

Border Children's Justice Project

B-FY2005

Effective date 09/01/2004, B-FY2005

Latest Revision 09/01/2004, B-FY2005

I. GRANT DESCRIPTION.

- A. The Border Children's Justice Project (BCJP) facilitates collaborative efforts by United States and foreign authorities involving juvenile courts, the United States Border Patrol, law enforcement, United States and foreign consulates, child protective agencies and correction officials. The project is designed to improve the rehabilitative efforts of Texas and foreign authorities and provide a variety of services to offenders and their families.

II. GRANT SPECIFIC DEFINITIONS.

- A. **Foreign Authorities.** Foreign authorities may include consulate offices as well as the respective law enforcement, children services, social services and immigration service agencies in the area served by the Border Children's Justice Project.
- B. **Foreign National.** A juvenile who is a citizen of Mexico, or a country in Central or South America and not a United States citizen.
- C. **Program Coordinator.** A person that is responsible for coordinating and conducting delivery of services of the Border Children's Justice Project. The coordinator must be familiar with the laws, culture and resources of Mexico, Central and South America.

III. PERFORMANCE MEASURES.

- A. **Goal.** The goal of the Border Children's Justice Project is to reduce delinquency, increase offender accountability and rehabilitate juvenile offenders through a comprehensive, coordinated, community-based juvenile probation system.
- B. **Program Objectives.** The objective of the Border Children's Justice Project is to return foreign national juvenile offenders to their respective communities after processing in the Texas juvenile justice system and to assist in the return of juveniles who are citizens of the United States and who have committed offenses in Mexico, Central America or South America.
- C. **Program Performance.** Grantee performance under the grant shall be determined using the following measures:
 1. Total number of juvenile foreign national citizens referred to the Border Children's Justice Project;
 2. Total number of juvenile United States citizens referred to the Border Children's Justice Project from foreign authorities;
 3. Total number of juveniles adjudicated by a Texas juvenile court and placed on probation in Mexico; and
 4. Total number of juveniles transferred to foreign authorities for disposition.

IV. PROGRAMMATIC COMPONENTS.

- A. **Program Requirements.** The Grantee shall provide services as established within the grant requirements and their respective proposals. The Border Children's Justice Project shall include the following services provided by the Grantee:
 1. Coordination of the return of foreign national juvenile offenders who have committed an offense in the county wherein the BCJP is located;
 2. Coordination of the return of foreign national juvenile offenders who have committed an offense in a Texas county where there is no BCJP. The Texas county wherein the juvenile commits the offense may refer the juvenile to the BCJP in the Texas county closest to the juvenile's home;
 3. Coordination of the return of juveniles who have committed an offense in Mexico, Central and South America and who are citizens of the United States to the appropriate authorities in the United States for further court-related proceedings; and

Summary of Grant Requirements

Border Children's Justice Project**B-FY2005**

Effective date 09/01/2004, B-FY2005

Latest Revision 09/01/2004, B-FY2005

4. Negotiation and formulation of agreements with the foreign consulate's office for the provision of necessary and appropriate services for juveniles and their families.

B. Eligibility Criteria. The Grantee shall ensure that juvenile offenders served by this grant:

1. Have committed an offense in the state of Texas;
2. Have been referred to the BCJP in a Texas border county; and
3. Resides in an applicable foreign country; or
4. Have United States citizenship and:
 - a. Have committed an offense in an applicable foreign country;
 - b. Have been referred to the BCJP in a Texas border county; and
 - c. Resides in the United States.

C. Staff Requirements and Responsibilities. The Grantee shall adhere to the following criteria:

1. The Grantee shall have a project coordinator; and
2. The Grantee shall facilitate collaborative efforts between the United States and foreign authorities involving juvenile courts, the United States Border Patrol, law enforcement, United States and the foreign consulate offices, child protective agencies and correction officials.

V. PROGRAMMATIC REPORTING.

- A. **Annual Reports.** See General Grant Requirements.
- B. **Quarterly Reports.** The *Border Children's Justice Project Report* [TJPC-FS-03-04] shall be submitted by the Grantee to the Commission quarterly. Reports shall be received by the Commission no later than January 15, April 15, July 15 and October 15 of the fiscal year, respectively. The report shall be submitted to the Commission using the electronic format provided to the Grantee.
- C. **Monthly Reports.** None.
- D. **Other Periodic Reports.** See General Grant Requirements.

VI. PROGRAMMATIC MONITORING.

- A. **On-Site Monitoring Visits.** See General Grant Requirements.
- B. **Unannounced On-Site Monitoring Visits.** See General Grant Requirements.
- C. **Desk Audits.** See General Grant Requirements.
- D. **Other.** None.

VII. APPLICABLE LAW. The Grantee shall comply with the following applicable state and federal laws under this grant:

- A. **Applicable Standards.**
 1. **Texas Administrative Code (TAC) Title 37 Public Safety and Corrections.**
 - a. Chapter 341 – Texas Juvenile Probation Commission.
 - b. Chapter 342 – Housing Non-Texas Juveniles in Texas Detention and Correctional Facilities.

Summary of Grant Requirements

Border Children's Justice Project**B-FY2005**

Effective date 09/01/2004, B-FY2005

Latest Revision 09/01/2004, B-FY2005

- c. Chapter 343 – Secure Juvenile Pre-Adjudication Detention and Post-Adjudication Correctional Facilities.
- d. Chapter 349 – General Administrative Standards.
- e. Chapter 351 – Short-Term Detention Facilities.

B. General Statutes.**1. Federal Law.****a. Juvenile Justice and Delinquency Prevention (JJDP) Act of 1974, as amended.**

- i. 42 United States Code 5601, et seq.
- ii. 28 Code of Federal Regulations Section 31.303, et seq.

2. State Law.**a. Texas Family Code, Title III, Juvenile Justice Code.**

- i. Chapter 54, Subsection 54.011(f) – Detention Hearings for Status Offenders and Nonoffenders; Penalty.
- ii. Chapter 60 – Uniform Interstate Compact on Juveniles.

b. General Appropriations Act, H.B. 1, R.S., 78th Legislature, 2003, Article V.**c. Texas Government Code, Title 7, Uniform Grant and Contract Management.**

- i. Chapter 783 - Uniform Grant and Contract Management Act

C. Policy.

- 1. **Texas Juvenile Probation Compliance Resource Manual (CRM), Volumes 1 - 2, 2004.**

VIII. FINANCIAL COMPONENTS.**A. Allowable Expenditure of Funds.**

- 1. The Border Children's Justice Project grant funds shall be expended in the amounts allocated in the budget categories of staff services, non-residential services and residential services in accordance with the approved *Annual Budget Application* [TJPC-FIS-01-05] submitted by the Grantee for fiscal year 2005.
- 2. Grant funds may only be expended under the residential services budget category only for foreign national juveniles served under this grant placed in secure pre-adjudication detention facilities in the State of Texas.

B. Unallowable Expenditure of Funds. See Also General Grant Requirements.

- 1. All expenditures other than those listed in Section VIII (A) are unallowable.

C. Financial Match Requirements. None.**D. Funding Adjustments.**

- 1. **Reduction of Grant Payments.** See General Grant Requirements.
- 2. **Unexpended Balances.** See General Grant Requirements.
- 3. **Overpayments.** See General Grant Requirements.

Summary of Grant Requirements

Border Children's Justice Project

B-FY2005

Effective date 09/01/2004, B-FY2005

Latest Revision 09/01/2004, B-FY2005

4. **Refunds Due.** See General Grant Requirements.

E. **Timely Expenditure of Grant Funds.** See General Grant Requirements.

F. **Audits.** See General Grant Requirements.

G. **Financial Assurances.** See General Grant Requirements.

H. **Service Provider.** See General Grant Requirements.

IX. FINANCIAL REPORTING.

A. **Annual Reports.** The Grantee shall submit a completed *Annual Budget Application* [TJPC-FIS-01-05] concurrent with the submission of the executed State Financial Assistance Contract for the Commission's approval. The *Annual Budget Application* shall be submitted electronically as specified by the Commission.

B. **Quarterly Reports.** The Grantee shall report the expenditure of all funds received through this grant on the *Quarterly Expenditure Report* [TJPC-FIS-02-05]. Reports shall be received by the Commission no later than January 15, April 15, July 15 and October 15 of the fiscal year, respectively. Funds may be temporarily suspended if the *Quarterly Expenditure Reports* are not received by the due date.

C. **Monthly Reports.** None.

D. **Other Periodic Reports.**

1. **Budget Adjustments.** The Grantee shall submit the *Budget Adjustment Request* [TJPC-FIS-03-04] to the Commission and have received written approval from the Commission prior to expending the funds. All budget adjustments shall be pre-approved by the Commission's Contract Administrator for this grant.

X. FINANCIAL MONITORING.

A. **Annual Monitoring.** See General Grant Requirements.

B. **Periodic Monitoring.** See General Grant Requirements.