



U.S. Department of Justice

Office of Justice Programs

Office for Civil Rights

Washington, D.C. 20531

July 25, 2012

VIA CERTIFIED AND ELECTRONIC MAIL

Jerome Ierome
Executive Director
Commonwealth of the Northern Mariana Islands
Criminal Justice Planning Agency
P.O. Box 501133
Saipan, MP 96950

Re: Compliance Review of Commw. of the N. Mar. I. Criminal Justice Planning Agency (12-OCR-0164)

Dear Mr. Ierome:

The Office for Civil Rights (OCR), Office of Justice Programs (OJP), U.S. Department of Justice (DOJ) is responsible for ensuring that recipients of federal financial assistance from the Office of Community Oriented Policing Services, the Office on Violence Against Women (OVW), the OJP, and OJP components comply with federal civil rights laws. As you know, recipients of federal financial assistance have an obligation not to discriminate against protected classes of people either in employment or in the delivery of services.

In carrying out the OCR's civil rights enforcement responsibilities, the OCR is conducting a broad compliance review of all State Administering Agencies (SAA) in accordance with federal regulation 28 C.F.R. § 42.206. The focus of this review is to determine both compliance with applicable federal civil rights laws and SAA monitoring procedures for ensuring the compliance of subrecipients with these laws. As part of that review, the OCR is evaluating the Commonwealth of the Northern Mariana Islands (CNMI) Criminal Justice Planning Agency (CJPA or Agency). Of particular interest to the OCR is the CJPA's compliance with the federal regulations that the DOJ issued in January of 2004, Equal Treatment for Faith-Based Organizations, 28 C.F.R pt. 38. The regulations advise SAAs not to discriminate either in favor of or against faith-based organizations. The regulations also instruct funded faith-based organizations not to discriminate in the delivery of services or benefits based on religion or to use federal funds for inherently religious activities.

On May 10, 2012, the OCR conducted an onsite visit with the CJPA in Saipan, CNMI, to interview management and program staff; we also provided a training program for Agency representatives about the OCR and the federal civil rights laws that the OCR enforces, how the OCR enforces civil rights laws, a recipient's obligations to provide services to limited English

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proficient individuals, civil rights laws that affect faith-based organizations, and effective ways to monitor subrecipient compliance with applicable civil rights obligations. The OCR would like to thank your personnel for assisting the DOJ during its onsite visit.

In regard to the limited scope of this Compliance Review, the OCR concludes that the CJPA is not fully in compliance with the requirements of the federal civil rights laws that the OCR enforces. Specifically, we have reservations about the adequacy of the Agency's (1) guidance to subrecipients about their legal obligations regarding applicable federal civil rights laws, (2) monitoring of subgrantee compliance with their civil rights duties, (3) civil rights training for subrecipients, (4) information and training provided to CJPA personnel on the Agency's employment nondiscrimination policy and procedures, (5) complaint procedures for responding to certain discrimination allegations, and (6) confirmation of federal tax exempt status of nonprofit subrecipients of funds under the Juvenile Justice and Delinquency Prevention Act (JJDP). The following Compliance Review Report includes recommendations for improving the CJPA's methods for monitoring the civil rights compliance of subrecipients and ensuring compliance with its federal civil rights obligations.

Compliance Review Report: Overview and Recommendations

I. Overview

This Compliance Review Report first examines the CJPA's procedures for monitoring whether subrecipients are meeting their obligations to comply with the federal civil rights laws that are a condition for receiving federal financial assistance. The Report then focuses on the Agency's implementation of the DOJ's Equal Treatment Regulations.

A. General Monitoring Procedures to Ensure Subrecipient Compliance with Applicable Federal Civil Rights Laws

Recipients of federal financial assistance from the OJP are responsible for certifying that contractors and subrecipients under DOJ grant programs comply with applicable federal civil rights laws. In reviewing the CJPA's general efforts to ensure subrecipients' compliance with their civil rights obligations, the OCR evaluates how the Agency uses the following four tools: (1) standard assurances, (2) onsite visits and other monitoring methods, (3) training programs and technical assistance, and (4) procedures for receiving, investigating, and resolving complaints alleging employment and services discrimination.

1. Standard Assurances

The OCR examines the standard assurances that the CJPA uses in connection with its administration of the following programs: (1) Bureau of Justice Assistance's Edward Byrne

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Memorial Justice Assistance Grants (JAG), (2) Victims of Crime Act (VOCA) Victim Assistance Grants, (3) the OVW's Violence Against Women Act Services • Training • Officers • Prosecutors Grants (VAWA STOP), (4) the Office of Juvenile Justice and Delinquency Prevention's (OJJDP) Title II Formula Grants (Title II), (5) the OJJDP's Title V Community Prevention Grants (Title V), and (6) the OJJDP's Juvenile Accountability Block Grants (JABG).¹ In order to receive DOJ funds, a successful applicant must sign a grant agreement; however, the CJPA's standard agreement does not contain any language regarding civil rights laws.

2. Onsite Visits and Other Monitoring Methods

The CJPA relies on desk reviews and site visits to monitor whether its subrecipients satisfy applicable subaward financial and programmatic obligations. Each subrecipient submits a quarterly report about its subaward, which the Agency's four Criminal Justice Planners review before conducting their site visits. The quarterly reports do not address applicable civil rights requirements. In evaluating these reports, personnel seek to identify issues that warrant further review while onsite. Agency personnel conduct periodic site visits of every subrecipient, although the frequency of onsite monitoring varies based on the location of the subgrantee. The Criminal Justice Planners conduct quarterly site visits of subrecipients that are located on the island of Saipan and perform semi-annual onsite reviews of subgrantees that are located on the islands of Tinian and Rota.

During the site visit process, the Planners complete a checklist and a monitoring form. Like the quarterly reports, these monitoring materials emphasize a subrecipient's compliance with financial and programmatic requirements. The monitoring checklist also asks whether a subgrantee has an Equal Employment Opportunity Plan (EEOP) on file. While this question directly relates to a civil rights obligation that applies to subrecipients, at the time of our site visit, CJPA personnel appeared to be unfamiliar with the OCR's definition of an EEOP. As a result, the OCR lacks confidence that the Agency is, in fact, confirming through the site visit process that each subrecipient is in compliance with the OCR's EEOP-related requirement in connection with each subaward. The CJPA's monitoring materials do not contain any other questions regarding civil rights laws.

3. Training and Technical Assistance

Once the CJPA notifies successful applicants of their subaward, the Agency provides training sessions for them on the islands of Saipan, Tinian, and Rota. The presentations review grant rules, regulations, and special conditions that apply to all subrecipients as well as requirements

¹ The CJPA is also the designated SAA for the Residential Substance Abuse Treatment for State Prisoners (RSAT) program; however, the Agency has not administered RSAT funds since 2007. Because the CJPA does not have subrecipients participating in the RSAT program, its civil rights compliance with this program is beyond the scope of the instant Report.

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that relate to specific grant programs. While these orientation sessions cover applicable fiscal and programmatic requirements, they do not describe the civil rights obligations that apply to the receipt of federal financial assistance from the DOJ. The Agency provides ongoing technical assistance to subrecipients when it conducts desk reviews and onsite visits. Criminal Justice Planners are also available by e-mail and telephone to respond to subrecipient questions about grant requirements that arise at any point during the grant cycle.

4. Complaint Procedures

In reviewing complaint procedures, the OCR evaluates the processes in place for individuals to pursue complaints of employment discrimination against the CJPA, as well as complaints of employment and services discrimination against its subrecipients.²

As a part of the CNMI government, the CJPA is subject to the Commonwealth's personnel rules and regulations, which prohibit discrimination in employment based on, among other protected classes, race, color, national origin, religion, sex, and disability. 10 N. Mar. I. Admin. Code §§ 10-20.2-476(a), (b) (2004). These administrative provisions also require the CJPA to designate an Equal Employment Opportunity (EEO) Officer to notify employees about their EEO rights and responsibilities and to provide related training to employees. *See id.* § 10-20.2-476(g). The administrative code also explains how employees should internally report discrimination and addresses the Agency's responsibilities to investigate and resolve any such complaints. *See id.* §§ 10-20.2-476(c), (d). In certain circumstances, a CJPA employee can also file an employment discrimination complaint with the U.S. Equal Employment Opportunity Commission (EEOC) or the OCR. During the OCR's site visit, the CJPA did not identify its designated EEO Officer. It also acknowledged that it provides neither information nor training to new or existing employees on the CJPA's nondiscrimination obligations or the applicable complaint process for receiving and resolving civil rights complaints.

In monitoring subrecipients, the CJPA does not evaluate whether subrecipients have policies, procedures, or protocols regarding the handling of employment or services discrimination complaints they receive. The Agency also does not determine if subgrantees provide any notification to their employees and beneficiaries about subrecipient processes for handling discrimination complaints or available avenues for filing civil rights complaints.

B. Monitoring Compliance with Faith-Based Regulations

The purpose of the Equal Treatment Regulations is to ensure that "[r]eligious organizations are eligible, on the same basis as any other organization, to participate in any [Justice] Department program for which they are otherwise eligible." 28 C.F.R. § 38.1(a) (2010). The Regulations

² The CJPA does not provide services or benefits to members of the public, beneficiaries, or participants.

prohibit the DOJ and DOJ-funded recipients from discriminating either for or against an organization on the basis of the organization's religious character or affiliation. *Id.* In evaluating the CJPA's equitable treatment of faith-based organizations, the Compliance Review Report focuses on two issues: (1) the review process for making awards to applicant faith-based organizations; and (2) procedures for ensuring that funded faith-based organizations comply with applicable federal civil rights laws.

1. The Process for Making Awards to Applicant Faith-Based Organizations
 - a. Selecting DOJ-Funded Subrecipients

The CJPA subawards JAG, VOCA, VAWA STOP, Title II, Title V, and JABG funds. Generally, other than programs funded under the JJDPa, DOJ-funded formula grants do not require eligible nonprofit organizations to obtain federal tax exempt status under 26 U.S.C. § 501(c)(3) in order to apply for funds. The CJPA correctly recognizes that nonprofits are eligible to apply for DOJ funding regardless of their classification under the Internal Revenue Code. In response to the OCR's data request, however, the Agency suggests that it extends this approach to applicants seeking Title II, Title V, or JABG funds, which is contrary to the JJDPa's requirement that funded nonprofit organizations be exempt from taxation under federal law.

When the CJPA announces funding opportunities, it issues a public service announcement (PSA) to the public that describes each of the grant programs that will accept applications. At least thirty days before the application deadlines, the Agency places the PSA in the local newspaper, posts it on the Agency's Web site, and e-mails it to current subrecipients and other entities that may be interested in applying for a subaward. Subgrant application forms are available on the CJPA Web site and at its office. In subawarding JAG, VOCA, and VAWA STOP funds, the CJPA primarily relies on the Northern Marianas Commonwealth Council for the Improvement of the Criminal Justice System, also referred to as the Supervisory Council, which is comprised of nine members who are appointed by the Governor. In subawarding Title II, Title V, and JABG funds, the CJPA primarily relies on its State Advisory Group, also referred to as the Youth Advisory Council (YAC), which is an advisory body that is required under the JJDPa. The YAC is comprised of fifteen members who are appointed by the Governor.

Once Agency personnel review applications to confirm that they satisfy a program's basic eligibility requirements, the Supervisory Council and the YAC select successful applicants for their respective programs and determine the amount of funds each subrecipient will receive. As part of these review processes, the Supervisory Council and the YAC interview each applicant. In making award decisions, each body seeks to fund programs that will have the greatest impact on the community and provide the most benefit to the criminal or juvenile justice systems. The Supervisory Council and the YAC retain the ultimate authority to select subrecipients and to determine their funding levels. CJPA personnel attend the deliberative meetings of both bodies,

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although their role is limited to answering questions about program objectives and compliance requirements. If an applicant does not receive funding, then the CJPA sends a letter to the entity informing it of that decision.

b. Faith-Based Organizations as Subrecipients

This section of the Report discusses the CJPA's efforts to include faith-based organizations in the JAG, VOCA, VAWA STOP, Title II, Title V, and JABG programs. Faith-based organizations are eligible to seek and receive funds from the CJPA under the JAG, VOCA, and VAWA STOP programs. In reviewing the inclusion of faith-based organizations in the subaward process for the Title II, Title V, and JABG programs, it is important to emphasize that these juvenile justice programs limit the ability of such groups to apply to the OJJDP or the Agency for specific funds as follows:

- Title II Program: Faith-based organizations are statutorily ineligible to apply directly to the OJJDP for Title II funds. *See* 42 U.S.C.A. §§ 5631-33 (West 2012). The OJJDP, however, encourages faith-based organizations to respond to requests for proposal from the SAA.
- Title V Program: Faith-based organizations are statutorily ineligible to apply directly to the OJJDP or the Agency for Title V funds. *See id.* § 5783(a). The OJJDP, however, encourages faith-based organizations to access such funds by partnering with governmental subrecipients in developing the required local delinquency prevention plan and implementing the proposed prevention activities.
- JABG Program: Faith-based organizations are statutorily ineligible to apply directly to the OJJDP or the CJPA for funding under the JABG program; however, section 1806 of the Omnibus Crime Control and Safe Streets Act of 1968 permits governmental subrecipients to contract with such groups to implement appropriate JABG purpose areas. *Id.* § 3796ee-6.

In fiscal year 2011, the CJPA did not receive any applications that contemplated the involvement of faith-based organizations in the administration of JAG, Title II, Title V, or JABG funds. For that same time period, the Agency received applications from one faith-based group (Karidat Social Services (Karidat)) for VOCA and VAWA STOP funds. Karidat received a total of \$125,984 to operate three VOCA programs; under the VAWA STOP program, it received \$148,989.50 to operate one program.

2. Procedures for Ensuring that Faith-Based Organizations Comply with Applicable Civil Rights Laws

The Equal Treatment Regulations circumscribe how faith-based subrecipients may use federal financial assistance. Specifically, such subgrantees may not engage in inherently religious activities with federal funds; nor can they discriminate against potential or actual program beneficiaries on the basis of religion or religious belief. 28 C.F.R. §§ 38.2(b)(1), (d). In administering its DOJ program funds, the CJPA does not monitor whether its faith-based subgrantees provide services consistent with these restrictions.

The OCR conducted an onsite visit to Karidat, which receives VOCA and VAWA STOP funds to provide shelter, counseling, advocacy, and hotline services to victims of domestic violence, sexual assault, and human trafficking. Karidat uses a portion of its DOJ funds to support several employee positions. In connection with these positions, Karidat does not adopt preferential employment policies based on religion. In its mission statement, Karidat emphasizes that it does not engage in proselytization or related inherently religious activities. Consistent with these representations, and based on the information collected during its onsite visit, the OCR found no evidence that Karidat uses federal resources for inherently religious activities. *Id.* § 38.2(b)(1). It also has no policy favoring beneficiaries based on their religion or religious belief. In fact, Karidat's mission statement notes that it provides available services to anyone without regard to an individual's religion. Again, consistent with the organization's description of its services, the OCR's site visit supported the conclusion that Karidat does not discriminate against beneficiaries based on improper religious considerations.

II. Recommendations

The CJPA already has in place a number of procedures to monitor the compliance of its subrecipients with various grant requirements. To strengthen the Agency's civil rights monitoring efforts, the OCR offers the following six recommendations: (1) modify the civil rights/nondiscrimination provisions in its grant agreement, (2) refine its monitoring protocols to include additional items regarding federal civil rights laws, (3) provide consistent training to all subrecipients regarding their obligations to comply with federal civil rights laws, (4) provide information and training to CJPA personnel on the Agency's employment nondiscrimination policy and procedures, (5) develop a comprehensive policy for addressing discrimination complaints, and (6) confirm federal tax exempt status of nonprofit subrecipients of JJDPA funds.

A. Modify the Civil Rights/Nondiscrimination Provisions in Grant Agreement

The CJPA should ensure that all DOJ subrecipients agree to grant agreement assurances that accurately reflect their federal civil rights obligations. To that end, the OCR recommends that the Agency amend its grant agreement to include the following language or substantially similar

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language, which would apply to all applicants for and subrecipients of DOJ funding, regardless of the amount of federal financial assistance at issue:

LANGUAGE APPLICABLE TO ALL DOJ PROGRAMS:

Recipient will comply (and will require any subgrantees or contractors to comply) with any applicable federal nondiscrimination requirements, which may include the Omnibus Crime Control and Safe Streets Act of 1968 (Safe Streets Act) (42 U.S.C. § 3789d); the Victims of Crime Act (42 U.S.C. § 10604(e)); the Juvenile Justice and Delinquency Prevention Act of 2002 (42 U.S.C. § 5672(b)); the Civil Rights Act of 1964 (42 U.S.C. § 2000d); the Rehabilitation Act of 1973 (29 U.S.C. § 794); the Americans with Disabilities Act of 1990 (42 U.S.C. §§ 12131-34); the Education Amendments of 1972 (20 U.S.C. §§ 1681, 1683, 1685-86); the Age Discrimination Act of 1975 (42 U.S.C. §§ 6101-07); 28 C.F.R. pt. 31 (U.S. Department of Justice Regulations – OJJDP Grant Programs); 28 C.F.R. pt. 42 (U.S. Department of Justice Regulations – Nondiscrimination; Equal Employment Opportunity; Policies and Procedures); Exec. Order No. 13279 (equal protection of the laws for faith-based and community organizations); Exec. Order No. 13559 (fundamental principles and policymaking criteria for partnerships with faith-based and other neighborhood organizations); and 28 C.F.R. pt. 38 (U.S. Department of Justice Regulations – Equal Treatment for Faith-Based Organizations).

In the event a Federal or State court or Federal or State administrative agency makes a finding of discrimination after a due process hearing on the grounds of race, color, religion, national origin, or sex against a recipient of funds, the recipient will forward a copy of the finding to the OCR and the Criminal Justice Planning Agency (CJPA).

Recipient will provide an Equal Employment Opportunity Plan (EEOP) to the OCR and the CJPA, if it is a state government, a local government, or a for-profit entity that has 50 or more employees and receives a single award for \$500,000 or more that is subject to the administrative provisions of the Safe Streets Act; otherwise, it will provide a certification to the OCR and the CJPA that it has a current EEOP on file, if it has 50 or more employees and receives a single award for \$25,000 or more, but less than

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\$500,000, that is subject to the administrative provisions of the Safe Streets Act. For state governments, local governments, and for-profit entities receiving less than \$25,000, or for state governments, local governments, and for-profit entities with fewer than 50 employees, regardless of the amount of the award, no EEOP is required. Information about civil rights obligations of grantees can be found at <http://www.ojp.usdoj.gov/ocr/>.

LANGUAGE APPLICABLE TO TITLE II, TITLE V, AND JABG PROGRAMS:

Recipient will designate a civil rights contact person who has lead responsibility in insuring that all applicable civil rights requirements, assurances, and conditions are met and who shall act as a liaison in all civil rights matters with the Office of Juvenile Justice and Delinquency Prevention, Office of Justice Programs and the Office for Civil Rights (OCR), Office of Justice Programs.

Recipient will inform the public and subgrantees of affected persons' rights to file a complaint of discrimination with the OCR for investigation.

The CJPA may also consider including in the grant agreement the following language or substantially similar language regarding language assistance services, which would apply to all DOJ programs:

As clarified by Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination on the basis of limited English proficiency (LEP). To ensure compliance with the Omnibus Crime Control and Safe Streets Act of 1968 and Title VI of the Civil Rights Act of 1964, recipient must take reasonable steps to ensure that LEP persons have meaningful access to its programs and activities. Meaningful access may entail providing language assistance services, including oral and written translation, where necessary. Recipient is encouraged to consider the need for language services for LEP persons served or encountered both in developing its budgets and in conducting its programs and activities. Additional assistance and information regarding your LEP obligations can be found at <http://www.lep.gov>.

The Agency may also wish to add a sentence to the grant agreement stating that, in accordance with federal civil rights laws, the subrecipient shall not retaliate against individuals for taking action or participating in action to secure rights protected by these laws.

B. Refine Monitoring Protocol

The CJPA is to be commended for its general efforts to monitor subrecipients through desk reviews and onsite visits. As part of its responsibility to monitor the compliance of subrecipients with applicable federal civil rights laws, the Agency should continue to ensure that it conducts periodic monitoring of its subrecipients and should strengthen its review of issues involving civil rights compliance. Going forward, it should refine its monitoring materials to ensure that it evaluates the various civil rights requirements that apply to all DOJ-funded subrecipients (e.g., whether the subrecipient has posted nondiscrimination notices as required by section 504 of the Rehabilitation Act; and whether the subrecipient has a grievance procedure and a designated coordinator as required by section 504 of the Rehabilitation Act and Title IX of the Education Amendments of 1972). The monitoring instruments should also include questions that evaluate whether the subrecipient is complying with the DOJ's Equal Treatment Regulations, including the prohibitions against using federal funds to engage in inherently religious activities and discriminating against program beneficiaries on the basis of religion. In an effort to assist the CJPA in refining its monitoring materials, the OCR has prepared a sample Federal Civil Rights Compliance Checklist, which is enclosed for the Agency's review.

C. Provide Training to All Subrecipients Regarding Their Obligations to Comply with Federal Civil Rights Laws

The CJPA is making a concerted effort to provide training to its subrecipients on fiscal and programmatic aspects of grant management. It should also ensure, through periodic and mandatory training, that all subgrantees are aware of their obligations under applicable federal civil rights laws. The CJPA should provide this training at least once during a grant cycle, whether it provides the training in person, during a teleconference, or through other means. The OCR has developed training modules that explain a recipient's various civil rights obligations, and which are available at <http://www.ojp.usdoj.gov/about/ocr/assistance.htm>. The Agency may wish to incorporate these videos into its own subgrantee training program. The OCR is also available to provide the Agency with additional technical assistance in developing its civil rights training programs. In addition, the CJPA should continue to provide ongoing technical assistance to subrecipients regarding their statutory and contractual obligations.

D. Provide Information and Training to CJPA Personnel on the Agency's Employment Nondiscrimination Policy and Procedures

The CJPA does not have any mechanism in place to provide information or training to its employees on the Agency's applicable employment nondiscrimination policy and related procedures. To address this deficiency, the Agency should identify an EEO Officer who will assume responsibility for notifying its employees about their EEO rights and responsibilities.

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Among the EEO Officer's duties should be the provision of information and training to new and existing employees on the Agency's nondiscrimination obligations and the applicable complaint process for receiving and resolving employment discrimination complaints.

E. Develop Comprehensive Policy for Addressing Discrimination Complaints

As previously noted, the CJPA has procedures in place to respond to discrimination complaints from its own employees, and the EEOC and the OCR are also available to resolve certain discrimination complaints. Nonetheless, the Agency has an obligation as a recipient of federal financial assistance to have in place a policy that comprehensively addresses how it responds to employment and services discrimination complaints that it receives from subgrantee employees and beneficiaries. Specifically, it should ensure that it has a policy for addressing discrimination complaints that includes at a minimum the following elements:

- designating a coordinator who is responsible for overseeing the complaint process;
- notifying appropriate subrecipient employees and beneficiaries of prohibited discrimination in funded programs and activities and the CJPA's policy and procedures for handling discrimination complaints;
- establishing written procedures for receiving discrimination complaints from subgrantee employees and beneficiaries;
- investigating each complaint internally or referring it to the appropriate agency, such as the EEOC or the OCR, for investigation and resolution;
- notifying the complainant that he or she may also file a complaint with the OCR;
- training CJPA program staff members on their responsibility to refer discrimination complaints or potential discrimination issues involving subrecipients to the Agency's complaint coordinator for processing as soon as the alleged discrimination comes to their attention;
- ensuring that subrecipients have procedures in place for responding to discrimination complaints that employees and beneficiaries file directly with the subrecipient; and
- ensuring that subrecipients notify their employees and beneficiaries of prohibited discrimination and the procedures for filing a complaint of discrimination.

To assist the CJPA in developing an appropriate complaint policy, the OCR encloses discrimination complaint procedures that were adopted by two other State Administering

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Agencies. While the Agency's adoption of these procedures would satisfy the instant recommendation, the OCR also recognizes that there may be other, equally effective complaint procedures that accomplish the same objectives. Additional information about the applicable laws, complaint forms, and the investigative process can be found at <http://www.ojp.usdoj.gov/ocr/crc>.

F. Confirm Federal Tax Exempt Status of Nonprofit Subrecipients of JJDDPA Funds

In subawarding Title II, Title V, and JABG funds, the CJPA should be mindful that a nonprofit applicant is only eligible to receive such funds if it provides proof that the Internal Revenue Service recognizes the organization as being exempt under section 501(c)(3) of the Internal Revenue Code. The Agency should also ensure that governmental subrecipients under these programs are aware that, while they may retain faith-based organizations to provide services under their grant awards, each contracted faith-based group must have federal tax exempt status.

III. Conclusion

We find that the CJPA should implement the OCR's recommendations to ensure substantial compliance with the federal civil rights laws that the OCR enforces. On request, the OCR is available to provide technical assistance to the Agency in addressing the concerns raised in this Report. **Immediately upon receipt of this letter, we ask that a responsible CJPA official contact Attorney Advisor Christopher Zubowicz to develop a timeline and goals for implementing the OCR's recommendations.**

Thank you for your cooperation and assistance during the Compliance Review process. If you have any questions, please contact Mr. Zubowicz at 202.305.9012.

Sincerely,

/s/ Michael L. Alston

Michael L. Alston
Director

Enclosures