

**TENNESSEE**  
**Grant Solicitation Packet**



**Fiscal Year 2025**  
**Alternative Electronic Monitoring Indigency Fund**

**Project Period: 07/01/2024 – 06/30/2025**

*Released on: 7/2/2024*  
*Intent to Apply due: 07/31/2024*  
*Completed applications due: 07/31/2024*

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## 1. IMPORTANT INFORMATION

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### 1.1. Introduction

The term "Alternative device" used throughout this document means a transdermal monitoring device, other alternative alcohol (such as SCRAM) or drug monitoring device, or global positioning (GPS) monitoring device<sup>1</sup> as authorized and utilized pursuant to TCA 55-10-419 effective October 1, 2023. Ignition Interlock devices are not eligible for reimbursement under this solicitation.

**<sup>1</sup>Effective July 1, 2024, GPS devices are only eligible under AEMIF for release or sentencing on very specific offenses related to DUI. GPS devices for pretrial release on domestic violence offenses, sexual assault and stalking are not eligible for AEMIF.**

Pursuant to Tennessee Code Annotated 55-10-419.

Subject to annual appropriations, there is established a grant program to assist local governments with up to fifty percent (50%) of the payment of eligible costs for alternative devices for persons found to be indigent by a court. The Department of Finance And Administration, Office of Criminal Justice Programs, shall develop and administer the grant program.

Notwithstanding another law to the contrary, the eligible costs incurred in order to comply with a court order to use a functioning alternative device must be paid by the person ordered to use the device, unless the court finds such person to be indigent.

If a court determines that a person is indigent, then the court shall order the person to pay a minimum of thirty dollars (\$30.00) per month per device. The remainder of the costs must be paid from the county's indigency fund. The fund consists of the allocation of appropriated grant funds and the local government's budgeted funds.

Providers of alternative devices shall submit claims and invoices for reimbursement to the respective local government for reimbursement from the alternative device account for an indigent person with eligible costs. A provider must be paid no more than two hundred dollars (\$200) per month for the eligible costs for a device.

### 1.2. Eligibility

Counties and Metropolitan governments who are responsible for the installation and monitoring of "alternative devices" pursuant to a court order and who choose pursuant to TCA 55-10-419 to pay a portion of these costs for indigent persons are eligible to apply.

Only one application will be accepted per county or metropolitan government if a county or metropolitan government contains multiple agencies responsible for the installation and monitoring of "alternative devices" then they are encouraged to collaborate and aggregate their data for the purpose of making a single application.

**Interlock devices are not eligible for reimbursement under this solicitation.**

**GPS devices for pretrial release on domestic violence offenses, sexual assault and stalking are not eligible for AEMIF.**

### 1.3. Length and Amount of Project Support

Funding is determined on an annual basis using a calculation based upon the eligible jurisdiction's alternative EMIF costs for eligible devices during the preceding fiscal year (FY24). In order to be eligible to be included in the calculation pool Alternative EMIF Costs:

- Shall not exceed a total cost of \$200 per month per indigent person.
- Shall be paid at a rate of at least \$30 per month by the indigent person.

Funding provided under this program is determined on the following criteria calculated in the following manner:

Step 1: The agency shall provide information on the total number of persons under their jurisdiction who were required to utilize an alternate electronic monitoring device *and whom were found to be indigent by a court* for the period of July 1, 2023 until June 30, 2024. This is question B.1. in the Scope of Services document.

Step 2: The agency shall provide information on the total number of months all persons reported under Step 1 were sentenced to use an electronic monitoring device. Agencies shall round partial months to the next highest number (eg, 45 days would be counted as 2 months). This is question B.2. in the Scope of Services Document. (This is also referred to as a “device month”. For OCJP and grant purposes, a “device month” is each device utilized by an offender/defendant for any part of a month.)

Agencies may utilize the calculation tool found to assist with calculating this number. The link to the tool is available here: [B2 Tool](#).

Step 3: Grantor agency shall add up the total number of months submitted by all qualifying applicants to create the **AEMIF Pool**.

Step 4: Grantor agency shall calculate the individual percentage of each agency’s contribution to the **AEMIF Pool**.

Step 5: Grantor agency shall multiply that percentage by the **total available funding** to calculate the final appropriation for each agency.

Step 6: In the event the final appropriation exceeds \$85 per month submitted for any agency then that agency’s appropriation shall be reduced to \$85 per month submitted.

Funding shall be made available to qualifying county and metropolitan government entities who fully complete their application no later than July 31, 2024. When received, this funding can be used towards allowable expenditures for the period of July 1, 2024 to June 30, 2025. The funding *can be used retroactively* towards allowable costs the jurisdiction incurred or invoices received after July 1, 2024.

**Funding shall be issued via state appropriation. Unspent funds at the end of June 30, 2024 must be maintained in local budgets to be utilized to offset Alternative EMIF costs in future years.**

#### 1.4. Program Purpose

The Alternative Electronic Monitoring Indigency Fund (“AEMIF”) provides financial reimbursement to local governments who provide or install devices ordered by a judge for indigent persons required to have a monitoring device.

Alternative EMIF devices, such as transdermal, mobile breathalyzer, and GPS monitoring, reimbursed by the EMIF will be funded out of a local government and State 50/50 cost-sharing program. If a local government elects to participate in the local government cost-sharing plan, then Non-Interlock monitoring devices eligible for reimbursement from the A-EMIF fund include:

- Transdermal devices
- Electronic monitoring devices with random alcohol or drug testing
- GPS monitoring devices (limited to certain DUI Offenses)

If a local government elects to participate AEMIF grant program, reimbursement to vendors shall be handled by the local government. The local government may charge up to 50% of their costs for eligible alternative devices to grant funds to the extent of their appropriation. The local government is responsible for all costs after their appropriation is expended.

**Interlock devices are not eligible for reimbursement under this solicitation.**

**GPS devices for pretrial release on domestic violence offenses, sexual assault and stalking are no longer eligible for AEMIF.**

**1.5. Grant Solicitation Communications**

1.5.1. The State has assigned the following Grant Solicitation identification title that must be referenced in all communications regarding this Grant Solicitation:

**FY25 Alternative EMIF**

1.5.2. Prospective Applicants must direct communications concerning this Grant Solicitation to the following email designated and indicate which Grant Solicitation Title in the subject line:

[CriminalJustice.Program@tn.gov](mailto:CriminalJustice.Program@tn.gov)

**1.6. Notice of Intent to Apply**

Applicants should complete the [Intent to Apply](#) by the deadline detailed in the Grant Solicitation Section 3, Schedule of Events.

**Completion of the Intent to Apply form creates no obligation but is a prerequisite for applying and necessary to ensure receipt of any Grant Solicitation updates or other notices and communications relating to this Grant Solicitation. The Intent to Apply and all documents must reference the Grant Solicitation Title found in section 1.5.1.**

**1.7. Application Deadline**

An Applicant must ensure that the State receives an application no later than the application deadline time and date detailed in the Grant Solicitation Section 3, Schedule of Events. An Applicant must apply, as required, to this Grant Solicitation (including all attachments). The State will not accept late applications, and an Applicant's failure to submit its application by the deadline will result in disqualification of the application.

## 2. APPLICATION PROCESS AND INSTRUCTIONS

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### 2.1. Scope of Services

The Office of Criminal Justice Programs has provided a word document for use in constructing an application under this solicitation. First save this document to your computer with the grant solicitation identification title.

The document for the **FY25 Alternative EMIF** application is located at the following link: [click here](#). It contains definitions and instructions for completion.

The Scope of Services contains the following headers and will be evaluated based upon the following criteria:

EVALUATION CATEGORY
Agency Information
Inputs
Data Collection

The Scope of Services should be submitted with the application. See Sections 2.3 and 2.4 for information on how to submit your application.

### 2.2. Application Submission

An Applicant must ensure that the State receives a response no later than the Response Deadline time and date detailed in the Grant Solicitation Section 3, Schedule of Events at the following email address:

[Criminaljustice.Program@tn.gov](mailto:Criminaljustice.Program@tn.gov)

### 2.3. Application Requirements

2.3.1. The first step to the application process is to submit the Intent to Apply form through the following on-line link: [Intent to Apply](#) by July 31, 2024 as your intent to apply for this grant (See Grant Solicitation Section 3, Schedule of Events). **Intent to Apply must reference the grant solicitation identification title (See section 1.5.1).**

2.3.2. Please fill out the scope of services for this project. The document is available at this link: [Scope of Services](#).

2.3.3. Although it is not required this tool will can be used to assist with answering question B.2. in the scope of services. The link to the tool is here: [B2 Tool](#).

2.3.4. Use the checklist in section 2.7 of this application and submit all required documents via e-mail to [Criminaljustice.Program@tn.gov](mailto:Criminaljustice.Program@tn.gov).

**All above documents should be emailed to [Criminaljustice.Program@tn.gov](mailto:Criminaljustice.Program@tn.gov) with the grant solicitation identification title in the subject line of the email (complete list located in section 1.5.1).**

**2.4. Application Deadline**

July 31, 2024

**2.5. Response Preparation Costs**

The State will not pay any costs associated with the preparation, submittal, or presentation of any application.

2.6. **Application Completion Check-off List**  
(Retain for your own purposes)

**To ensure compliance with funding consideration requirements,  
please read the entire solicitation.**

- [Intent to Apply](#) (Grant Solicitation Title, Applicant Contact & Profile Information) completed online no later than July 31, 2024.
- The next step is to create a Scope of Services / Narrative form. You may find it at: [Scope of Services](#).
- Although it is not required this tool will can be used to assist with answering question B.2. in the scope of services. You may find it at: [B2 Tool](#).

**Applications must be submitted in accordance with Section 2.4 no later than 4:30 pm central time, July 31, 2024.**

**If you have completed the above items and emailed to [Criminaljustice.Program@tn.gov](mailto:Criminaljustice.Program@tn.gov) with the grant solicitation description title in the subject line (see section 1.5.1. for a complete list), then your application is complete.**



### 3. GRANT SOLICITATION SCHEDULE OF EVENTS

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3.1. The following Grant Solicitation Schedule of Events represents the State's best estimate for this Grant Solicitation.

EVENT	TIME (central time zone)	DATE
1. Grant Solicitation Issued	4:30 p.m.	July 2, 2024
2. Notice of Intent to Apply Deadline	4:30 p.m.	July 31, 2024
3. Application Deadline	4:30 p.m.	July 31, 2024
4. Contract Start Date		Retroactive to July 1, 2024

The funding *can be used retroactively* towards allowable costs the jurisdiction incurred or invoices after July 2, 2024.

**Funding shall be issued via state appropriation. Unspent funds at the end of June 30, 2025 must be maintained in local budgets to be utilized to offset Alternative EMIF costs in future years.**

3.2. **The State reserves the right, at its sole discretion, to adjust the Grant Solicitation Schedule of Events as it deems necessary.** Any adjustment of the Schedule of Events shall constitute a Grant Solicitation update, and the State will communicate such to prospective Applicants from whom the State has received a Notice of Intent to Apply (refer to section 1.5).

## 4. FUND SOURCE DESCRIPTIONS AND SPECIFIC REQUIREMENTS

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### 4.1. State Funding Program Requirements

- 4.1.1. Law Enforcement Agencies: In order for law enforcement agencies to qualify for grant funds, they must comply with the following:
- a. Fingerprint Reporting Requirement: The Agency shall ensure that they will comply with Tennessee Code Annotated (TCA) 38-3-122 and will submit all fingerprints taken to the Tennessee Bureau of Investigation (TBI).
  - b. TIBRS Reporting Requirement: The Agency shall ensure that they comply with the rules and regulations of the Tennessee Bureau of Investigations (TBI) as empowered by Tennessee Code Annotated (TCA) 38-10-101 et seq. with regard to the Tennessee Incident Based Reporting System (TIBRS). The agency will at all times maintain TBI certification of their compliance with those rules and regulations.
  - c. National Instant Criminal Background Check System (NICS) Reporting Requirement: The Agency shall ensure that they comply with Tennessee Code Annotated (TCA) 33-3-1115 with regard to NICS Reporting. The agency will at all times maintain compliance.
  - d. Death in Custody Reporting Act (DICRA) Requirement: The Agency shall comply with PUBLIC LAW 113-242 by submitting all deaths in custody to the TBI.
  - e. DNA and CODIS Requirements: The Agency shall ensure that they will comply with Tennessee Code Annotated (TCA) 40-35-321 regarding the collection of DNA.
  - f. Use of Force Requirement: The Agency must have a certification from the Tennessee Association of Chiefs of Police regarding their Use of Force policies. The Agency must also comply with TCAs 38-3-121, 38-8-101, 38-8-113, 38-8-128:131, and 40-6-105.

Please note that 4.1.1 a-f are also federal requirements.

- 4.1.2. Compliance with Submission of eligible records relevant to the National Instant Background Check System (NICS) for Law Enforcement, Prosecution and Court Projects requesting funding:

Consonant with federal statutes that pertain to firearms and background checks, including 18 U.S.C. 922 and 34 U.S.C. chapter 409, if the recipient (or any subrecipient at any tier) uses this award to fund (in whole or in part) a specific project or program (such as a law enforcement, prosecution, or court program) that results in any court dispositions, information, or other records that are "eligible records" (under federal or State law) relevant to the National Instant Background Check System (NICS), or that has as one of its purposes the establishment or improvement of records systems that contain any court dispositions, information, or other records that are "eligible records" (under federal or State law) relevant to the NICS, the recipient (or subrecipient, if applicable) must ensure that all such court dispositions, information, or other records that are "eligible records" (under federal or State law) relevant to the NICS are promptly made available to the NICS or to the "State" repository/database that is electronically available to (and accessed by) the NICS, and when appropriate promptly must update, correct, modify, or remove such NICS-relevant "eligible records".

All law enforcement, prosecution and court related projects must comply with the above and with State TCA 8-4-115 (revised language effective January 1, 2019) prior to requesting funding and throughout the course of life of a funded contract. Failure to do so could result in termination of funding.

- 4.1.3. Subject to Funds Availability: Funding is subject to the appropriation and availability of State funds. In the event that the funds are not appropriated or are otherwise unavailable, the State reserves the right to terminate this solicitation. Upon such termination, the Grantee shall have no right to recover from the State any actual, general, special, incidental, consequential, or any other damages whatsoever of any description or amount.

#### 4.2. Allowable Use of Funds

Please reference the [Allowable Costs section of the OCJP Grants Manual](#) for full explanations/restrictions regarding Allowable Costs.

- 4.2.1. Eligible Devices: Pursuant to Tennessee Code Annotated 55-10-419 “alternative devices” as used in this program are defined as a transdermal monitoring device, other alternative alcohol or drug monitoring device, or global positioning monitoring device.

**Interlock devices are not eligible for reimbursement under this solicitation.**

- 4.2.2. Eligible Costs: The only eligible cost is reimbursement to the local government for the cost of eligible devices for offenders/defendants pursuant to a courts finding of indigency and order to use indigency funds to offset the cost of the device. In order to qualify as costs to be included in award calculations:

- Total device costs must not exceed \$200 per individual per month.
- Indigent persons must be ordered to pay at least \$30 per month towards their total cost.
  - Grant funding cannot be just to pay any portion of the amount of the total device cost that is assigned to the individual.
- The device must meet the definition of “Eligible Devices” found in section 3.1.5 of this solicitation.

## 5. FINANCIAL REQUIREMENTS

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- 5.1. OCJP grants are governed by the provisions of the Office of Management and Budget (OMB) Uniform Guidance applicable to financial assistance. The sub-recipient must follow [OMB Part 200 Uniform Administrative Requirements, Cost Principles, and Audit Requirements](#) (Uniform Guidance). Additional information and guidance are contained in the fund source chapters of the OCJP Grants Manual available from the Office of Criminal Justice Programs upon award of grant funds or by referring to the [OCJP Grants Manual](#). This policy manual provides information on allowed costs, methods of payment, audit requirements, accounting systems, and financial records. Specific requirements include:
- 5.1.1. Accounting Systems: A grant accounting system must be in place and financial records must accurately account for funds awarded to them. The system must have a financial management module in place that is able to record and report on the receipt, obligation, and expenditure of grant funds. This includes ability to track grant funds separately from other funds. There should be a system in place that can accurately track employee's time charged to the grant. Accounting policies and procedures should be documented and in use, this includes payroll and purchasing policies that reflect good internal controls.

## 6. REPORTING REQUIREMENTS

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The sub-recipient must collect, maintain, and provide to OCJP, data that measure the performance and effectiveness of activities under this award, in the manner, and within the timeframes, specified in the program solicitation, or as otherwise specified by OCJP. Data collection supports compliance with the Government Performance and Results Act (GPRA) and the GPRA Modernization Act, and other applicable laws.

The data collected should support the information submitted on the reports and OCJP may periodically request to see the back-up data that supports the information submitted.

### 6.1. Reporting

- 6.1.1. The Alternative Electronic Monitoring Fund Annual Project Report is due by July 31 of each year. The reports provide the Project Director an opportunity to describe both in narrative and quantitative fashion the success of their project. The report will reflect the amount of funding spent with supporting information for the fiscal year. The unspent balance will be applied to the coming year allocation of MHT funds to the county or metropolitan government.

Subrecipient agencies must request reimbursement at least once per quarter based on expenditures incurred. However, it is recommended that agencies invoice monthly, when monthly expenditures are incurred.

- 6.1.2. Alternative Electronic Monitoring Fund Quarterly Report is due no later than 15 days past the end of the state fiscal quarter, (July 1 – September 30) by October 15, 2024; (October 1 – December 31) and January 15, 2025; (January 1 – March 31) by April 15, 2025. The report for the quarter (April 1 – June 30) by July 15, 2025. Reports shall be filed electronically in a manner prescribed by the state.

This reports includes elements to test information on devices paid with funds in order to ensure accuracy with quarterly reporting and a review of compliance with additional program requirements, as necessary.

### 6.2. Fiscal and Program Monitoring

The Office of Criminal Justice Programs program managers and fiscal monitors provide routine program and fiscal monitoring of all OCJP contracts. This monitoring provides program and fiscal contract compliance review, much needed information on how the program is actually being implemented and assists in identifying sub-recipients experiencing problems requiring corrective action. If through monitoring a problem area is identified and corrective action is requested, OCJP sub-recipients must adhere to the corrective action requirements identified in the [OCJP Grants Manual Chapter XIX. D](#) within the time period required.

## **7. APPLICATION EVALUATION**

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### **7.1. Review and Evaluation of Proposals**

Each application will be rated, based on the applicant agency's ability to fully complete the application, and submit all required documents. Applicants must meet the eligibility requirement. Applications will be reviewed for financial and programmatic completeness by OCJP staff with expertise in grant requirements and program design. Grants will be awarded based on current funding patterns, the availability of funds, and the above-cited criteria.

Applicants will be notified of approval or denial by the date listed below. If an application is approved, the contract between the state and the subrecipient will be emailed with the approval letter. The contract must be signed by the Authorized Official and returned to the Office of Criminal Justice Programs for approval by the Commissioner of Finance and Administration. After the Commissioner approves the contract, an executed original contract will be emailed to the subrecipient.

Applicants for grants will be notified whether their application is approved prior to the start date.

### **7.2. Grant Solicitation Update**

The State at its sole discretion may update this Grant Solicitation, in writing, at any time prior to contract award. However, prior to any such update, the State will consider whether it would negatively impact the ability of potential Applicants to meet the response deadline and revise the Grant Solicitation Schedule of Events if deemed appropriate. If a Grant Solicitation update is issued, the State will convey it to potential Applicants who submitted a Notice of Intent to Apply (refer to Grant Solicitation Section 1.5). A response must address the final Grant Solicitation (including its attachments) as updated.