



Body-Worn Camera Pilot Implementation Program FY 2015 Solicitation Frequently Asked Questions (FAQs)

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New applicants:

It is recommended you watch [this instructional video](https://www.youtube.com/watch?v=8HLLFoOoVGQY) on the registration and submission process. (<https://www.youtube.com/watch?v=8HLLFoOoVGQY>)

And, visit the [BJA Body-Worn Camera Toolkit](http://www.bja.gov/bwc) at <http://www.bja.gov/bwc>

And, watch the [BJA BWCIIP Solicitation Webinar](https://vimeo.com/128540973) at <https://vimeo.com/128540973>

Dates of Interest (2015)

1. Solicitation Released: May 1st
2. Webinar for this solicitation: May 21st target date (<https://vimeo.com/128540973>)
3. Updated FAQs based on collected webinar input: June 3 target date
4. Toolkit Release: May 18th
5. Closing Date: June 16th
6. Expected award notification date: October 1st

Award Eligibility

1. Who is eligible to apply for BWC funds?

The funding source for this solicitation is specific “in assisting units of local government to identify, select, develop, modernize, and purchase new technologies for use by law enforcement.” [See appendix 1.](#)

Agencies should use two primary considerations:

- 1) If the officers are employees of the state and are the agency is not acting as an instrumentality of a local government (contractually filling a local service to a unit of local government) then the agency is not eligible;
- 2) The solicitation categories are specific to sworn officers so agencies should ensure their category selection is based on sworn officers recognized by the state (budgeted, approved, or actual).

2. We are a state agency with about 200 full-time Conservation Wardens. Are we eligible to apply for this program and if so, how do we get started?

No, state entities are excluded. However, a locality could apply for funds supporting a state agency acting on their behalf. For example, if a local agency uses the state police as after-hours policing services they could include cameras for those troopers/officers performing this function.

3. Can correctional facilities be a lead applicant and apply for funding for equipment (cameras, etc.) for their officers?

Yes, given that the correctional facility is an instrumentality of local government and the officers are considered by the state of application to be sworn. State corrections facilities would not be eligible.

4. Would a state university campus police department be eligible to apply for funds? Would they be classified as a state entity or local law enforcement department?

No, a campus police department that uses officers who are state employees are not eligible to apply. However, a local agency could apply for funds supporting a state agency acting on their behalf. For example, if a local agency uses the university police as after-hours policing services they could include cameras for those officers performing this function.

5. Are tribes and territories allowed to apply?

Yes, section D ([of Appendix 1](#)) of the applicable statute provides inclusion of tribal and territorial governments as units of local government.

6. Are agencies allowed to partner with other eligible agencies in a single application?

Yes, there is a priority consideration for agencies that apply in partnership with other eligible agencies. The four primary reasons to partner:

- To meet the minimum 25 camera threshold
- Cost savings through shared systems and procurements
- Assist in continuity for community understanding of policy
- Assist in prosecutor management of evidence

7. If you applied for the Smart Policing Initiative (SPI) BWC funds category or applied for state/local JAG funding are you eligible to apply for BWC funding?

Yes, you are still eligible, in either case, to apply for BWC funding. However, applicants will not be awarded both SPI and BWC funding.

8. Can a local prosecutor office apply as the lead for these grants?

Yes, as long as the other conditions listed in the solicitation are met. Some existing BWC deployments were managed by the prosecutor's/district attorney's office who provided BWCs to the municipalities. This helped the prosecutor with policy and evidence continuity. There is a priority consideration for applications that include the prosecutor's/DA's office as a significant partner in their plans.

Partnering and Collaborative Efforts

- 1. Does the cross agency collaboration documentation need to specifically include body-worn cameras or can an existing MOUs that is already in place for information sharing and other collaborative activities be used to fulfill this requirement?**

The submitted documentation must reasonably identify the cross agency collaboration and clearly indicate that it is inclusive of the BWC project and correlate to the tasks outlines in the application. For instance, if a data sharing MOU does not detail cost sharing but the application does then the MOU would be found lacking as evidence of this collaboration.

Funding Metrics and Rules

- 1. What are the officer and funding limits by category in the solicitation?**

Categorical Funding Limits Metric:

- Large agencies or combination of agencies with greater than 1000 sworn officers are limited to \$1,200,000 maximum federal award.
- Medium agencies or combination of agencies with between 250 and 1000 sworn officers are limited to \$600,000 maximum federal award.
- Small agencies or combination of agencies with less than 250 sworn officers are limited to \$250,000 maximum federal award.
- Agencies or combination of agencies with existing BWC programs seeking program expansion are limited to \$250,000 maximum federal award.

- 2. Does the camera metric mean we have to buy \$1,500 cameras?**

No, when combined with match the \$1,500 camera metric is a total two year program cost expectation.

Camera-Based Funding Metric:

- The camera based funding metric is a program limitation based on the number of cameras identified in the application. This limitation is in addition to the categorical funding limit.
- Agencies are limited in award amounts of \$1,500 times the number of cameras identified in the application; see examples identified in the solicitation.

- 2. If we are in category 3 we can request federal funds up to \$250,000 which would mean our total program cost would be \$500,000? Is this correct?**

Yes, category maximum award and total program cost are outlined below, but the camera funding metric should also be considered for maximum award amounts.

BWC PIP	Cat 1	Cat 2	Cat 3	Cat 4
Max Award	\$ 1,200,000.00	\$ 600,000.00	\$ 250,000.00	\$ 250,000.00
Match	\$ 1,200,000.00	\$ 600,000.00	\$ 250,000.00	\$ 250,000.00
Total Program	\$ 2,400,000.00	\$ 1,200,000.00	\$ 500,000.00	\$ 500,000.00

- 3. Is the required travel considered in addition to the \$1,500 per camera limit or inclusive therein?**

Travel costs are inclusive of the \$1,500 per camera limit, but are acceptable as part of match submissions.

- 4. Are BWC awards eligible for extensions? Please explain the life of these funds.**

This grant is similar to other grants in that with appropriate justification the grants may be extended beyond the given 2 year period. Applications should be written for the two year period and the applicant should not expect an extension in project planning.

- 5. How are funds disbursed for the BWC program?**

BWC funds are drawn down on a reimbursement basis only.

- 6. What is the retention requirement for equipment that is purchased through the BWC program?**

Equipment retention rules are covered in the Financial Guide. Please refer to <http://ojp.gov/financialguide/index.htm>. Agencies must also abide by any state/local rules.

- 7. We currently have 240 sworn officers on staff however; we are budgeted for 260 officers (they are currently working to fill those positions). Given, the allocation for those positions in their budget, can we apply for Category 3 or must we adhere to our department size at the time of application?**

The purpose of the category restrictions is to ensure agencies of various sizes are able to apply for BWC program funds. At this time BJA does not specifically define the number of sworn officers metric and will accept an agency's categorical self-assignment using budgeted, approved, or actual sworn strength. BJA does require that the "sworn" definition of officer is accepted by the relevant state CJIS coordinator.

- 8. Is our department size reflective of number of agency sworn officers or the number of officers/cameras referenced in the application?**

- a. Similar Question: Our department has already purchased 400 cameras. We would like to purchase an additional 50 cameras for our officers. Would be able to do so under Category 2?

- b. **Similar Question:** Our agency is very close to implementing our BWC initiative (policy, collaborations, and system selection, all in final stages). We still have needs such as system integration and 3rd party video redaction. Should we submit our application as Cat 2 or Cat 4?

The agency size for categories is not based on the number of cameras requested. Agencies that intend to perform significant policy creation or review should submit under categories 1-3. Agencies that have met the policy development and implementation requirements should submit under Category 4.

9. Is there an exception made to the very small municipalities in the United States to assist them in competing for the grant money (minimum 25 camera limit)?

Our available resources are unable to handle the number of grants required to facilitate this request. But, we recommend small agencies that cannot find partner agencies approach their State Administering Agency (SAA) and check if they are able to apply for state-managed JAG funds.

10. When collaborating with another agency, should the applicant use the total number of officers from all agencies combined or the single lead applicant number of officers to determine the category in which to apply?

The application should apply to the category based on the combined strength of all partner agencies.

Matching Requirements

1. What qualifies as an in-kind donation for the program? And how is the donation's value assessed?

There are two kinds of matches:

1. A cash match (hard) includes cash spent for project-related costs. An allowable cash match must include costs which are allowable with Federal funds, except acquisition of land, when applicable.
2. An in-kind match (soft) includes, but is not limited to, the valuation of non-cash contributions. "In-kind" may be in the form of services, supplies, real property, and equipment.

With an in-kind match, the organization can use the value of donated services to comply with the match requirement. Also, third party in-kind contributions may count toward satisfying match requirements, provided the recipient of the contributions expends them as allowable costs.

See [Appendix 2](#) for information on how a donation's value is assessed.

2. Is a match required as part of the BWC program?

Yes, the BWC program requires a 50 percent in-kind or cash match for all applicants. Applicants have to show in their budget the total program cost which includes the anticipated federal award and the offered match funds.

3. What are some examples of partner agency program expenditures that are acceptable forms of cash or in-kind matching?

Any expense directly related to the program that the lead agency would allow can also be included from a partner agency as cash or in-kind matching funds. Primarily they must be directly related to the creation or expansion of the BWC program as outlined in the application. Examples would be contributed staff, equipment, service, or license costs.

4. What types of documentation meet the requirement for memorandums of understanding or other appropriate mechanisms?

Any other agreement type such as a letter of intent or other binding document that commits the partner agency to the program. At minimum a letter or email citing the commitment of applicable partner decision makers to the program would be considered. These documents should reflect the described programmatic relationship such as cost, personnel, equipment, or procurement sharing.

5. To meet the match requirements for the BWC program, can an agency combine both in-kind and cash match funds?

Yes, the match can include both cash and in-kind match funds. All match amounts should be monetized and listed in the budget as part of the application.

6. Can an agency meet the 50% match requirement by providing funds for data storage?

Yes, data storage may be used to meet the match requirement for the BWC program.

7. Does the 50% match requirement apply to Category five applicants?

No, there is no match requirement for category number five applicants.

8. Can Justice Assistance Grants (JAG) funds be used to meet the match requirements?

No, federal funds may not be used to meet the match requirements.

9. My agency is starting a \$1 million dollar BWC project. Based on the match formula what is the maximum federal funds that I could receive?

Federal funds awarded under this program may not cover more than 50 percent of the total costs of the project. Applicants must identify the source of the 50 percent non-federal portion of the total project costs and how they will use match funds. Therefore, if the police department is undertaking a \$1 million project, the maximum it could receive from DOJ is \$500,000.

There are additional funding metrics, such as limitations on the maximum award based on the number of sworn officers in the agencies represented in an application; and a maximum funding allotment of \$1,500 times the number of cameras identified in the application. For example, if the police department has more than 1,000 officers, they cannot ask for more than \$1.2 million (Category 3 funding limit). If they ask for only 500 cameras, they can only

receive a maximum of \$750,000 (or 500 x \$1500). And as referenced before, the PD would need to identify the \$750,000 in matching (in-kind or cash) funds.

10. If an employee is reassigned from other duties to focus solely on the implementation requirements with the BWC program, are the personnel costs eligible as match?

1. Similar Question: If we have an **existing trainer** and we have no body cams or training program now for this, can we take the existing trainer and have them train for this "new task" as match?
2. Similar Question: If an agency takes a current position and makes them a **project manager** for this 2 yr. grant as a new task, does the old position have to be filled for it to count as in-kind match?
3. Similar Question: Or if we have a **quartermaster** who hands out equipment, is it a "new task" to hand out body cameras if he currently doesn't do this piece of equipment?

Yes, new tasks for existing employees are eligible for match, but only the portion of their time spent doing the new tasks. Match positions do not have to be backfilled. Additionally, a special assignment could not be used to request federal reimbursement of award funds unless the vacated position is backfilled.

11. We have not implemented our BWC program yet, and are looking at adding a position for the program. If we hire them before receiving a BWC award for this purpose, can we utilize them as a match?

If the position is budgeted and hired prior to award they are not eligible for award or match.

12. We currently have local funds budgeted for a BWC project, however, no funds have been expended at this time as our agency is currently developing BWC policies. Can we use these already approved funds to meet the match requirement?

No. Existing budgeted funds, for the same purpose, cannot be used as match unless they were identified to act as match in the budgeting process.

13. Our agency receives a block grant from our state, can we use funds from the state grant to meet the match requirements for BWC program?

State and local funds are acceptable for match. If the block grant is a distributed federal fund then it cannot be used as match.

14. Can asset seizure funds be used to meet the match requirements for the BWC program?

Only state and local asset seizure funds can be used to meet the BWC match requirements. Federal asset seizure funds cannot be used to meet the match requirements.

15. Are we allowed to include personnel hours that are spent in the planning of the policy as part of their in-kind match?

Yes, personnel hours spent developing policy are appropriate for in-kind match as long as those hours were not previously specifically budgeted for BWC development. For example, an existing policy developer is assigned a new task of creating a BWC policy is an allowable match (this can be planned in the grant proposal and not create a supplanting issue). Yet, if an agency hired or tasked a policy developer specifically for BWC policy development pre-award, these costs could not be used as match.

Policy, Technology and Selection of Hardware/Services

1. Are we expected to already have the policies in place at the time of submission? Or do we have the first six months to work out policy issues and actually figure out how we are going to implement the program?

No, the expected period for policy development is six months and no policies are expected prior to implementation request for funding draw down during the grant period.

2. Is soliciting vendors from the NIJ/OJP market survey in lieu of a locally advertised solicitation sufficient to meet grant stipulated procurement requirements?

If a hardware or services selection has already been selected there is no requirement to “re-bid” this selection. The application should detail the technical considerations used in the determination and attempt to draw a correlation to the technical priority consideration if this is desired.

Application Questions

1. For applicants submitting for category 4 that have already accomplished or are in progress on all of the "Considerations for Implementation", should we address this under Project Design & Implementation?

Yes, category 4 will demonstrate how they “**did**” address the considerations for implementation rather than how they “**will**” address them. Reference and inclusion of existing project artifacts is acceptable.

2. How should category 5 applicants interpret 'Program Continuity'?

A modified percentage matrix will be provided for Category 5 submissions that will subtract the 5% for “Program Continuity” and increase the “Competency and Capabilities” to 20%.

Reporting

1. What are the reporting requirements for the BWC program?

Reporting is a requirement for the term of the grant (2 years).

2. Is the information (the chart) on pages 19-23 what we will be asked to report on, with the exception of the TTA portion?

Yes.

3. Should we describe the results of our current activities along with projected future activities in the Performance Management? Do we need a timeline or define this if we are already involved in processes such as our current CNA/NIJ RCT Study?

Yes, the reporting requirements for the two grants are distinct. But, the TTA provider and the associated agencies (NIJ in this case) will be collaborating with the awarded agencies to minimize overlap in reporting.

Use of Funds

1. Can body-worn camera equipment be leased?

Yes, there are no spending limitations for types of purchases: hardware, software, licenses, services, and own vs. lease, as long as the funding metrics are adhered to. However, there are general purchasing rules that still apply.

2. Can funds be used for an evaluation of the BWC program?

Program funds can be used for an evaluation of a BWC program, yet the funding metrics and limitations still apply. This means that an application for evaluation that has no camera expansion would not be allowed based on the camera funding metric.

3. If you already have cameras can funding be used specifically for data storage/management?

No, funds cannot be used to pay for data storage.

4. If we are only equipping 90% of our sworn personnel, is that the maximum number of cameras we can ask for or could we ask for additional cameras to be assigned for training purposes and/or repairs?

An agency can ask for additional cameras beyond the number of officers to be outfitted. The number of cameras purchased and the sworn personnel metrics are not correlated.

5. The solicitation discusses an exclusion of award dollars for data storage, yet mentions integrated systems as not being excluded. Does this mean that data storage sold as part of integrated system from a provider is allowable?

The solicitation is specific: Line-item data storage costs can only be covered by the agency(s), which can be considered matching funds. If a system does not have line-item storage cost, specifically in documentation or invoice, then the whole of the (BWC) system can be submitted for awarded funds, even if storage is an unlisted component of such a system. The intent is to help ensure agencies have the expectation that long term costs components, such as storage costs, are planned for from a local perspective and do not rely on the BWC Pilot Program for continuity.

- 6. We already started developing a BWC plan, are we allowed to have the BJA BWC plan work in conjunction with their local plan, or do we have start everything from scratch and have the programs run parallel to each other?**

The agency should not restart their process and should continue the development of their plan, though they are welcome to expand this development as BJA will compare their plan development process with the COPS Implementation Guide for depth when making award considerations. The agency should not submit planning work already done as in-kind matching funds.

- 7. How does the planning period (months 1-6) impact drawdown of funds?**

The expectation of awardees is that a period of time (estimated at 6 months) will be used to develop policies. Policy development is considered a planning component. Funds required, limited to 10 percent of awarded funds, for planning may be drawn down during this period and the entire grant period. This could be personnel costs, community outreach, interagency collaboration and other planning expenses.

- 8. What are “non-planning” expenses? Does this sentence mean that it months 1-6 of the award period grantees will be able to draw down funds for other activities?**

Non-planning funds are funds used to procure hardware, software, establish service contracts and maintenance and may be drawn down after the demonstration of policy development outlined in the application has been completed.

- 9. Are you accepting applications which request reimbursement of body-worn cameras already purchased?**

No. This funding opportunity does not provide for reimbursement of body-worn cameras that have already been purchased by an agency. Please review the solicitation, at www.bja.gov/Funding/15BWCsol.pdf, for program-specific information, requirements, goals, and deliverables.

- 10. Would it be considered supplanting if they already started the process to purchase body-worn cameras?**

Yes, previously budgeted funds for the same purpose cannot be used for federal award or match. An exclusion exist for match funds if the budgeted item identified the purpose as match.

- 11. Would we be eligible for pre-agreement cost approvals?**

BJA is not considering pre-agreement costs approvals for this solicitation. For further information, please refer to the OJP Financial Guide, <http://ojp.gov/financialguide/index.htm>, Section 2.3 (page 22).

Appendix 1: Opinion on Eligibility, Office of Justice Programs, Office of General Counsel

The statutory authority for this solicitation states that the Attorney General may reserve up to \$20 million for use “in assisting units of local government to identify, select, develop, modernize, and purchase new technologies for use by law enforcement.” 42 USCS § 3756. A “Unit of Local Government” is defined at 42 USC § 3791(c) as:

- “(A) any city, county, township, town, borough, parish, village, or other general purpose political subdivision of a State;
- (B) any law enforcement district or judicial enforcement district that--
 - (i) is established under applicable State law; and
 - (ii) has the authority to, in a manner independent of other State entities, establish a budget and impose taxes;
- (C) an Indian Tribe that performs law enforcement functions, as determined by the Secretary of the Interior; or
- (D) for the purposes of assistance eligibility, any agency of the government of the District of Columbia or the Federal Government that performs law enforcement functions in and for--
 - (i) the District of Columbia; or
 - (ii) any Trust Territory of the United States[.]”

The solicitation states that “Eligible applicants, for categories 1 through 4, are limited to units of local government and federally recognized Indian tribes that perform law enforcement functions, as determined by the Secretary of the Interior; or any department, agency, or instrumentality of the foregoing that performs criminal justice functions (including combinations of the preceding, one of which is designated as the primary applicant)[.]”

All applicants would have to show that either they met the above definition directly, or that they were a department, agency, or instrumentality of a unit of local government that performs criminal justice functions.

Thus, for example, a correctional facility that performed criminal justice functions and that was an agency or department of a local sheriff’s department, which, in turn, was a law enforcement district under State law with the independent authority to establish a budget and impose taxes, would qualify as an applicant under the BWC grant. This would be because it performed criminal justice function, and because it was an agency or department of a unit of local government (the sheriff’s department). On the other hand, a correctional facility that was not itself a general purpose political subdivision or law enforcement district, but was rather an agency of the state directly, would not qualify.

Appendix 2: Valuation of In-Kind Match Funds

Documentation supporting the market value of an in-kind match must be maintained in the award recipient files. Valuation of an in-kind match may take one of the following forms:

- a. Valuation of donated services:
 - 1. Volunteer services. Unpaid services provided to a grantee or subgrantee by individuals will be valued at rates consistent with those ordinarily paid for similar work in the grantee's or subgrantee's organization. If the grantee or subgrantee does not have employees performing similar work, the rates will be consistent with those ordinarily paid by other employers for similar work in the same labor market. In either case, a reasonable amount for fringe benefits may be included in the valuation.
 - 2. Employees of other organizations. When an employer other than a grantee, subgrantee, or cost-type contractor furnishes free of charge the services of an employee in the employee's normal line of work, the services will be valued at the employee's regular rate of pay exclusive of the employee's fringe benefits and overhead costs.
- b. Valuation of third-party donated supplies and loaned equipment or space:
 - 1. If a third party donates supplies, the contribution will be valued at the market value of the supplies at the time of donation. If a third party donates the use of equipment or space in a building but retains title, the contribution will be valued at the fair rental rate of the equipment or space.