



Justice Assistance Grant (JAG) Program, 2012

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Introduction

As part of the Consolidated Appropriations Act of 2005, the 108th Congress merged the discretionary Edward Byrne Memorial Grant Program with the formula-based Local Law Enforcement Block Grant (LLEBG) program to establish the Edward Byrne Memorial Justice Assistance Grant (JAG) program. The Bureau of Justice Assistance (BJA) administers the JAG program, and the Bureau of Justice Statistics (BJS) calculates the JAG formula-based award amounts using specifications outlined in the legislation.

JAG awards may be used for the following seven purposes—

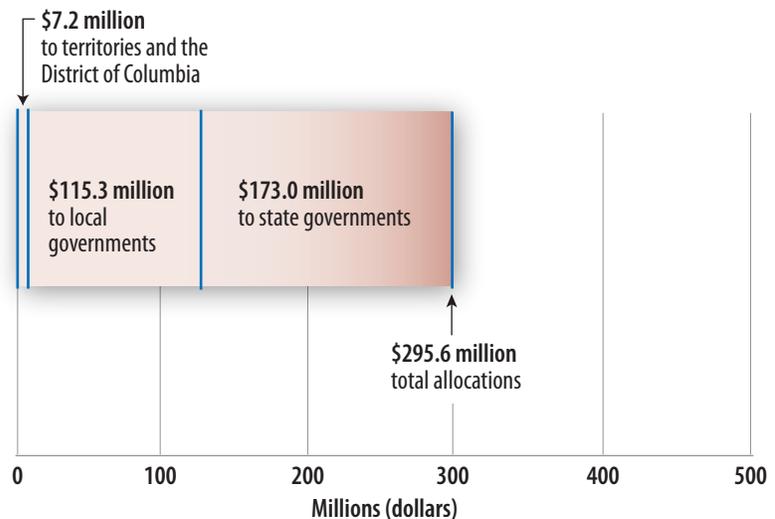
- law enforcement
- prosecution and courts
- prevention and education
- corrections and community corrections
- drug treatment
- planning, evaluation, and technology improvement
- crime victim and witness programs.

A total of \$295,580,175 was available for the 2012 JAG awards (figure 1). This report describes the steps in the JAG award calculation process and presents summary results of the 2012 JAG formula calculations.

HIGHLIGHTS

FIGURE 1

Distribution of FY 2012 JAG funds



Note: Detail may not sum to total due to rounding.

Source: Bureau of Justice Statistics calculations based on data from the Uniform Crime Reporting Program and the U.S. Census Bureau.

- The total 2012 allocation for the JAG funding was approximately \$295.6 million, of which \$288.4 million went to states and \$7.2 million to territories and the District of Columbia.
- The five largest total state allocations included California (\$32.9 million), Texas (\$22.7 million), Florida (\$19.5 million), New York (\$16.0 million), and Illinois (\$12.0 million).
- A total of 1,606 local governments were eligible for awards, either directly or through a joint allocation with other governments within their county. The five local governments eligible to receive the largest awards included New York City (\$4.1 million), Chicago (\$2.9 million), Philadelphia (\$1.9 million), Houston (\$1.9 million), and Los Angeles (\$1.8 million).
- Three states had around 100 or more local governments eligible to receive award funds either directly or through a joint allocation: California (224), Florida (130), and Texas (98).

Overview of process

Once the fiscal year JAG allocation has been determined, BJS begins its four-step award calculation process:

- Computing an initial allocation for each state and territory, based on its share of violent crime and population (weighted equally).
- Reviewing the initial allocation amount to determine if it is less than the minimum (*de minimus*) award amount defined in the JAG legislation (0.25% of the total). If this is the case, the state or territory is funded at the minimum level, and the funds required for this are deducted from the overall pool of funds. Each of the remaining states receives the minimum award plus an additional amount based on its share of violent crime and population.
- Dividing each state's final amount at a rate of 60% for state governments and 40% for local governments.
- Determining local award allocations, which are based on their proportion of the state's 3-year violent crime average. If a local award amount is less than \$10,000, the funds are returned to the state. If it is \$10,000 or more, then the local government is eligible to apply for an award.

The JAG award calculation process, with examples, is explained in more detail below.

The four-step award calculation process

Step 1: Initial allocation to states and territories

[Legislative mandate: 42 USC 3755 (a) (1)]

Based on the congressional appropriation for the 2012 JAG program, BJS calculates the initial allocation amounts for the 50 states and territories. Using the congressionally established formula, BJS allocates half of the available funds based on a state's or territory's share of violent crime and

half of the funds based on its share of the nation's population. The most recent 3-year period of official violent crime data for states and territories from the Federal Bureau of Investigation (FBI) covered the period between 2008 and 2010. The population shares for the 50 states and territories were determined based on the results of the 2011 mid-year population estimates published by the U.S. Census Bureau.

Examples—

- California accounts for 13.12% of the nation's total violent crime and 11.94% of the nation's total population. Therefore, California's initial allocation equals 13.12% of \$147,790,088 (half of \$295,580,175) plus 11.94% of \$147,790,088, totaling \$37,035,131.
- Vermont accounts for 0.06% of the nation's total violent crime and 0.20% of the nation's total population. Vermont's initial allocation is 0.06% of \$147,790,088 plus 0.20% of \$147,790,088, totaling \$385,914.

Step 2: De minimus awards

[Legislative mandate: 42 USC 3755 (a) (2)]

The JAG legislation requires that each state or territory be awarded a minimum allocation equal to 0.25% of the total JAG allocation (\$738,950 in 2012), regardless of its population or crime average. If a state's or territory's initial allocation based on crime and population is less than the minimum amount, that state or territory receives the minimum award amount as its total JAG allocation. If a state's or territory's initial allocation exceeds the minimum amount, it receives the minimum award plus the amount based on its share of the violent crime and population. A total of \$40,642,274 was allocated for minimum awards in the 2012 JAG program.

Congress made one exception to this rule: American Samoa and the Northern Mariana Islands are required to split one minimum award, with American Samoa receiving 67% (\$495,097) and the Northern Mariana Islands receiving 33%

(\$243,854). (See *Methodology* for more information on allocation procedures for the territories.)

Examples—

- Vermont's initial allocation of \$385,915 is less than the minimum value, so Vermont's total JAG allocation will be the minimum amount of \$738,950.
- California's initial allocation of \$37,035,131 exceeds the minimum value, so California will receive the minimum plus an award based on its share of total violent crime and population.

To compute the additional amounts, the crime and population data for states and territories receiving only the minimum award are removed from the pool, and the remaining JAG funds are reallocated to the rest of the states based on violent crime and population as in Step 1.

Examples—

- Vermont received only the minimum award, so its crime and population data are removed from the pool.
- After removing the crime and population data for the minimum amounts for states and territories, California accounts for 13.18% of violent crime and 12.06% of the nation's population. California's new JAG allocation is equal to \$16,795,770 (13.18% of one half of \$254.9 million) plus \$15,369,833 (12.06% of one half of \$254.9 million), plus the minimum amount of \$738,950. These three components equal \$32,904,554. (\$254.9 million equals the \$295.6 million total JAG 2012 award allocation minus the \$40.6 million JAG 2012 minimum allocation.)

Step 3: 60/40 split to state and local governments

[Legislative mandate: 42 USC 3755 (b)]

Except for the territories and the District of Columbia, 60% of the total allocation to a state is retained by the state government, and 40% is set aside to be allocated to local governments.

Examples—

- California's state government retains 60% of \$32,904,554, or \$19,742,732. The remaining 40%, or \$13,161,821, is set aside for distribution to local governments in California.
- Vermont's state government retains 60% of the minimum award of \$738,950, or \$443,370. The remaining 40%, or \$295,580, is set aside for distribution to local governments in Vermont.

Step 4: Determining local award allocations

[Legislative Mandate: 42 USC 3755 (c)(d)(e)(f)(g)(h)]

In order to determine local awards, BJS determines which jurisdictions should be included in the calculation of the 3-year violent crime averages on which local awards are based. These crime averages are computed using data published by the FBI's Uniform Crime Reporting (UCR) Program. To be eligible, a jurisdiction must have provided to the UCR a count of the number of violent crimes known to law enforcement each year for a minimum of 3 years in the last 10. Jurisdictions that have not reported data for at least 3 of the last 10 years are excluded from the calculations and cannot receive an award.

The 10-year limit on the age of UCR data that can be used for JAG local award calculations was applied for the first time during the 2009 Recovery Act.¹ For the 2010 JAG, the 10-year window for eligible UCR data was waived because some agencies were having difficulty meeting the new requirements. Instead, all of the FBI's UCR data dating back to 1991 were used to meet the 3-year reporting requirement. Agencies that used this waiver signed an agreement indicating they would begin to report timely data on Part I violent crimes to the FBI starting no later than the end of federal Fiscal Year 2010 (September 30, 2010). All agencies that used the waiver in 2010 reported updated UCR data by the required deadline, making it unnecessary to authorize an additional waiver of the 10-year rule in 2012.

After determining which law enforcement agencies have the 3 years of reported violent crime data required to be included in the calculations, BJS computes the average number of violent crimes reported by all law enforcement agencies in each jurisdiction (e.g., local government) for the 3 most recent years in which they reported data.

Since awards to local governments are based on their share of all violent crimes reported by the law enforcement agencies in their state, BJS computes the sum of these averages within each state to determine the jurisdiction's share of the total local award allocation local governments may receive.

¹Previously, all years of the FBI's UCR data could be used to meet the 3-year reporting requirement. Although the 10-year limit was stipulated in the 2005 legislation that created the JAG program, it was not implemented until 2009 per the "Transitional Rule." [See 42 USC § 3755 (d)(2)(B).] The 10-year limit was applied in FY 2012 and the UCR data used for the 2012 JAG award calculations included the 10-year period from 2001 to 2010.

Examples—

- California has \$13.2 million set aside for local awards. The 3-year violent crime averages reported by local jurisdictions in California equal 171,591 crimes. Dividing the \$13.2 million set aside by the state crime totals results in the number of dollars available for each crime: $\$13,161,821 / 171,591 \text{ crimes} = \76.70 per crime . Therefore, a local California jurisdiction needs a 3-year average of at least 130.37 violent crimes ($\$10,000 / \76.70) to be eligible for an award.
- Vermont has \$295,580 set aside for local governments. The sum of 3-year average violent crimes reported is 613. The dollars per crime ratio in Vermont equals $\$295,580 / 613 \text{ crimes}$, or \$481.92 per crime. The threshold is 20.75 violent crimes ($\$10,000 / \481.92) to be eligible for an award.

Finally, BJS calculates the initial amount of each local award. Each local award amount is equal to the product of a local jurisdiction's 3-year violent crime average and the "dollars per crime" ratio for the state in which it is located. By statute, the minimum award a local jurisdiction may receive is \$10,000. Jurisdictions that are eligible for an initial award greater than or equal to \$10,000 are eligible to apply to receive the funds for their own use. If the initial award is less than \$10,000, the award funds are transferred to the state administering agency for distribution to the state police or any units of local government that were ineligible for a direct award greater than or equal to \$10,000. (See "Pass-through requirement" [42 USC § 3755 (c)] on page 5.)

TABLE 1

State and local allocation amounts, FY 2012

State	Initial allocations		Dollars per crime	Threshold	Eligible local awards		Reallocated to state	Total state government award	Total allocation
	State government	Local governments			Number	Amount			
Total	\$173,019,586	\$115,346,390			1,606	\$94,944,267	\$20,402,123	\$193,421,709	\$288,365,976
Alabama	2,778,388	1,852,259	\$98.02	102.02	34	1,265,377	586,882	3,365,270	4,630,647
Alaska	878,398	585,598	164.13	60.93	5	502,661	82,937	961,335	1,463,996
Arizona	3,677,872	2,451,914	86.57	115.52	31	2,181,357	270,557	3,948,429	6,129,786
Arkansas	2,013,305	1,342,204	93.33	107.14	27	951,352	390,852	2,404,157	3,355,509
California	19,742,732	13,161,821	76.70	130.37	224	12,113,628	1,048,193	20,790,926	32,904,554
Colorado	2,668,339	1,778,893	104.58	95.62	28	1,523,500	255,393	2,923,732	4,447,232
Connecticut	1,922,522	1,281,681	127.35	78.52	18	1,097,231	184,450	2,106,972	3,204,203
Delaware	1,001,137	667,424	171.78	58.21	9	611,768	55,656	1,056,793	1,668,561
Florida	11,673,899	7,782,599	67.65	147.82	130	7,169,332	613,267	12,287,166	19,456,498
Georgia	5,314,192	3,542,795	86.61	115.46	63	2,749,219	793,576	6,107,768	8,856,987
Hawaii	984,095	656,063	186.89	53.51	4	656,063	0	984,095	1,640,158
Idaho	1,041,590	694,393	192.51	51.94	14	483,913	210,480	1,252,071	1,735,984
Illinois	7,201,034	4,800,689	93.03	107.49	38	4,341,204	459,485	7,660,519	12,001,723
Indiana	3,255,614	2,170,409	108.59	92.09	25	1,803,751	366,658	3,622,272	5,426,023
Iowa	1,682,056	1,121,370	136.87	73.06	19	785,083	336,287	2,018,343	2,803,426
Kansas	1,790,506	1,193,671	111.69	89.53	21	879,105	314,566	2,105,071	2,984,176
Kentucky	2,169,976	1,446,651	144.03	69.43	15	1,093,148	353,503	2,523,479	3,616,627
Louisiana	3,164,952	2,109,968	79.48	125.82	39	1,668,413	441,555	3,606,507	5,274,920
Maine	860,056	573,370	389.17	25.70	14	334,162	239,208	1,099,264	1,433,426
Maryland	3,803,338	2,535,559	78.65	127.14	24	2,372,141	163,418	3,966,756	6,338,897
Massachusetts	3,807,592	2,538,395	86.19	116.03	38	1,984,696	553,699	4,361,291	6,345,987
Michigan	5,738,420	3,825,613	79.94	125.09	54	3,114,809	710,804	6,449,224	9,564,033
Minnesota	2,505,196	1,670,131	129.71	77.10	15	1,108,895	561,236	3,066,432	4,175,327
Mississippi	1,660,150	1,106,767	154.17	64.86	32	767,534	339,233	1,999,383	2,766,917
Missouri	3,575,617	2,383,745	83.36	119.96	26	1,708,787	674,958	4,250,575	5,959,362
Montana	851,019	567,346	192.13	52.05	16	368,689	198,657	1,049,675	1,418,364
Nebraska	1,199,236	799,491	154.33	64.80	6	645,622	153,869	1,353,105	1,998,727
Nevada	2,175,328	1,450,219	78.78	126.94	8	1,392,082	58,137	2,233,465	3,625,547
New Hampshire	888,435	592,290	298.18	33.54	9	337,544	254,746	1,143,181	1,480,725
New Jersey	4,187,390	2,791,594	103.64	96.49	48	2,091,111	700,483	4,887,873	6,978,984
New Mexico	1,679,269	1,119,513	91.81	108.92	20	898,441	221,072	1,900,341	2,798,782
New York	9,599,530	6,399,687	86.48	115.63	31	5,830,069	569,618	10,169,148	15,999,217
North Carolina	5,029,856	3,353,237	90.27	110.78	65	2,570,243	782,994	5,812,850	8,383,093
North Dakota	443,370	295,580	206.70	48.38	8	214,002	81,578	524,948	738,950
Ohio	5,480,061	3,653,374	101.38	98.64	32	2,924,635	728,739	6,208,800	9,133,435
Oklahoma	2,445,381	1,630,254	87.59	114.16	17	1,188,748	441,506	2,886,888	4,075,636
Oregon	1,958,204	1,305,469	137.56	72.69	21	1,003,841	301,628	2,259,832	3,263,673
Pennsylvania	6,361,952	4,241,301	96.64	103.47	34	3,125,847	1,115,454	7,477,407	10,603,254
Rhode Island	854,998	569,999	215.91	46.32	10	491,552	78,447	933,445	1,424,997
South Carolina	3,340,696	2,227,131	73.56	135.95	51	1,783,083	444,048	3,784,744	5,567,827
South Dakota	443,370	295,580	152.39	65.62	7	211,108	84,472	527,842	738,950
Tennessee	4,426,947	2,951,298	70.71	141.42	33	2,246,720	704,578	5,131,525	7,378,245
Texas	13,614,465	9,076,310	76.40	130.90	98	7,668,784	1,407,526	15,021,990	22,690,774
Utah	1,479,365	986,243	167.15	59.83	15	762,206	224,037	1,703,402	2,465,608
Vermont	443,370	295,580	481.92	20.75	8	179,917	115,663	559,033	738,950
Virginia	3,487,293	2,324,862	128.64	77.74	33	1,869,780	455,082	3,942,375	5,812,155
Washington	3,371,272	2,247,515	104.26	95.91	40	1,808,944	438,571	3,809,843	5,618,787
West Virginia	1,212,284	808,190	218.47	45.77	24	600,502	207,688	1,419,972	2,020,474
Wisconsin	2,692,147	1,794,765	122.48	81.65	19	1,323,139	471,626	3,163,773	4,486,912
Wyoming	443,370	295,580	243.41	41.08	6	140,529	155,051	598,421	738,950

Note: Detail may not sum to total due to rounding.

Source: Bureau of Justice Statistics state calculations based on 2008–2010 data from the Uniform Crime Reporting (UCR) Program and 2011 population estimates from the U.S. Census Bureau; local calculations based on 2001–2010 UCR data.

Examples—

- The city of Oakland, California has a 3-year average of 6,988.33 violent crimes, or 4.1% of all violent crimes reported by jurisdictions in California. Oakland exceeds the state threshold of 130.37 violent crimes. It is eligible for 4.1% of the \$13.2 million set aside for local governments in California, or about \$536,000 (6,988.33 X \$76.70).
- The city of Swanton, Vermont, has a 3-year average of 4.33 violent crimes. This does not meet the state threshold of 20.75, so it is ineligible for a JAG award. Its crimes, less than 1% of all violent crimes in Vermont, account for about \$2,100 of award funds. These funds are transferred to the state for redistribution.

Results of the calculations for the 2012 Justice Assistance Grant Program

For the 2012 JAG, approximately \$288.4 million of the \$295.6 million available was allocated to the 50 states, with the remainder allocated to the District of Columbia and U.S. territories (table 1). As required by the legislation, 40% of this amount (\$115.3 million) was initially reserved for local governments. A total of 1,606 local governments had law enforcement agencies that provided a sufficient number of reported crimes to the FBI to receive a JAG award and were eligible for a collective total of \$94.9 million. The balance of unawarded local allocations (\$20.4 million) was returned to state governments for redistribution to state law enforcement agencies and local governments.

In addition, the District of Columbia was eligible for \$1.8 million and Puerto Rico was eligible for \$3.2 million (table 2). Guam and the U.S. Virgin Islands were each eligible for the minimum award of \$738,950. American Samoa (\$495,097) and the Northern Mariana Islands (\$243,854) split one minimum award.

Additional JAG provision

Pass-through requirement

[Legislative Mandate: 42 USC 3755 (c)]

According to the JAG legislation, states may only retain award amounts that bear the same ratio of “(A) total expenditures on criminal justice by the state government in the most recently completed fiscal year to (B) the total expenditure on criminal justice by the state government and units of local government within the state in such year.”

After determining the amount spent on criminal justice expenditures by the state government, the state may retain that amount. The remainder of the funds are passed down to the local governments within the state. These criminal justice expenditure amounts are referred to as “variable pass-through” data for the purpose of JAG awards.

During 2009, the U.S. Census Bureau finished compiling current criminal justice expenditure data in order to determine updated variable pass-through amounts. These pass-through amounts, based on data from 2006, were used for the 2012 JAG program and can be found on the BJA website at <http://www.bja.gov>.

TABLE 2

Allocations to territories and the District of Columbia, FY 2012

Territories and D.C.	Award amount
Total	\$7,214,199
American Samoa	495,097
Northern Mariana Islands	243,854
Guam	738,950
Puerto Rico	3,218,421
Virgin Islands	738,950
District of Columbia	1,778,926

Note: Detail may not sum to total due to rounding.

Source: Bureau of Justice Statistics calculations based on 2008–2010 data from the Uniform Crime Reporting Program and 2011 population estimates from the U.S. Census Bureau.

Disparate jurisdictions and joint allocations

[Legislative Mandate: 42 USC 3755 (d) (3)(4)]

In some cases, as defined by the legislation, a disparity may exist between the funding eligibility of a county and associated municipalities. There are three different types of disparities that may exist.

The first type is referred to as a zero-county disparity. This situation exists when one or more municipalities within a county are eligible for a direct award and the county is not, yet the county is responsible for providing criminal justice services (such as prosecution and incarceration) for the municipality. In this case, the county is entitled to part of the municipality’s award because it shares in the cost of criminal justice operations, although it may not report crime data to the FBI.

Example—

- Decatur, Illinois, is eligible for an award of \$52,749. Macon County, Illinois, (which includes the city of Decatur) is not eligible for a direct award, but it provides criminal justice services to Decatur. In this case, Macon County and Decatur are considered zero-county disparate. Decatur must share its award funds with Macon County as mutually agreed upon.

A second type of disparity exists when both a county and a municipality within that county qualify for a direct award, yet the award amount for the municipality exceeds 150% of the county’s award amount.

Example—

- Pierce County, Washington, is eligible for a direct award of \$120,738. The city of Tacoma in Pierce County is eligible for a direct award of \$196,572. Tacoma’s award amount is more than 150% of Pierce County’s award amount. Consequently, the two governments’ awards (\$317,310) are pooled together and shared as mutually agreed upon.

The third type of disparity occurs when a county and multiple municipalities within that county are all eligible for direct awards, but the sum of the awards for the individual municipalities exceeds 400% of the county's award amount.

Example—

- Riverside County, California, was eligible for a direct award of \$96,085. The cities of Banning (\$12,324), Coachella (\$16,901), Corona (\$17,795), Lake Elsinore (\$10,534), Hemet (\$29,915), Indio (\$32,497), Palm Springs (\$24,111), Perris (\$15,469), Riverside (\$125,412), San Jacinto (\$10,994), Moreno Valley (\$69,724), Cathedral (\$17,719), La Quinta (\$11,812), and Desert Hot Springs (\$25,952) were also eligible for direct awards. The 14 cities' awards summed to \$421,159. This summed amount was more than 400% of Riverside County's direct award amount of \$96,085. Consequently, all of the funds (\$517,244) were pooled together and shared among the seven units of local government as mutually agreed upon.

These three types of disparity are examined in order, and if a municipality is found to be disparate in one of these three ways, its award is not included in calculations to test other disparity situations. For instance, if a municipality is found to be 150% disparate with the county, its award is set aside, and the rest of the municipalities within the same county are checked for 400% disparity. If no other disparity is found, the single municipality and county share the sum of their two awards. However, it is possible for a county to have both a 150% disparity and a 400% disparity simultaneously. For instance, counties can have one or more municipalities whose individual awards are more than 150% of the county's award and other municipalities whose combined award is more than 400% of the county's award.

Examples—

- Maricopa County, Arizona, is eligible for an award of \$86,540. The cities and townships of Avondale (\$29,058), Chandler (\$64,407), Gilbert (\$18,439), Glendale (\$99,265), Goodyear (\$11,889), Mesa (\$175,417), Peoria (\$26,490), Phoenix (\$784,774), Scottsdale (\$34,223), and Tempe (\$73,785) (all located in Maricopa County) are also eligible for awards. The awards for Mesa City and Phoenix City individually are more than 150% of Maricopa County's award, and therefore will be pooled with the county. The other eight cities' awards sum to \$357,556. This summed amount is more than 400% of Maricopa County's direct award of \$86,540. As a result, all of the funds (\$1,404,287) are pooled together and must be shared.
- Galveston County, Texas, is eligible for an award of \$10,721. The cities of Galveston (\$31,272), La Marque (\$11,052), and Texas (\$16,043) are also eligible for awards. These three award amounts sum to \$58,367, which is less than 400% of the county's award amount. Although no 400% disparity exists, the award amount for the city of Galveston is more than 150% of the award amount for Galveston County. These two jurisdictions are disparate and will share \$41,993, the pooled amount of these two awards. The award for the cities of La Marque and Texas remain separate.

For disparate situations, regardless of the type, the total of all award funds of the separate units of local governments (counties and municipalities) are pooled together and split among the units of local government as agreed upon by the affected jurisdictions. To qualify for payment, the disparate units of local government must submit a joint application for the aggregated funds.

Maximum allocation to local units of government

[Legislative Mandate: 42 USC 3755 (e) (1)]

According to the legislation, units of local government may not receive a JAG award that "exceeds such unit's total expenditures on criminal justice services for the most recently completed fiscal year for which data are available." Award amounts in excess of total expenditures "shall be allocated proportionately among units of local government whose allocations do not exceed their total expenditures on such services."

Sex Offender Registration and Notification Act penalty

[Legislative Mandate: 42 USC 16925 (a)]

The Sex Offender Registration and Notification Act (SORNA), Title I of the Adam Walsh Child Protection and Safety Act of 2006 (AWA) required that the 50 states, District of Columbia, 5 principal territories, and some federally recognized tribes substantially implement SORNA by July 27, 2009. Two full-year deadline extensions were provided, and a final statutory deadline of July 27, 2011 was established.

SORNA mandated a 10% reduction in JAG funding for any jurisdictions that failed to substantially implement SORNA by the deadline. For those jurisdictions that failed to meet this deadline, the SORNA penalty was calculated by subtracting 10% from the state government's allocation (60% of the total award), after deducting the mandatory variable pass-through that states are required to send to local governments. The penalty applies to the portion of JAG funding that is returned to the state to be shared with local governments that were not eligible for a direct JAG award ("less than \$10,000 jurisdictions").

The penalty does not apply to the mandatory pass-through, which is the portion of JAG funds awarded directly to local law enforcement, as the state cannot retain any portion of that award. Penalizing local agencies would also seriously undermine the purpose of the statute, since doing so would be detrimental to local law enforcement efforts, which include the investigation, prosecution, and apprehension of sex offenders. An example of how the SORNA penalty was assessed can be found in the JAG frequently asked questions on the BJA website at <https://www.bja.gov/Funding/JAGFAQ.pdf>.

For additional information regarding the SORNA penalty, including implementation requirements and a list of states and territories that were impacted in FY 2012 by the 10% penalty, contact the Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering, and Tracking (SMART) Policy Advisor assigned to assist your jurisdiction, located on the SMART website at <http://www.ojp.usdoj.gov/smart/sorna.htm>.

Methodology

The population data used to calculate state and territory JAG allocations are from the 2011 census estimates provided by the United States Census Bureau (2011). Population data for the United States and Puerto Rico were drawn from the midyear estimates of the resident population as of July 1, 2011 and are available at <http://www.census.gov/popest/data/state/totals/2011/index.html>. The other territory populations are midyear estimates available at <http://www.census.gov/population/international/data/idb/informationGateway.php>. The state-level violent crime data are estimates published by the FBI's Uniform Crime Reporting (UCR) Program in the annual publication, *Crime in the United States*. For the 2012 JAG program, state-level crime data for the years 2008 through 2010 were used.

The crime data used to calculate local JAG allocation amounts are also provided by the UCR program. Data for local jurisdictions are obtained in an electronic format directly from the FBI and processed by BJS to link each crime-reporting entity to a local government. For the 2012 JAG, local crime data from 2001 through 2010 were used.

The sum of the UCR violent crimes for all local governments within a state for a given year will not equal the estimated crime total reported for that state published by the FBI. These state-level estimates are based on crimes reported by all state, local, and special district law enforcement agencies within a state, plus an imputation adjustment to account for non-reporting agencies and agencies reporting less than 12 months of data for the year. These imputed values do not appear on the electronic data file provided to BJS and are not used in the local award calculations.

Allocations to U.S. territories

Puerto Rico was the only territory receiving an initial allocation larger than the minimum amount, and also the only territory for which violent crime data were available. The JAG calculations for the other territories were based solely on population data. Because the other territories have relatively small populations (none exceeding 184,000), it is unlikely the inclusion of crime data would have changed their minimum status.

The current JAG legislation specifies that 40% of the total allocation for Puerto Rico be set aside for local awards; as of 2012, however, the local-level UCR data provided by the FBI did not include any crime data for local jurisdictions in Puerto Rico. Therefore, the local government JAG program allocation in Puerto Rico was \$0.

Sources of additional information

For more information on the legal foundation of the allocation formula, please see 42 USC sec. 3754 and 42 USC sec. 3755.

The Edward Byrne Memorial Justice Assistance Grant (JAG) Program was established to streamline justice funding and grant administration. Administered by the Bureau of Justice Assistance (BJA), the JAG program allows states, tribes, and local governments to support a broad range of activities to prevent and control crime based on local needs and conditions. JAG consolidates the previous Byrne Formula and Local Law Enforcement Block Grant (LLEBG) Programs. More information about the JAG program and application process can be found on the BJA website at <http://www.bja.gov>.



The Bureau of Justice Statistics is the statistical agency of the U.S. Department of Justice. James P. Lynch is the director.

This technical report was prepared by Alexia D. Cooper. Matt Durose verified the report. Morgan Young edited the report, and Tina Dorsey produced the report, under the supervision of Doris J. James.

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