

Border Children's Justice Project

B-2008-09 Biennium

Effective date 09/01/2007

Latest Revision 09/01/2007

I. GRANT DESCRIPTION.

- A. The Border Children's Justice Project (BCJP) facilitates collaborative efforts by the United States and foreign authorities through juvenile courts, the United States Border Patrol, law enforcement, foreign consulates, child protective agencies and corrections officials. The project is designed to improve the joint 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 service, social service and immigration service agencies in the areas served by the Border Children's Justice Project outside the continental United States.
- 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. **Project Coordinator.** A person that is responsible for coordinating the delivery and provision of services by the Border Children's Justice Project. The coordinator must be familiar with the laws, culture and resources of Mexico, Central America 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 Objective.** 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 served by the Border Children's Justice Project; and
 2. Total number of juvenile United States citizens served by the Border Children's Justice Project.

IV. PROGRAMMATIC COMPONENTS.

- A. **Program Requirements.** The Grantee shall provide services as established within the grant requirements and their respective proposals. The Grantee shall have a program policy and procedure manual that details program requirements, eligibility and staff responsibilities. 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 are United States citizens and have committed an offense in Mexico, Central America and South America to the appropriate authorities in the United States for further court-related proceedings; and
 4. Negotiation and formulation of agreements with the appropriate foreign consulate's offices for the provision of necessary and appropriate services for juveniles and their families.

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

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

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

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

V. PROGRAMMATIC REPORTING.

- A. Annual Reports.** See General Grant Requirements.
- B. Quarterly Reports.** The *Border Children's Justice Project Quarterly Report* [TJPC-FIS-41-04] 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. 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, POLICY AND PROCEDURE. The Grantee shall comply with the following applicable state laws, federal laws, standards, policies and procedures as they currently exist or as amended, revised or enacted during the term of this Contract:

- A. Applicable Standards.**
 1. **Texas Administrative Code (TAC) Title 37 Public Safety and Corrections.**
 - a. Chapter 341 – Texas Juvenile Probation Commission.

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- b. Chapter 342 – Housing Non-Texas Juveniles in Texas Detention and Correctional Facilities.
- 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.

b. Prison Rape Elimination Act (PREA) of 2003, as amended.

- i. 42 United States Code 15601, 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. Texas General Appropriations Act.**c. Texas Government Code, Title 7, Uniform Grant and Contract Management.**

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

C. Policy and Procedure.**1. Texas Juvenile Probation Compliance Resource Manual (CRM), Volumes 1 - 2.****VIII. FINANCIAL COMPONENTS.****A. Allowable Expenditure of Funds.**

- 1. 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-01-04] submitted by the Grantee per fiscal year of the current grant period.
- 2. Grant funds may be expended under the residential services budget category for foreign national juveniles placed only 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.**Summary of Grant Requirements**

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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.
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-01-04] 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 per fiscal year of the grant period.
- B. **Quarterly Reports.** The Grantee shall report the expenditure of all funds received through this grant on the *Quarterly Expenditure Report* [TJPC-FIS-02-04]. Reports shall be received by the Commission no later than January 15, April 15, July 15 and October 15 of the current fiscal year of the biennium, respectively. Funds may be temporarily suspended if a *Quarterly Expenditure Report* is 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.