiveness of the grant funds in reducing gun violence. In addition, BJA is committed to developing a national evaluation of gun violence reduction programming funded by the Byrne SCIP program. The National Criminal Justice Association (NCJA) was selected as the training and technical assistance provider tasked with helping Byrne SCIP recipients collect adequate data for this BJA evaluation. In August 2024 the National Institute of Justice released a **solicitation** on evaluating the Byrne SCIP program. Additional information about the Byrne SCIP evaluation component will be forthcoming. Engaging research partners and/or Statistical Analysis Centers (SACs) is highly encouraged and is an allowable use of Byrne SCIP funds; SAA's are permitted to use funds outside of the amount designated for administrative usage for this purpose.

Extreme Risk Protection Order Programs

For SAA's that intend to allocate some or all of their Byrne SCIP funds to ERPO programs, there are a few specific requirements to be aware of. They are as follows:

- ▶ **ERPO Certification:** To ensure all ERPO programs are in compliance with federal minimum requirements, **this signed certification** must be completed annually prior to the use of any funds for ERPO programs. This certification will also be required for the approval of all program and budget plans that include ERPOs.
- ▶ **ERPO Requirements:** By statute, ERPO programs are required to meet the following minimum requirements:
 - ▶ Pre-deprivation and post-deprivation due process rights that prevent any violation or infringement of the U.S. Constitution.
 - ▶ The right to be represented by counsel at no expense to the government.
 - ▶ Pre-deprivation and post-deprivation heightened evidentiary standards and proof.
 - ▶ Penalties for abuse of the program.

* Consult the full mandatory requirements for ERPO programs here in the FY 2024 Byrne SCIP state solicitation.

Stakeholder Engagement

Engaging the right stakeholders, including representatives from all affected and relevant parties within and across the criminal justice system, is critical. Stakeholders should be meaningfully involved in the process of determining needs and gaps for this grant program. Involvement and engagement strategies may look different for all active partners, and strategies will need to be reassessed often and deliberately. In addition to ensuring all parties have a seat at the table, it's important to ensure all individuals have an equal voice in this work. Beyond listening to key issues and needs, SAAs should ensure stakeholder perspectives make their way into the program priorities by engaging in frequent follow-up as well as open discussion of how feedback guides program decisions and actions.



Who to Engage

As mentioned, engaging the right stakeholders is critical to ensuring SAAs are aware of all needs, gaps and challenges relating to gun violence and firearm-related suicide in their state. Whether SAAs engage the following non-exhaustive list of stakeholders as part of their crisis intervention advisory board or as part of a separate ongoing stakeholder engagement process, here are some partners to consider in determining how this funding should be allocated:

- ▶ State court administrators and judicial officers.
- ▶ Statewide treatment court coordinators: these coordinators are responsible for oversight of all treatment courts within the state, which can include drug courts, veterans treatments courts, mental health courts, family courts and juvenile courts.
- ▶ 988 partners.
- ▶ National Alliance on Mental Health (NAMI): NAMI is a national mental health organization with a mission to provide advocacy, education, support and public awareness so that all individuals and families affected by mental illness can build better lives. NAMI has over 600 local affiliates and 49 state chapters. A local NAMI affiliate search tool is available on NAMI's [website](#).
- ▶ Court experts familiar with domestic violence protection orders and related charges.
- ▶ Community representation: Community representation and engagement should be at the heart of this work. This may mean engaging community-based organizations and nonprofits, but also engaging faith and community leaders, residents and individuals with lived experience.
- ▶ State public health and mental health agencies.
- ▶ Criminal Justice Coordinating Councils engaged in crisis intervention response initiatives.
- ▶ Statistical Analysis Centers and other research partners who can assist in developing a gun violence landscape analysis and program evaluations.
- ▶ Partners associated with the **Governor's/Mayor's Challenges to Prevent Suicide Among Service Members, Veterans, and their Families**.
- ▶ Victim services representatives, particularly in the domestic violence and gun violence space.

Training and Technical Assistance

BJA has ensured that SCIP recipients will receive training and technical assistance (TTA) under this grant program. Three TTA providers have been selected for Byrne SCIP: the National Criminal Justice Association, the Johns Hopkins Center for Gun Violence Solutions and the National Council of Juvenile and Family Court Judges.

Request TTA from any of the three TTA providers [here](#):

The **National Criminal Justice Association (NCJA)**, through its Center for Justice Planning, is the longstanding TTA provider for the Byrne Justice Assistance Grant (Byrne JAG) program and serves as a TTA provider for Byrne SCIP. NCJA provides guidance, primarily to State Administering Agencies (SAAs) and local Criminal Justice Coordinating Councils (CJCCs), on strategic planning, stakeholder engagement, effective use of data and promising practices, through direct assistance, webinars, workshops, toolkits, resources and other peer-to-peer learning opportunities.

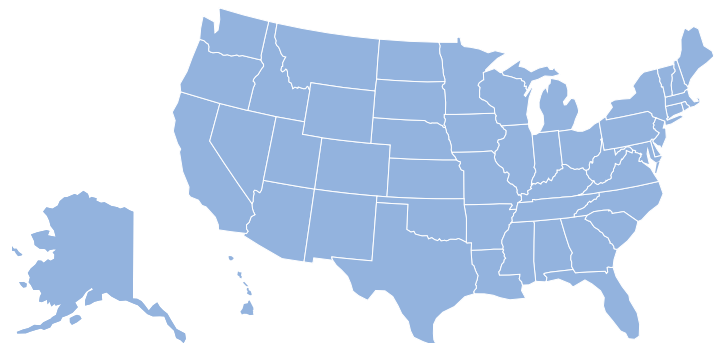
NCJA’s Byrne SCIP TTA includes the following:

- ▶ Direct assistance in helping Byrne SCIP recipients and subrecipients build capacity to collect and report data as it relates to implementing its BJA-required crisis intervention programming.
- ▶ Preparing SAAs receiving Byrne SCIP funds for potential participation in an evaluation on the effectiveness of state crisis intervention programs in preventing gun violence and firearm-related suicide.
- ▶ Assisting Byrne SCIP SAAs in the planning and creation of their state Byrne SCIP advisory boards.

Learn more about NCJA’s SCIP TTA opportunities [here](#). To reach out to NCJA directly, email ByrneSCIPTTA@ncja.org.

The **Johns Hopkins Center for Gun Violence Solutions**, in partnership with the U.S. Department of Justice, Bureau of Justice Assistance (BJA), established the **National ERPO Resource Center (ERC)** in 2024. The ERC is a training and technical assistance hub designed to support states and localities in their efforts to establish and implement ERPO programs to fit local needs.


The ERC will also support states so that the ERPO funding received through the Bipartisan Safer Communities Act is effectively utilized and that the law’s required constitutional and due process protections are embedded into each relevant state’s activities. In collaboration with BJA, the ERC will support ERPO implementers throughout the country, including law enforcement, prosecutors, attorneys, judicial officers, clinicians, educators, veterans’ organizations, victim service providers, community organizations, and behavioral health and social service providers.



Johns Hopkins’ ERPO Resource Center’s TTA includes the following:

- ▶ Developing and disseminating stakeholder trainings.
- ▶ Providing implementation support.
- ▶ Supporting peer-to-peer engagements with model learning sites.
- ▶ Performing site assessments.
- ▶ Developing presentations and webinars that will advance states and localities’ knowledge on key ERPO topics.

To reach out to Johns Hopkins’ ERC directly, email ERPO@jhu.edu.



The **National Council of Juvenile and Family Court Judges (NCJFCJ)** is the nation's oldest judicial membership organization. A trusted source on issues of juvenile justice, family law and domestic violence, the NCJFCJ has a reputation for being at the forefront of systems' change and improvement. NCJFCJ's membership impacts law, policy and practice nationally and in jurisdictions across the country, leading improved systems' response to the issues that affect children, families and victims.

Working in collaboration with BJA and the other TTA providers, NCJFCJ will build and offer support through the Safer Communities Court Resource Center to assist state, local and tribal courts in assessing and responding to court-involved individuals who may pose a risk to themselves or others with a firearm.

The following list represents the TTA offered by NCJFCJ:

- ▶ Identifying needs and opportunities to improve court systems' response to people in crisis.
- ▶ Developing and providing customized and responsive training and technical assistance for court staff and judicial officers regarding firearms laws and best practice, especially as they apply to court-involved individuals in crisis.
- ▶ Providing short on-demand topical court training modules.
- ▶ Facilitating peer-to-peer information exchange and interdisciplinary meetings on strategies, overcoming challenges and building relationships with community resources.
- ▶ Creating and piloting a court self-assessment protocol to deepen courts' capacities to identify, assess and respond to court-involved individuals in crisis.
- ▶ Developing a judicial toolkit on firearms and crisis intervention.

To reach out to NCJFCJ directly, email SaferCCC@ncjfcj.org.

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