



OFFICE OF THE INSPECTOR GENERAL

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DOJ OIG Releases Report on Allegations Concerning the Office of Justice Programs' Administration of the Disproportionate Minority Contact Requirement of the Title II Part B Formula Grant Program

Department of Justice (DOJ) Inspector General Michael E. Horowitz announced today the release of a report examining allegations of mismanagement related to the Office of Juvenile Justice and Delinquency Prevention's (OJJDP) Title II Part B Formula Grant Program (the Program). OJJDP is an office within the Office of Justice Programs (OJP) that supports local and state efforts to prevent juvenile delinquency and improve the juvenile justice system through grants.

The DOJ Office of the Inspector General (OIG) found that from fiscal year (FY) 2013 to FY 2016, OJJDP awarded all states the Disproportionate Minority Contact (DMC) portion of their grant allotment regardless of the states' compliance with the DMC regulatory requirements of the Program. The DMC requirement provides that state plans submitted pursuant to the Program must address "efforts designed to reduce, without establishing numerical standards or quotas, the disproportionate number of juvenile members of minority groups, who come into contact with the juvenile justice system." OJJDP's failure to enforce this requirement was referred to by some OJJDP employees as the "DMC pass."

The specific findings in today's report include:

- Overall, the DMC pass was unnecessary and inconsistent with OJJDP's responsibilities under the Juvenile Justice and Delinquency Prevention Act and its implementing regulations.
- The DMC pass resulted, in part, from guidance provided by OJP's Office of General Counsel (OGC) in FY 2013. While the OIG did not conclude that OGC's guidance was improperly motivated or beyond its authority, we determined that OGC based its guidance on an unduly restrictive assessment of the significance and impact of an email written by the DMC Coordinator.
- Miscommunications among OJJDP management and staff, and between OJJDP and OGC, resulted in the perceived need for a DMC pass that was not, in fact, necessary or consistent with the applicable regulatory requirements.

- With the passage of time, the need to correct any perceived deficiencies in the DMC compliance review program grew more acute as additional funding was provided to states regardless of their compliance.
- The OIG did not substantiate an allegation that OJJDP managers approved full funding for numerous states that were out of compliance with DMC regulations between FY 2009 and FY 2012.

While the OIG could not conclude with certainty whether any specific states improperly received DMC funding, the report questioned over \$1.1 million in DMC funding awarded to several states between FY 2013 and FY 2016.

Today's report makes 8 recommendations to OJP and OJJDP to improve their processes with respect to administration and oversight of the Program. OJP agreed with the recommendations.

Report: Today's report is available on the OIG's website under "Recent Reports" and at the following link: <https://oig.justice.gov/reports/2017/o1705.pdf>.

Podcast: To accompany today's report, the OIG has released a 7-minute podcast featuring a member of the review team discussing the report's findings. The podcast and a downloadable transcript are available at the following link: <https://oig.justice.gov/multimedia/podcast-10-02-17.htm#top>.