



U.S. Department of Justice

Office of the Associate Attorney General

Associate Attorney General

Washington, D.C. 20530

January 26, 2022

Dear State Administering Agency Director:

The Department of Justice has recently received a number of inquiries regarding how formula grant funds under the Edward Byrne Memorial Justice Assistance Grant (JAG) Program can be used to respond to several urgent public safety threats.

JAG Program funds are the primary source of federal criminal justice funding to states and local governments. Funds are disbursed based on a formula that takes into account each jurisdiction's population and violent crime rate. 34 U.S.C. § 10156. Grantees have broad flexibility to use JAG funds to support a variety of criminal justice initiatives—including law enforcement, prosecution, crime prevention, corrections, drug treatment, technology, and victim and witness services, among others—and may make subgrants to localities or community organizations to serve these purposes as well. 34 U.S.C. § 10152. In response to inquiries, the Bureau of Justice Assistance recently released two guidance documents advising that—where a state or local grant recipient determines in its discretion to prioritize the use of JAG Program funds for these purposes—JAG funds may be used to prevent and respond to hate crimes and bias-motivated attacks, and to deter and protect against threats of violence against election officials and workers.

In the wake of recent events in Texas that have renewed concerns about the rise of anti-Semitism and hate crimes more generally across the country, please consider the flexibility JAG funding provides to bolster security at places of worship and other nonprofit organizations that may be at risk for violence or other attacks. The Bureau of Justice Assistance issued guidance in June 2021 explaining that JAG funds can be used for this purpose. At a time when many communities are feeling particularly anxious as they gather at synagogues, churches, mosques, and other places of worship, we encourage you to consider prioritizing JAG funds for this purpose, and to contact us if you have any questions. The Department of Justice has made combating hate crimes a top priority and we will continue to identify ways we can further support state and local efforts to prevent and respond to these crimes.

In addition, the past year has seen an unprecedented increase in threats of violence against Americans who administer the election process in our country. The Department of Justice is committed to protecting every American's right to vote, including by protecting election workers against personal threats of violence that aim to undermine the electoral process. The Bureau of Justice Assistance issued guidance this week making clear that JAG funds may be used to deter, detect, and protect against threats of violence against election workers, administrators, officials, and volunteers. We encourage you to advise stakeholders facing these threats that JAG funds may be used for this purpose as well.

The JAG Program is a critical and versatile source of federal justice funding to state and local jurisdictions, and we look forward to working with you to answer any questions you may have about using these funds to address pressing public safety needs. Thank you for your continued leadership and partnership in this critical effort.

Sincerely,

A handwritten signature in blue ink, appearing to read "Vanita Gupta", with a stylized flourish at the end.

Vanita Gupta
Associate Attorney General

Enclosures