

**Border Children's Justice Project****B-2020-2021 Biennium**Effective Date  
09/01/2019Last Revision  
05/24/2019**I. GRANT DESCRIPTION.**

- A. The Border Children's Justice Project (BCJP) facilitates collaborative efforts by United States and foreign authorities involving juvenile courts, United States Immigration and Customs Enforcement (ICE), law enforcement, United States and other consulates, child protective agencies, and correctional 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. This grant does not apply to youth committed to a state facility.
- B. **Grant Term.** The BCJP grant is in effect for two (2) years, beginning on the date indicated in the original grant award notice provided to Grantee. The Grant may be renewed for up to two (2) additional two-year terms.

**II. GRANT SPECIFIC DEFINITIONS.** For the purposes of this grant:

- A. **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 BCJP 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. **Grantee.** The juvenile board and/or juvenile probation department receiving funds under this grant.
- D. **Project Coordinator.** The person responsible for coordinating the delivery and provision of services of the BCJP. The coordinator must be familiar with the laws, culture, and resources of Mexico, Central America, and South America.
- E. **State Facility.** A facility operated by or under contract with TJJD for juveniles committed to TJJD.

**III. PERFORMANCE MEASURES.**

- A. **Goal.** The goal of the Border Children's Justice Project is to reduce delinquency, increase juvenile accountability, and rehabilitate juveniles through a comprehensive, coordinated, community-based juvenile probation system.
- B. **Program Objective.** The objective of the BCJP is to return foreign nationals to their respective communities after processing in the Texas juvenile justice system, to assist in the return of US citizen juveniles who have committed offenses in Mexico, Central America, or South America to their home communities in the United States, and to serve foreign nationals residing in the United States.
- C. **Program Performance.** Grantee performance under the grant shall be determined using the following measures:
1. total number of foreign nationals referred to the BCJP;
  2. total number of United States citizens referred to the BCJP from foreign authorities; and
  3. average cost for juveniles served.

**IV. PROGRAMMATIC COMPONENTS.**

- A. **Program Requirements.** The Grantee shall provide services as established within the grant requirements and its proposal, which is incorporated into this grant by reference. The Grantee shall have a program policy and procedure manual that details program requirements, eligibility, and staff responsibilities. The BCJP shall include the following services provided by the Grantee:
1. coordination of the return home of each foreign national who has committed an offense in the county where the BCJP is located;

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2. assistance in the return home of foreign nationals who have committed an offense in a Texas county where there is no BCJP. The Texas county where 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 juvenile citizens of the United States who have committed an offense in a foreign country to the appropriate authorities in the United States for further court-related proceedings;
4. provision of juvenile probation services to foreign nationals that are placed on probation and remain in the United States; and
5. negotiation and formulation of agreements with the consulate's offices for the provision of necessary and appropriate services for foreign nationals and their families. The services may include:
  - a. collecting restitution from juveniles to repay losses to victims in the United States;
  - b. securing proper identification of foreign nationals, including birth verification, when possible, and a correct address;
  - c. informing parents, guardians, and custodians of their child's involvement with the juvenile court;
  - d. providing counseling services to juveniles and their families;
  - e. securing supervision services of foreign nationals placed on probation; and
  - f. returning juveniles to their homes through the authority of the consulate's office.

**B. Eligibility Criteria.** Grantee shall ensure that juveniles served by this grant:

1. have citizenship in an applicable foreign country and:
  - a. have committed an offense in the state of Texas; and
  - b. have been referred to the BCJP in a Texas border county; or
2. have United States citizenship and reside with their family in the United States and:
  - a. have committed an offense in an applicable foreign country; and
  - b. have been referred to the BCJP in a Texas border county.

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

1. Grantee shall have a Project Coordinator; and
2. the Project Coordinator shall facilitate collaborative efforts between the United States and foreign authorities involving juvenile courts, the United States Immigration and Customs Enforcement (ICE), law enforcement, United States or foreign consulate offices, child protective agencies, and correctional officials.

**D. State Level Secure Correctional Facilities.** The policies and procedures applicable to the Border Children's Justice Project do not apply to youth committed to a state secure facility.**V. PROGRAMMATIC REPORTING.****A. Annual Reports.** None.**B. Monthly Reports.** Grantee shall submit monthly extract data electronically to TJJD no later than the 10th calendar day of each month following the reporting period, as required in Title 37, Texas Administrative Code, Chapter 341 or successor provisions which become effective during the term of this Contract. The BCJP information must be reflected in the program table of the monthly extract.

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05/24/2019C. **Other Periodic Reports.** None.**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.** Grantee shall comply with the following applicable state laws, federal laws, standards, policies, and procedures as they currently exist or as amended or renumbered and enacted and effective during the term of this Contract:

A. **Applicable Standards.**1. **Texas Administrative Code (TAC) Title 37, Public Safety and Corrections, Chapters 341 – 359.**B. **General Statutes.**1. **Federal Law.**a. **Juvenile Justice Reform Act of 2018.**

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2. **State Law.**a. **Texas Family Code, Title 3, Juvenile Justice Code.**

i. Chapter 54, Section 54.011– Detention Hearings for Status Offenders and Non-offenders; Penalty.

ii. Chapter 60 – Uniform Interstate Compact on Juveniles.

b. **Texas General Appropriations Act.**c. **Texas Government Code, Title 7, Intergovernmental Relations.**

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

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

1. Grant funds may 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* submitted by Grantee for each fiscal year of the grant period.

2. Grant funds may be expended under the residential services budget category for foreign nationals placed only in pre-adjudication secure detention facilities in the state of Texas.

B. **Unallowable Expenditure of Funds.** See 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.

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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.** See General Grant Requirements.
  - B. **Quarterly Reports.** See General Grant Requirements.
  - C. **Monthly Reports.** None.
  - D. **Other Periodic Reports.**
    1. **Budget Adjustments.** See General Grant Requirements.
- X. **FINANCIAL MONITORING.**
- A. **Annual Monitoring.** See General Grant Requirements.
  - B. **Periodic Monitoring.** See General Grant Requirements.