



The Stimulus Bill And Public Safety

By Lisa A. Lee, *Ice Miller, LLP*

This is the second in a series of articles regarding local government initiatives under the \$787 billion piece of legislation signed into law on February 17, 2009, known as The American Recovery and Reinvestment Act of 2009 (ARRA or Stimulus Bill). One of the cornerstones of the Stimulus Bill is to help state and local governments stabilize their budgets in order to minimize or prevent deep cuts to essential services and counterproductive local tax increases. Those essential services include providing for public safety.

LAW ENFORCEMENT PROGRAMS:

The Stimulus Bill appropriated millions of additional dollars to various law enforcement programs that could help county government support all components of the criminal justice system including drug task forces, courts, corrections, office of the prosecutor, prevention education, witness programs, victim assistance, cyber enticement and child pornography, domestic violence and a myriad of other law enforcement purposes.

Edward Byrne Memorial Justice Assistance Grant (JAG) Formula Program

The Byrne JAG Program is an existing program which serves as the primary provider of federal criminal justice funding to state and local governments; it is a program to which the Stimulus Bill provides an additional \$35 million to Indiana's state and local governmental units. A formula taking into account a state's share of

the national population coupled with a state's share of the country's Part 1 violent crime statistics was used to calculate the dollars allocated to Indiana. Of the \$35 million, approximately 40% (\$14 million) was further allocated to eligible units of local government based on the local governments' share of the total violent crime reported within Indiana.

Twenty eight (28) Indiana counties received eligible allocations ranging from \$10,000 to \$89,000 and each county should visit www.ojp.usdoj.gov/BJA/recoveryJAG/recoveryjag.html to determine if they are eligible for a formula allocation. The eligible allocations are not automatic and the 28 counties that were eligible for at least \$10,000 had to apply directly to the Bureau of Justice Assistance. The deadline for applications has passed.

Funds received from the Byrne JAG Program may be used for local initiatives, technical assistance, training, personnel, equipment, supplies, contractual support, information systems for criminal justice and criminal justice related research and evaluation activities that will improve or enhance the following:

- Law enforcement programs
- Prosecution and court programs
- Prevention and education programs
- Corrections and community corrections programs
- Drug treatment and enforcement programs


- Planning, evaluation and technology improvement programs
- Crime victim and witness programs (other than compensation)

Crime Victims Compensation and Assistance

The Indiana General Assembly enacted a program in 1978 to provide financial assistance for victims of violent crime. The program is administered by the Victim Services Division of the Indiana Criminal Justice Institute with funding provided through grants from the U.S. Department of Justice. The Stimulus Bill appropriated additional funds for these grants resulting in an additional \$1.1 million for this important Indiana program.

Unlike the Byrne JAG Program, funds can be used for direct out-of-pocket expenses of victims or their dependents with medical expenses, funeral expenses, lost wages, outpatient counseling, reasonable child care services, attorney fees and emergency shelter services. A maximum award of up to \$15,000 may be available to help cover the expenses. In order to be eligible for funds the crime must have taken place in Indiana, the victim must have incurred a minimum of out-of-pocket loss of \$100, the crime must have been reported to the police within 72 hours (note: victims of sexual assault do not have to report the crime to police), the victim or survivors must have been cooperative in the investigation and prosecution of the crime and the application for benefits must be

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filed no later than 180 days after the crime occurred.

Other Law Enforcement Programs

Other programs which were provided funds through the Stimulus Bill are the Office of Community Oriented Policing Services (COPs) Program, the Internet Crimes Against Children (ICAC) Program and the STOP (Services Training Officers Prosecutors) Violence Against Women Grants. The deadlines for these programs have passed. If any of these programs are of interest to your county, continue to monitor them on the internet as deadlines for other programs have occasionally been extended.

FIRE PROTECTION AND EMERGENCY SERVICES:

Staffing for Adequate Fire and Emergency Response (SAFER) Grant

The SAFER Grant was created to provide funding directly to fire departments and volunteer firefighter interest organizations in order to assist them in increasing the number of trained "first responders" in their communities. There are two types of grants available under this program.

Hiring of Firefighters Activity – the goal of this program is to provide grants directly to volunteer, combination and career fire departments to help provide adequate personnel to respond to and safely perform at an incident scene. This is a five year grant to assist fire departments in paying a portion of the salaries of newly hired firefighters. Grantees are required to match an increasing proportion of the salary awarded over a four year period and must

absorb 100% of the cost in the fifth year. **Recruitment and Retention of Volunteer Firefighters Activity** – The goal of this program is to increase the number of trained, certified and competent firefighters capable of safely responding to emergencies likely to occur within the fire departments geographic response area with a primary focus on the recruitment and retention of volunteer firefighters trained in emergency response. There is no local match requirement for this program. •

For more information on these programs, go to www.firegrantsupport.com/safer/

Ice Miller LLP serves as general counsel to the Association of Indiana Counties. For more information on the Stimulus Bill, please call Lisa at (317) 236-2268.