

MARY JO GIOVACCHINI: Good afternoon, everybody. And welcome to today's webinar, "FY 2021 Upholding the Rule of Law and Preventing Wrongful Convictions Site Based and Training and Technical Assistance Program" hosted by the Bureau of Justice Assistance. Our presenter today is Katharine Browning, Senior Policy Advisor with the Bureau of Justice Assistance. Kathy?

KATHARINE BROWNING: Thank you. And thank you everybody for taking the time to join this webinar. What I'd like to do is—on this webinar is give you all an overview of what's in the solicitation and some tips for applying and then leave some time—we'll have some time for Q&A.

So just want to go over some of the objectives of the wrongful conviction solicitation. The purpose is to provide funds for sites to strategically review cases of post-conviction and appeal claims of innocence with a focus on those at greatest risk for error, to establish or enhance partnerships where appropriate to apply a strategic review of individual post-conviction claims of innocence and appeals, and where relevant to use this information to inform efforts to prevent wrongful convictions. So also to—the hope that be able to identify and apprehend, whenever possible, the actual perpetrator of the crime, and to evaluate whether or not any systemic issues exist that may compromise the rule of law and recommend practices for mitigating them and preventing wrongful conviction.

As I go through this, just a reminder that I'm providing a summary today and you should always refer to the actual full solicitation for, you know, complete information and requirements, so I'm just hitting some of the high points.

In terms of eligibility, the following entities are eligible to apply. Nonprofit organizations including tribal nonprofit organizations, institutions of higher education, and state or local public defender offices that have in-house post-conviction representation programs. It must show demonstrable experience and competence in litigating post-conviction claims of innocence. And all recipients and subrecipients must forgo any profit or management fee.

You'll notice that this solicitation has two categories. The first one, Category 1, is for site-based funds for wrongful conviction review entities. So these are to localities, jurisdictions to provide high quality and efficient post-conviction representation for defendants. The second category is for a delivery of national training and technical assistance to the Category 1 award recipients.

So in the Category 1 funding, the funds will go to wrongful conviction review entities to develop a strategy. And this strategy should focus on review of post-conviction claims of innocence. Jurisdictions with new or established wrongful conviction review entities are encouraged to apply. The applicant's strategic plan should review, investigate, and adjudicate individual cases of post-conviction claims of innocence and appeal. The funds requested must support high quality and efficient post-conviction representation for defendants in post-conviction claims of innocence. And the strategy should also include an assessment of the risk for wrongful conviction among the reviewed cases. So this

assessment should support the prevention of wrongful conviction including setting criteria and prioritizing for review those highest at risk for wrongful conviction, as well as to seek the identity of the actual perpetrator.

If the—again, for Category 1, if the application includes a partnership with the relevant Prosecutor's Office or Conviction Integrity Unit, applicants must include descriptions of policies and procedures designed to avoid conflicts of interest and protect defendant's rights, including plans for obtaining waiver of attorney/client privileges and informed consent. And all applicant organization should show their capacity and commitment of their key partners to conduct this work, including their experience and competence with legal representation of post-conviction claims of innocence and appeals.

For Category 2, we're looking for an applicant to provide delivery of national TTA to Category 1 award recipients. And this will develop and enhance strong partnerships between entities and other criminal justice organizations to effectively implement projects; develop and implement a wrongful conviction risk assessment process; enhance capacity to identify and review cases of high risk; enhance the experience of the entities to support quality post-conviction and appeals legal representation in the identified cases; and document the efficacy of entities in seeking to overturn challenged convictions; and document the efficacy of entities in identifying appropriate suspects when convictions are overturned.

One of the things I did not include on those, it's just sort of a reminder that for Category 1 folks can apply for up to \$300,000 and for a two-year project and for Category 2, the amount is up to \$450,000 for a two-year project. And this would be to begin work with the FY 21 site-based award.

A few other considerations for both Categories 1 and 2, each applicant organization must demonstrate its capacity and commitment, and that of key partners, to conduct this work, including experience and competence with legal representation of post-conviction claims of innocence and appeal. And as with all OJP-funded activities, applicants are encouraged to use data and scientific evidence to inform their proposals and program development. We've listed some websites here to Crime Solutions and to BJA's website for researcher practitioner partnerships and evaluation and a lot of useful information on both of those websites.

Want to review the expected deliverables at this point. The—for Category 1, you will identify and report the number of post-conviction and appeals claims of innocence cases reviewed and the stage of review conducted for each case. Identify and report the number of exonerations and identifications of actual perpetrators and document a systemic review of areas of risk for wrongful conviction, and recommend any strategies to mitigate these risks.

For Category 2, the deliverables include delivery of regional and topical, potentially virtual training sessions that focus on evaluating and representing clients and cases of post-conviction and appeals claims of innocence as well as strategies to assess and mitigate

risks and identify actual perpetrator. This training should be based on an assessment of Category 1 award recipients' capacity and need, and should ensure that all key partners are involved. Also delivery of ongoing direct technical assistance to these entities and their partners as they're implementing the strategies. Work with Category 1 award recipients to track cases reviews, exonerations, and actual perpetrators identified, as well as to develop potential policies or guidelines. And to maintain a central online database of materials, including briefs, motions, and expert information needed by lawyers to screen, investigate, and handle potential cases of wrongful conviction.

So applicants are not required to submit performance data with your application. But there is performance measure information in the solicitation as an alert that if you are successful, you will be required to submit performance data as part of the reporting requirement under the award. So the application should demonstrate the applicant's understanding of the performance data reporting requirements for this grant program and detail how the applicant will gather the required data should it receive funding.

And here we have the link for the full solicitation. You're going to have to find this on the BJA website.

Just want to go over a few tips for applying. The application must be submitted by an eligible type of applicant. It must request funding within the programmatic funding constraints. It must be responsive to the scope of the solicitation, and it must include all items that are designated as critical elements.

In addition, applicants must register in and submit applications through Grants.gov. This is a one-time process and it can take a few weeks for the first time registrant. You must comply with the SAM and DUNS requirement and OJP encourages applicants to submit at least 72 hours prior to the application due date. You will note something—there are a couple things different about this year. First is that there's two dates here. The date for submitting some preliminary information in the Grants.gov and then the date for the complete application which is two weeks later and that deadline is March the 24th.

Before I turn it over to Mary Jo, just want to let you all know that the JustGrants system is new and it will require—it might—it may require some additional time. Mary Jo is going to let you know about some of the material and opportunities for you to get specific information about applying through the new system. Mary Jo.

MARY JO GIOVACCHINI: Thank you, Katharine. So there are a couple previously held webinars that you can refer to. The first one listed here is “The Funding Process: First Steps to Applying, How to Prepare, and Other Considerations.” This webinar was done last week by BJA and currently right now we have the PowerPoints up but early next week, we should probably have the recording and the transcript. This webinar itself goes into some of the mechanics necessary on preparing your application and does discuss quite a bit about JustGrants and what is necessary in that system and there were a lot of specific questions asked and answered that would help you. Additionally, BJA held a webinar called “JustGrants and ASAP: OJP's New Grant Management System” that was

held back in December. And links to that recording presentation, the PowerPoints, and transcript are listed in the slide here and will be available once posted on the BJA—I'm sorry, once we post it, you'll be able to get it.

If you are having problems with JustGrants, you can seek technical support and they are available at JustGrants.Support@usdoj.gov. You could also call them at 800—I'm sorry, 833-872-5175. They are open Monday through Friday from 5 a.m. to 9 p.m. Eastern Time, Saturday, Sunday, and federal holidays from 9 a.m. to 5 p.m. Eastern Time.

If after this webinar or any time during your application process you have questions that are specific to the solicitation, so items such as eligibility or deliverables and so forth, you can reach out to the Response Center. Their email address is grants@ncjrs.gov. They have a toll free number 800-851-3420. And they are open 10 a.m. to 6 p.m. Eastern Time Monday through Friday. They are open later on the day the solicitation will close.

If you need application assistance with the Grants.gov portion, you can reach them at 800-518-7426 or email them at support@grants.gov. They are open seven days a week except on federal holidays and 24 hours a day is their support time.

Obviously we'd like you to follow us and stay in touch with BJA. You can sign up to receive their emails and you can do that either by going to their website and subscribing or even easier yet, you can use the new text to subscribe feature. Send a text message to 468-311, insert your email address and you will be subscribed to receive the BJA email. Just please note that message and data rates do apply. BJA does have a social media presence. They are on Facebook and Twitter and their URLs are listed here and we invite you to follow us on those items. Also there is a YouTube channel and you can follow and see videos, webinars, and so forth posted by BJA from their YouTube channel. Their website address is bja.ojp.gov.

We are going to start questions here in a second. Before we do that, I just want to let you know the solicitation link is listed here one last time on the slide and it will be added to the chat box. So let's jump into our questions. First question, for Category 1, can the funds be used to launch a post-conviction program at an entity without an in-house unit?

KATHARINE BROWNING: Yes. The funds can be used to either start a new wrongful conviction entity or to enhance one that's already exists.

MARY JO GIOVACCHINI: When will the funding for this grant be expected to be awarded?

KATHARINE BROWNING: So the awards should be made by the end of the fiscal year which is the end of September 2021 and the fund should be available in October of 2021.

MARY JO GIOVACCHINI: The Grants.gov deadline is on March 10. Is that the deadline to register at Grants.gov or does the application have to be submitted to Grants.gov and JustGrants by then?

KATHARINE BROWNING: So the full application is not due until March 24th. I honestly don't have all the details of what's due in—at March 10th. This is part of our new process. So let me just reiterate that we are hoping to—or we are expecting to offer a number of webinars over the course of February that will provide information specific about our new system and application process. If you are subscribed on social media, you will get information about these. You can also go back to some of the resources that we pointed to earlier, the ones that we already—that already have—that we've already held to get information about the exact application process this year.

MARY JO GIOVACCHINI: Thank you, Kathy. And I did forget to mention that. There will be 10 actually webinars on JustGrants throughout February and I highly recommend that you sign up to receive the emails through BJA because they will definitely be sharing that information out and it will also I'm sure be re-tweeting the information that's shared. In addition, the Response Center does have a funding newsletter that comes out each Friday. If you subscribed to receive that, that information will be included in that as well. So thank you for that reminder, Kathy.

Next question, for Category 1, are there—are there guidelines for salaries?

KATHARINE BROWNING: I do not have the answer to that. So I would encourage you to submit that question into the Response Center and then those get shared with me and I can get those details and then those are eventually put—posted onto the FAQ page on our website.

MARY JO GIOVACCHINI: All right. It looks like that's the last of our questions. I don't see any questions in the Q&A or in the chat. So at this time, if you would like to, we can end the webinar.

KATHARINE BROWNING: All right. Well, thank you. And thank you everyone for taking the time to participate in this webinar and don't hesitate to ask questions if any more come up and I hope you enjoy the rest of your day.