



Home | Programs | State Criminal Alien Assistance Program (SCAAP)

STATE CRIMINAL ALIEN ASSISTANCE PROGRAM (SCAAP)

NEW! BJA is pleased to announce that the FY 2012 State Criminal Alien Assistance Program (SCAAP) awards are complete. Click [here](#) to view the FY 2012 SCAAP award amounts. BJA will e-mail all FY 2012 SCAAP jurisdictions when the SCAAP awards are ready for drawdown in the next week.

Update on the Discontinuance of Payments for "Unknown" Alien Status Inmate Days

The Department of Justice (DOJ) will postpone the elimination of reimbursements for the unknown category of SCAAP inmates for 1 year, which includes the payment of FY 2012 SCAAP awards. The delay of this change will provide a significant opportunity for local governments to work collaboratively with the U.S. Department of Homeland Security (DHS) to improve local processes for detainee identification, in anticipation of discontinuing payments for unknown inmates next year. SCAAP grantees are strongly encouraged to work collaboratively with DHS in the following programs in order to increase their inmate alien status verifications. Those programs include:

- **Secure Communities Program:** This program leverages an existing information sharing capability between DHS and DOJ to quickly and accurately identify aliens who are arrested for a crime and booked into local law enforcement custody. With this capability, the fingerprints of everyone arrested and booked are not only checked against Federal Bureau of Investigation (FBI) criminal history records, but they are also checked against DHS immigration records. If fingerprints match DHS records, the Bureau of Immigration and Customs Enforcement (ICE) determines if immigration enforcement action is required, considering the immigration status of the alien, the severity of the crime and the alien's criminal history. For more information, see the following web site: www.ice.gov/secure_communities/.
- **287(g) Program:** The 287(g) program allows a state and local law enforcement entity to enter into a partnership with ICE in order to receive delegated authority for immigration enforcement within their jurisdictions. This allows the officials in the jurisdictions to match inmate records prior to the SCAAP application process. For more information, see the following web site: www.ice.gov/news/library/factsheets/287g.htm.
- **The Law Enforcement Support Center (LESC):** LESG is a single national point of contact that provides timely customs information and immigration status and identity information and real-time assistance to local, state and federal law enforcement agencies on aliens suspected, arrested or convicted of criminal activity. For more information, see the following web site: www.ice.gov/LESC/ or call 802-872-6000.

FY 2012 SCAAP Data:

[FY 2012 SCAAP Award List](#)

[FY 2012 SCAAP Guidelines](#)

[FY 2012 ICE Country Codes](#)

[FY 2012 Inmate Data File Format](#)

Other Federal Sources of Detention Funding:

For jurisdictions that participate in SCAAP and the Southwest Border Prosecution Initiative or Northern Border Prosecution Initiative (SWBPI and NBPI), do not include inmate records that are submitted in the SWBPI/NBPI application unless you can verify that the inmate records submitted in the SWBPI/NBPI application are only for pretrial detention and the SCAAP inmate records for the same individual are for the post-trial detention. BJA will conduct a review comparison between the SWBPI/NBPI and SCAAP applications for each jurisdiction prior to award calculation.

Overview:

BJA administers the State Criminal Alien Assistance Program (SCAAP) in conjunction with the Bureau of Immigration and Customs Enforcement (ICE) and Citizenship and Immigration Services, Department of Homeland Security (DHS). SCAAP provides federal payments to states and localities that incurred correctional officer salary costs for incarcerating undocumented criminal aliens with at least one felony or two misdemeanor convictions for violations of state or local law, and incarcerated for at least 4 consecutive days during the reporting period.

Use of SCAAP Awards

The Department of Justice Reauthorization Act of 2005 (Pub. L. 109-162, Title XI) included the following requirement regarding the use of SCAAP funds: "Amounts appropriated pursuant to the authorization of appropriations in paragraph (5) that are distributed to a State or political subdivision of a State, including a municipality, may be used only for correctional purposes." Beginning with FY 2007 SCAAP awards, SCAAP funds must be used for correctional purposes only.

FY 2007-2012 SCAAP Use of Funds List

Salaries for corrections officers
 Overtime costs
 Corrections work force recruitment and retention
 Construction of corrections facilities
 Training/education for offenders
 Training for corrections officers related to offender population management
 Consultants involved with offender population
 Medical and mental health services
 Vehicle rental/purchase for transport of offenders
 Prison industries
 Pre-release/reentry programs
 Technology involving offender management/inter-agency information sharing
 Disaster preparedness continuity of operations for corrections facility

Reporting Period

The reporting period for the FY 2012 application period is July 1, 2010 through June 30, 2011. Only qualifying inmates who served 4 or more days during this period may be included in the FY 2012 SCAAP application.

Eligible Inmates—Applicant Responsibilities

Unless otherwise prohibited, applicants may submit records of inmates in their custody during the reporting period who: were born

outside the United States or one of its territories and had no reported or documented claim to U.S. citizenship; were in the applicant's custody for four or more consecutive days during the reporting period; were convicted of a felony or second misdemeanor for violations of state or local law; were identified and reported using due diligence.

Qualifying Criminal Charges and Convictions

To be eligible for reporting, inmates must have been convicted of a felony or second misdemeanor for violations of state or local law, and housed in the applicant's state or local correctional facility for 4 or more consecutive days during the reporting period. Once a person meets these criteria, all pretrial and post-conviction time served from July 1, 2010 through June 30, 2011 may be included in the FY 2012 application.

Entering Inmate Data

If the Alien Number is unknown for an individual inmate, enter all zeroes in the A number field. Do not use letters (A) or symbols (dashes, etc.). Also, use zeros (0) as the beginning digit(s) if the A-number is fewer than 9 digits.

The FBI number is issued by the FBI to track arrests and fingerprint records. If this number is not available, leave this field blank by inserting 10 spaces. If the FBI number is fewer than 10 characters, enter the number first, and then insert spaces for the remainder of the field length.

Qualifying Salary Data

Salary information reported in the SCAAP application must reflect the total salaries and wages paid to full-and part-time correctional officers and others who meet the SCAAP definition (see the FY 2012 SCAAP Guidelines). The reported sum should total the jurisdiction's actual salary expenditures for the applicable reporting period (July 1, 2010 to June 30, 2011). The reported salary should not be a projection, estimate, or average. Correctional Officer salary costs may include premium pay for specialized services (e.g., bilingual officers), shift differential pay, and fixed-pay increases for time in service. Salary costs may also include overtime required by negotiated contract, statute, or regulation (e.g., union agreements, contractual obligations, minimum staffing requirements, etc.). Benefits should not be included in the salary costs.

Chief Executive Officer

SCAAP payments must go directly to eligible states and localities. Authorized jurisdiction employees for SCAAP purposes must be listed as either the Authorized Representative or Alternate Contact in the GMS User Profile. The chief executive officer (CEO) of an eligible jurisdiction may apply directly or delegate authority to another jurisdiction official. The CEO is generally considered the highest ranking elected or appointed official of a unit of government. An application without the CEO information included will be significantly delayed.

Legislation

SCAAP is governed by Section 241(i) of the Immigration and Nationality Act, 8 U.S.C. 1231(i), as amended, and Title II, Subtitle C, Section 20301, Violent Crime Control and Law Enforcement Act of 1994, Public Law 103-322.

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