

Federal Grant Application Request

Criminal Justice Commission

Drug Courts

Analyst: Monica Brown

Request: Approve the submission of a federal grant application to the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance in the amount of \$1.5 million for adult drug courts.

Recommendation: Approve the request, with instructions.

Analysis: During the 2011-13 biennium, the Criminal Justice Commission (CJC) will distribute \$13.2 million to support drug courts representing 24 Oregon counties. Funding support includes federal grants through the Bureau of Justice and the American Recovery and Reinvestment Act of 2009 (ARRA), and state General Fund resources. All ARRA funding will expire in September 2013.

The Bureau of Justice Assistance is offering an additional competitive grant of up to \$1.5 million to improve, enhance, or expand drug court services statewide. If awarded, CJC anticipates accepting competitive proposals from existing or new drug courts with the likely focus on adult courts. Although, federally eligible courts include adult, driving while intoxicated/driving under the influence, co-occurring substance abuse, mental health, veteran's treatment, and tribal healing to wellness courts.

The grant requires a 25% state match, and the application is due February 21, 2013. Possible sources of match funding include asset forfeiture or General Fund. CJC's 2013-15 biennial budget request included an increase of \$8.9 million General Fund to backfill the expiration of ARRA funding.

The Legislative Fiscal Office recommends approval of the request with the understanding that, if the grant is awarded, CJC will report back to the Legislature on its plan to meet the match requirement and any specific criteria that will be used to determine the distribution of funds to counties.



Oregon

John A. Kitzhaber, MD, Governor

Criminal Justice Commission

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January 23, 2012

Craig Prins
Executive Director

The Honorable Peter Buckley, Co-Chair
The Honorable Richard Devlin, Co-Chair
Joint Committee on Ways and Means
900 Court St. NE
State Capitol, H-178
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COMMISSIONERS:

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Dear Co-Chairpersons:

Nature of the Request:

The Oregon Criminal Justice Commission (CJC) requests authority to apply for a federal grant from the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance (BJA).

Detail:

The U.S. Department of Justice has issued a Competitive Grant Solicitation Announcement from the Bureau of Justice Assistance for funding to establish or enhance drug court services, coordination, offender management, and recovery support services. The CJC intends to use these funds to run the statewide drug court program. They would supplement the potential \$8.9 million general fund dollars recommended in the Governor's Balanced Budget to run the statewide drug court program.

Discretionary drug court funds are used to a) improve or expand treatment court services statewide by encouraging adherence to evidence-based design features, and b) financially support treatment courts in local or regional jurisdictions which do not currently operate with BJA Adult Drug Court Discretionary Grant Program funding.

The solicitation caps the request for funding at \$1.5 million. The application deadline is February 21, 2013. The grant does not specify a date by which the grants will be announced, but the project period is 36 months in length.

This grant opportunity was not anticipated in the Commission's 2013-15 Governors' Balanced Budget, thus, a request for additional Federal Fund expenditure limitation would be submitted to the Interim Joint Committee on Ways and Means or the Emergency Board if the application is successful.



Action Required:

Authority for the Criminal Justice Commission to submit a grant application to the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance for up to \$1.5 million in federal funding to support the statewide drug court program administered through the CJC.

Thank you for your consideration of this request.

Sincerely,

A handwritten signature in black ink, appearing to read "Craig Prins". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Craig Prins
Executive Director



The [U.S. Department of Justice](#) (DOJ), [Office of Justice Programs](#) (OJP), [Bureau of Justice Assistance](#) (BJA) is seeking applications for funding to establish or enhance drug court services, coordination, offender management, and recovery support services. This program furthers the Department's mission by providing resources to state, local, and tribal governments and state, local, and tribal courts to enhance drug court programs and systems for nonviolent substance-abusing offenders.

Adult Drug Court Discretionary Grant Program FY 2013 Competitive Grant Announcement

Eligibility

For **Category 1: Implementation** and **Category 2: Enhancement**, applicants are limited to states, state and local courts, counties, units of local government, and Indian tribal governments (as determined by the Secretary of the Interior).

For **Category 3: Statewide**, applicants are limited to state agencies such as the State Administering Agency (SAA), the Administrative Office of the Courts, and the state Alcohol and Substance Abuse Agency.

Note: Applicants must demonstrate that eligible drug court participants promptly enter the drug court program following a determination of their eligibility. A required initial period of incarceration will be grounds for disqualification unless the period of incarceration is mandated by statute for the offense in question. In such instances, the applicant must demonstrate the offender is receiving treatment services while incarcerated if available and begins drug court treatment services immediately upon release.

Note: BJA may elect to make awards for applications submitted under this solicitation in future fiscal years, dependent on the merit of the applications and on the availability of appropriations.

Deadline

Applicants must register with [Grants.gov](#) prior to submitting an application. (See "How To Apply," page 29.) All applications are due by 11:59 p.m. eastern time on February 21, 2013. (See "Deadlines: Registration and Application," page 4.)

Contact Information

For technical assistance with submitting the application, contact Grants.gov Customer Support Hotline at 1-800-518-4726 or 606-545-5035, or via e-mail to support@grants.gov.

Note: The Grants.gov Support Hotline hours of operation are 24 hours a day, seven days a week, except federal holidays.

For assistance with any other requirement of this solicitation, contact the BJA Justice Information Center at 1-877-927-5657, via e-mail to JIC@telesishq.com, or by [live web chat](#). The BJA Justice Information Center hours of operation are 8:30 a.m. to 5:00 p.m. eastern time, Monday through Friday, and 8:30 a.m. to 8:00 p.m. eastern time on the solicitation close date.

Grants.Gov number assigned to announcement: BJA-2013-3418

Release date: December 18, 2012

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Adult Drug Court Discretionary Grant Program CFDA #16.585

Overview

BJA is accepting applications for FY 2013 grants to establish new drug courts or enhance existing drug court services, coordination, and offender management and recovery support services. The purpose of the Adult Drug Court Discretionary Grant Program (42 U.S.C. 3797u et seq.) is to provide financial and technical assistance to states, state courts, local courts, units of local government, and Indian tribal governments to develop and implement drug courts that effectively integrate evidenced-based substance abuse treatment, mandatory drug testing, sanctions and incentives, and transitional services in a judicially supervised court setting with jurisdiction over substance-abusing offenders. (See page 6 for a definition of “evidence-based.”)

Deadlines: Registration and Application

Applicants must register with Grants.gov in order to submit an application. OJP encourages applicants to **register several weeks before** the application submission deadline. In addition, OJP urges applicants to submit applications well in advance of the application due date. The deadline to apply for funding under this announcement is 11:59 p.m. eastern time on February 21, 2013. See the “How To Apply” section on page 29 for more details. Note that while the deadline for submission is 11:59 p.m. eastern time on February 21, 2013, staff assistance through the BJA Justice Information Center is only available until 8:00 p.m. eastern time (see “Contact Information” on the title page for more information about BJA’s Justice Information Center).

Eligibility

Refer to the title page for eligibility under this program.

Adult Drug Court Discretionary Grant Program—Specific Information

Drug courts are part of the larger universe of problem-solving courts, and have been demonstrated (where implemented in an evidence-based manner) to reduce recidivism and substance abuse among high-risk substance abusing offenders and increase their likelihood of successful rehabilitation through:

- early, continuous, and intense treatment,
- close judicial supervision and involvement (including judicial interaction with participants and frequent status hearings),
- mandatory and random drug testing,
- community supervision,
- appropriate incentives and sanctions, and
- recovery support aftercare services.

BJA provides drug court applicants the flexibility to identify the most appropriate court (service/docket) model in which to base the drug court in order to accommodate the needs and

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available resources of that jurisdiction, so long as the model conforms to the key drug court components, which describe the basic elements that define drug courts.

For the purposes of this solicitation, an “adult drug court” is a court program managed by a multidisciplinary team that responds to the offenses and treatment needs of offenders who have a drug addiction. Drug courts funded through this grant solicitation may use federal funding and matched funding to serve only nonviolent offenders¹ and must operate the adult drug court based on BJA’s and the National Association of Drug Court Professionals’ publication: [Defining Drug Courts: The Key Components](#).

For the purposes of this solicitation, eligible drug court models include: Adult Drug Courts; Driving While Intoxicated (DWI)/Driving Under the Influence (DUI) Courts; Co-Occurring Substance Abuse and Mental Health Courts; Veterans Treatment Courts; and Tribal Healing to Wellness Courts. Court programs that combine or propose to combine a drug court model (meeting the requirements of such) with other court programs or dockets are eligible for funding, although the funding under this program must be used to address only those clients eligible for drug court services. Applicants should refer to their relevant local statutes to define the legal age of an “adult.”

For [Tribal Healing to Wellness Courts](#), [Veterans Treatment Courts](#), and [DWI Courts](#), program designs must function in accordance with the corresponding key components or principles as included in the appendices of this solicitation.

The National Drug Court Resource Center, available at www.NDCRC.org, is a BJA-funded resource for the drug court field that serves as a clearinghouse for drug court training, technical assistance, publications, funding resources, and other practitioner-specific resources. Applicants are encouraged to visit this site for information.

Goals, Objectives, and Outcomes

The overall goal of the Adult Drug Court Discretionary Grant Program is to build and/or expand drug court capacity at the state, local, and tribal levels to reduce crime and substance abuse among high-risk, high-need offenders. A [drug court program logic model](#) is available on the National Institute of Justice (NIJ) web site.

Program objectives include building and maximizing the capacity of jurisdictions to ensure that all potential participants are identified and assessed for risk and need; ensure all participants receive targeted research-based services; enhance the provision of recovery support services

¹ Programs funded through this solicitation may not, with Adult Drug Court Discretionary Grant Program funding or matched funding, serve violent offenders. As defined in 42 U.S.C. 3797u-2, a “violent offender” means a person who—(1) is charged with or convicted of an offense that is punishable by a term of imprisonment exceeding one year, during the course of which offense or conduct— (A) the person carried, possessed, or used a firearm or dangerous weapon; (B) there occurred the death of or serious bodily injury to any person; or (C) there occurred the use of force against the person of another, without regard to whether any of the circumstances described in subparagraph (A) or (B) is an element of the offense or conduct of which or for which the person is charged or convicted; or (2) has 1 or more prior convictions for a felony crime of violence involving the use or attempted use of force against a person with the intent to cause death or serious bodily harm. A BJA Adult Drug Court Discretionary Grant Program-funded drug court may, at its own discretion and after taking a valid assessment of risk into consideration, choose to provide services to an offender that is otherwise excluded from this program if the grantee is using non-federal (including match) funding to provide the services to that offender. BJA strongly encourages the use of valid risk assessment instruments and consideration of public safety needs in this local decision making process.

that prevent recidivism such as individualized treatment, vocational and educational services, and community reintegration services to achieve long-term recovery; and lower costs associated with this target population. For enhancement grants (state and local), objectives also include supporting strategies that ensure drug court practitioners have tools to effectively manage these interventions, including data collection and analysis, training and technical assistance, and tracking and improving drug court performance.

Evidence-Based Programs or Practices

OJP places a strong emphasis on the use of data and evidence in policy making and program development in criminal justice. OJP is committed to:

- improving the quantity and quality of evidence OJP generates;
- integrating evidence into program, practice, and policy decisions within OJP and the field; and
- improving the translation of evidence into practice.

OJP considers programs and practices to be evidence-based when their effectiveness has been demonstrated by causal evidence, generally obtained through one or more outcome evaluations. Causal evidence documents a relationship between an activity or intervention (including technology) and its intended outcome, including measuring the direction and size of a change, and the extent to which a change may be attributed to the activity or intervention. Causal evidence depends on the use of scientific methods to rule out, to the extent possible, alternative explanations for the documented change. The strength of causal evidence, based on the factors described above, will influence the degree to which OJP considers a program or practice to be evidence-based. OJP's CrimeSolutions.gov web site is one resource that applicants may use to find information about evidence-based programs in criminal justice, juvenile justice, and crime victim services.

Applicants can also find information on evidence-based treatment practices in the Substance Abuse and Mental Health Services Administration's (SAMHSA) *Guide to Evidence-Based Practices* available at www.samhsa.gov/ebpwebguide. The *Guide* provides a short description and a link to dozens of web sites with relevant evidence-based practices information—either specific interventions or comprehensive reviews of research findings. Note that SAMHSA's *Guide to Evidence-Based Practices* also references the National Registry of Evidence-Based Programs and Practices (NREPP), a searchable database of interventions for the prevention and treatment of mental and substance use disorders. NREPP is intended to serve as a decision support tool, not as an authoritative list of effective interventions. *Being included in NREPP, or in any other resource listed in the Guide, does not mean an intervention is "recommended" or that it has been demonstrated to achieve positive results in all circumstances.*

Priority Consideration

- A. Category 1: BJA will give priority consideration to all Category 1 Implementation applicants who have completed the BJA Drug Court Planning Initiative (DCPI) training. For more information or to register for the training, visit www.NDCRC.org.
- B. Categories 1-3: Based on a review of drug court evaluations and research, BJA has partnered with the NIJ to identify recommended policies and practices to yield effective

interventions that maximize the return on investment for Adult Drug Court Program funding. Findings from the NIJ's Multisite Adult Drug Court Evaluation are available at www.ojp.usdoj.gov/nij/topics/courts/drug-courts/madce.htm. BJA will give priority consideration to applicants who propose designs and strategies that are consistent with the following Key Components and their corresponding evidence-based program principles.

Adult Drug Court 10 Key Components and Corresponding Evidence-Based Program Principles

Key Component #1: Drug courts integrate alcohol and other drug treatment services with justice system case processing.

(Corresponding evidence-based program principle) Treatment and Other Services—
The applicant should maintain program resources that: address drug court participant needs identified over time; accommodate the range of treatment and other rehabilitation services required; and apply case management beyond initial referral to confirm that providers appropriately deliver ongoing assessment and services.

Key Component #2: Using a non-adversarial approach, prosecution and defense counsel promote public safety while protecting participants' due process rights.

Key Component #3: Eligible participants are identified early and promptly placed in the drug court program.

(Corresponding evidence-based program principle) Screening and Assessment—
Referral sources and other stakeholders should be clear on program eligibility criteria, which must be consistent with targeted population needs and available program resources. Applicants should demonstrate an ability to screen promptly and systematically for all offenders potentially eligible for the drug court, identify the agency which will conduct this screening, and detail the procedures that will be used for screening.

The applicant should further demonstrate how those offenders determined to be eligible for the drug court as a result of screening will then be assessed to identify their risk for relapse and recidivism, as well as the nature of treatment and other rehabilitation needs. Assessments should be conducted using instruments that have been validated for the targeted population and updated periodically. Treatment and other service assessments should be reviewed and adjusted to gauge offender needs that may change over time.

(Corresponding evidence-based program principle) Target Population—
Program resources should be prioritized for offenders who demonstrate both high criminogenic risk and high substance abuse treatment need. Applicants should aim to serve offenders whose characteristics and risk factors directly relate to a high probability of offending, and who are frequent drug users diagnosed for drug dependence. Also, applicants should target offenders who are subject to (or eligible for) legal sanctions that may provide greater leverage in program compliance.

Key Component #4: Drug courts provide access to a continuum of alcohol, drug, and other related treatment and rehabilitation services.

(Corresponding evidence-based program principle) Relapse Prevention, Aftercare and Community Integration—From the first program phase, the applicant should demonstrate how culturally sensitive planning and other programming will be implemented to support relapse prevention, community integration, and aftercare/continuing care services.

Key Component #5: Abstinence is monitored by frequent alcohol and other drug testing.

(Corresponding evidence-based program principle) Monitoring—The applicant should demonstrate a comprehensive plan to: monitor drug court participants using random drug testing and community supervision; disseminate results efficiently to the drug court team; and immediately respond to noncompliance according to established program requirements.

Key Component #6: A coordinated strategy governs drug court responses to participants' compliance.

(Corresponding evidence-based program principle) Procedural and Distributive Justice—Applicants should establish and clearly communicate a system of graduated sanctions and incentives that is activated and delivered with certainty in response to offender behavior. Information from the drug court team and the offender should be considered in determining noncompliance and the appropriate response. Specific program responses should be meaningful to the offenders, understandable, and delivered in a manner perceived as fair and equitable.

Key Component #7: Ongoing judicial interaction with each drug court participant is essential.

(Corresponding evidence-based program principle) Judicial Interaction—Judges should interact directly and regularly with drug court participants during drug court hearings, which should be as frequent as the participant may require. As the program leader, the judge will maintain authority by demonstrating support for the program and knowledge of individual offenders. Communication between the participant and the judge should be based on a foundation of respect, and judges must maintain an understanding of program resources available to assess and respond to participant behavior.

Key Component #8: Monitoring and evaluation to measure the achievement of program goals and gauge effectiveness.

Key Component #9: Continuing interdisciplinary education promotes effective drug court planning, implementation, and operations.

Key Component #10: Forging partnerships among drug courts, public agencies, and community-based organizations generates local support and enhances drug court program effectiveness.

More information on designing a program around recent evidence-based research findings is available from the National Center for State Courts web site at www.research2practice.org/index.html.

For additional information related to the drug court research supporting the Evidence-Based Program Principles and Key Components, visit the following:

- Quality Improvement for Drug Courts: Evidence-Based Practices: www.ndci.org/sites/default/files/ndci/Mono9.QualityImprovement.pdf
- SAMHSA's National Registry of Evidence-Based Programs and Practices, an online registry of mental health and substance abuse interventions: www.nrepp.samhsa.gov/LearnLanding.aspx
- NIJ's Multi-site Adult Drug Court Evaluation: www.nij.gov/topics/courts/drug-courts/madce.htm#results

Note: Appendices A-C include Key Components and corresponding evidence-based program principles of the Tribal Healing to Wellness Courts, Veterans Treatment Courts, and Driving While Intoxicated Courts.

Amount and Length of Awards

The FY 2013 solicitation offers three drug court grant categories: Category 1 Implementation, Category 2 Enhancement, and Category 3 Statewide. Jurisdictions that are in the planning stages should consider participation in BJA's DCPI. Upon completion of the DCPI, jurisdictions will receive a priority consideration when applying for an implementation grant. DCPI provides training, technical assistance, and travel support to assist jurisdictions in planning a new adult, veterans, or tribal drug court program. For more information, see www.NDCRC.org.

All awards are subject to the availability of appropriated funds and any modifications or additional requirements that may be imposed by law.

CATEGORY 1: IMPLEMENTATION. Grant maximum: \$350,000. Project period: 36 months. Competition ID: BJA-2013-3420

Implementation grants are available to jurisdictions that have completed a substantial amount of planning and are ready to implement an evidence-based adult drug court as described above (i.e., meeting the key components as well as the evidence-based program principles).

Applicants may propose to use funding for court operations and services; offender supervision, management, and services; and provision and coordination of recovery support services including education, job training and placement, housing placement assistance, primary and mental health care, and childcare and other supportive services.

CATEGORY 2: ENHANCEMENT. Grant maximum: \$200,000. Project period: 24 months. Competition ID: BJA-2013-3419

Enhancement grants are available to jurisdictions with a fully operational (at least 1 year) adult drug court. Applicants may propose to use funding to incorporate the evidence-based program principles above to address one or more of the following: 1) expand the number of participants served that meet the existing target population description; 2) expand the target population description and serve additional participants who meet the expanded description; 3) enhance court operations; 4) enhance court and/or supervision services; and 5) enhance recovery support services.

Applicants should be mindful of the following considerations:

1. Applicants are encouraged to include or establish new services for populations not currently being served in the drug court based on an examination of the emerging needs in their local offender population. Applicants must demonstrate that the jurisdiction's arrestee population will support the expected capacity of the drug court as stated in the application.
2. Applicants may propose to enhance court operations including training programs for drug court practitioners, drug court program evaluations, performance management system implementation, and automated management information system implementation.
3. Applicants may propose to use funding to expand or enhance court services in areas such as offender management, including drug testing, case management, and community supervision.
4. Applicants may also propose to improve the quality and/or intensity of services; for instance, funding may be used for enhancing offender services such as healthcare and mental health care, education, vocational training, job training and placement, housing placement assistance, and childcare or other family support services for each participant who requires such services.

CATEGORY 3: STATEWIDE. Grant maximum per applicant for Subcategories A and B: \$1.5 million. Of the \$1.5 million, a maximum of \$200,000 is available per applicant under subcategory A, and a maximum of \$1,300,000 is available per applicant under subcategory B. Project period: 36 months. Competition ID: BJA-2013-3421

Applicants can apply for Subcategory A or Subcategory B or can apply for both A and B.

Statewide drug court grants are available for two purposes:

3a. To improve, enhance, or expand drug court services statewide by encouraging adherence to the evidence-based program principles above and through activities such as: training and/or technical assistance programs for drug court teams geared to improve drug court functioning and to increase drug court participation and participant outcomes; tracking, compiling, coordinating, and disseminating state drug court information and resources; increasing communication, coordination, and information sharing among drug court programs; conducting a statewide drug court evaluation; or establishing a statewide automated drug court data collection and/or performance management system.

3b. To financially support drug courts in local or regional jurisdictions which do not currently operate with BJA Adult Drug Court Discretionary Grant Program funding. (A list of active BJA drug court grantees is available at www.bja.gov/ProgramDetails.aspx?Program_ID=58.) States applying for funding under this subcategory must demonstrate a statewide, data-driven strategy for reaching and expanding capacity of drug court options and services for nonviolent substance-abusing offenders, which may include: implementing new drug courts; reaching capacity of existing drug courts; and expanding/enhancing capacity of existing drug courts to reach specific or emerging offender populations with drug treatment needs. The support provided through such statewide awards must also be consistent with the evidence-based principles outlined above.

Statewide applicants should also demonstrate how the proposal conforms to the framework of the State Strategy of Substance Abuse Treatment. Statewide applicants must identify which drug courts and the type of court they propose to fund, at what amounts, for which periods of

time, how the statewide applicant will assist the funded courts in achieving their goals and objectives, and how the applicant will monitor progress. Applicants must clearly describe their rationale for drug court selection and connect this back to their statewide, data-driven goals and objectives of reducing recidivism among substance-abusing offenders.

The state must also demonstrate a plan for sustaining drug court programming after federal funding has ended. **All federal funds under this category must be passed through to drug courts within the state; no funds may be retained for administrative purposes.**

Budget Information

Limitation on Use of Award Funds for Employee Compensation; Waiver

With respect to any award of more than \$250,000 made under this solicitation, federal funds may not be used to pay total cash compensation (salary plus bonuses) to any employee of the award recipient at a rate that exceeds 110 percent of the maximum annual salary payable to a member of the federal government's Senior Executive Service (SES) at an agency with a Certified SES Performance Appraisal System for that year. The 2012 salary table for SES employees is available at www.opm.gov/oca/12tables/indexSES.asp. Note: A recipient may compensate an employee at a higher rate, provided the amount in excess of this compensation limitation is paid with non-federal funds. (Any such additional compensation will not be considered matching funds where match requirements apply.)

The Assistant Attorney General (AAG) for OJP may exercise discretion to waive, on an individual basis, the limitation on compensation rates allowable under an award. An applicant requesting a waiver should include a detailed justification in the budget narrative of the application. Unless the applicant submits a waiver request and justification with the application, the applicant should anticipate that OJP will request the applicant to adjust and resubmit the budget.

The justification should include the particular qualifications and expertise of the individual, the uniqueness of the service the individual will provide, the individual's specific knowledge of the program or project being undertaken with award funds, and a statement explaining that the individual's salary is commensurate with the regular and customary rate for an individual with his/her qualifications and expertise, and for the work to be done.

Minimization of Conference Costs

OJP encourages applicants to review the OJP guidance on conference approval, planning, and reporting that is available on the OJP web site at www.ojp.gov/funding/confcost.htm. This guidance sets out the current OJP policy, which requires all funding recipients that propose to hold or sponsor conferences (including meetings, trainings, and other similar events) to minimize costs, requires OJP review and prior written approval of most conference costs for cooperative agreement recipients (and certain costs for grant recipients), and generally prohibits the use of OJP funding to provide food and beverages at conferences. The guidance also sets upper limits on many conference costs, including facility space, audio/visual services, logistical planning services, programmatic planning services, and food and beverages (in the rare cases where food and beverage costs are permitted at all).

Prior review and approval of conference costs can take time (see the guidance for specific deadlines), and applicants should take this into account when submitting proposals. Applicants

also should understand that conference cost limits may change and that they should check the guidance for updates before incurring such costs.

Note on food and beverages: OJP may make exceptions to the general prohibition on using OJP funding for food and beverages, but will do so only in rare cases where food and beverages are not otherwise available (e.g., in extremely remote areas); the size of the event and capacity of nearby food and beverage vendors would make it impractical to not provide food and beverages; or a special presentation at a conference requires a plenary address where conference participants have no other time to obtain food and beverages. Any such exception requires OJP's prior written approval. The restriction on food and beverages does not apply to water provided at no cost, but does apply to any and all other refreshments, regardless of the size or nature of the meeting. Additionally, this restriction does not affect direct payment of per diem amounts to individuals in a travel status under your organization's travel policy.

Costs Associated with Language Assistance (if applicable)

If an applicant proposes a program or activity that would deliver services or benefits to individuals, the costs of taking reasonable steps to provide meaningful access to those services or benefits by individuals with limited English proficiency may be allowable. Reasonable steps to provide meaningful access to services or benefits may include interpretation or translation services where appropriate.

For additional information, see the "Civil Rights Compliance" section of the OJP "Other Requirements for OJP Applications" web page at www.ojp.gov/funding/other_requirements.htm.

Match Requirement (a portion of the match must be cash and the remainder can be in-kind)

Federal funds awarded under this program may not cover more than 75 percent of the total costs of the project being funded. The applicant must identify the source of the 25 percent non-federal portion of the total project costs and how match funds will be used. If a successful applicant's proposed match exceeds the required match amount, and OJP approves the budget, the total match amount incorporated into the approved budget becomes mandatory and subject to audit. (Match is restricted to the same uses of funds as allowed for the federal funds.) Applicants may satisfy this match requirement with any portion of cash and the remainder can be in-kind funds. See the [OJP Financial Guide](#) for definitions and examples of in-kind funding. The formula for calculating the match is:

$$\frac{\text{Federal Award Amount}}{\text{Federal Share Percentage}} = \text{Adjusted (Total) Project Costs}$$

$$\text{Required Recipient's Share Percentage} \times \text{Adjusted Project Cost} = \text{Required Match}$$

Example: 75%/25% match requirement: for a federal award amount of \$350,000, match would be calculated as follows:

$$\frac{\$350,000}{75\%} = \$466,667 \quad 25\% \times \$466,667 = \$116,667 \text{ match}$$

Applicants wishing to exceed the 25 percent match amount should reflect the amount above 25 percent in the program narrative section only. The budget detail should

distinguish cash from in-kind matched funds using an asterisk to show what percentage of the budget is cash. (Refer to the OJP Financial Guide at www.ojp.gov/financialguide/index.htm.)

Performance Measures

To assist the Department with fulfilling its responsibilities under the Government Performance and Results Act of 1993 (GPRA), Public Law 103-62, and the GPRA Modernization Act of 2010, Public Law 111-352, applicants that receive funding under this solicitation must provide data that measure the results of their work done under this solicitation.

Award recipients will be required to provide the relevant data by submitting quarterly performance metrics through BJA’s online Performance Measurement Tool (PMT) located at www.bjaperformancetools.org. The following measures are examples of some of the core performance measures for the Adult Drug Court Discretionary Grant Program, but applicants should examine the complete list at: (1) Implementation, www.bjaperformancetools.org/help/BJADrugCourtImplementationIndicator111011.pdf; (2) Enhancement, www.bjaperformancetools.org/help/BJADrugCourtENHANCEMENT111011.pdf; or (3) Statewide, www.bjaperformancetools.org/help/BJADRUGCOURTStatewideIndicators111011.pdf.

Implementation/Enhancement Grantees

| Objective | Performance Measure | Data Grantees Provide |
|--|---|---|
| Improve, enhance, and/or expand drug court services to reduce substance use and recidivism of drug court participants. | Percentage of participants admitted to the program | During this reporting period: A. Number of drug court participants that were admitted B. Total number of eligible drug court participants |
| | Percentage of participants who successfully completed the program | A. Number of participants enrolled in the program B. Number of participants who successfully completed program requirements C. Total number of successful and unsuccessful completions |
| | Percentage of participants who tested positive for illegal substance | A. Number of drug court participants in the program for 90 days who tested positive for the presence of an illegal substance during this reporting period B. Number of drug court participants in the program for 90 days who were tested for the presence of illegal drugs during this reporting period |
| | Percentage of program participants who recidivate while enrolled in the program Percentage of program participants who were arrested | A. Number of drug court participants B. Number of drug court participants who recidivate while enrolled in the program. C. Number of drug court participants who were arrested for drug offenses D. Number of drug court participants who were arrested for non-drug offenses E. Number of drug court participants who were arrested for non-drug and drug offense one year after program |

| | | |
|--|---|-------------|
| | Percentage of program participants who recidivate within one year after completion of the program | completions |
|--|---|-------------|

OJP does not require applicants to submit performance measures data with their application. Instead, applicants should discuss in their application their proposed methods for collecting data for performance measures. Refer to the section “What an Application Should Include” on page 14 for additional information.

Note on Project Evaluations

Applicants that propose to use funds awarded through this solicitation to conduct project evaluations should be aware that certain project evaluations (such as systematic investigations designed to develop or contribute to generalizable knowledge) may constitute “research” for purposes of applicable DOJ human subjects protection regulations. However, project evaluations that are intended only to generate internal improvements to a program or service, or are conducted only to meet OJP’s performance measure data reporting requirements, likely do not constitute “research.” Applicants should provide sufficient information for OJP to determine whether the particular project they propose would either intentionally or unintentionally collect and/or use information in such a way that it meets the DOJ regulatory definition of research.

Research, for the purposes of human subjects protections for OJP-funded programs, is defined as, “a systematic investigation, including research development, testing, and evaluation, designed to develop or contribute to generalizable knowledge” 28 C.F.R. § 46.102(d). For additional information on determining whether a proposed activity would constitute research, see the decision tree to assist applicants on the “Research and the Protection of Human Subjects” section of the OJP “Other Requirements for OJP Applications” web page (www.ojp.gov/funding/other_requirements.htm). Applicants whose proposals may involve a research or statistical component also should review the “Confidentiality” section on that web page.

Notice of Post-Award FFATA Reporting Requirement

Applicants should anticipate that OJP will require all recipients (other than individuals) of awards of \$25,000 or more under this solicitation, consistent with the Federal Funding Accountability and Transparency Act of 2006 (FFATA), to report award information on any first-tier subawards totaling \$25,000 or more, and, in certain cases, to report information on the names and total compensation of the five most highly compensated executives of the recipient and first-tier subrecipients. Each applicant entity must ensure that it has the necessary processes and systems in place to comply with the reporting requirements should it receive funding. Reports regarding subawards will be made through the FFATA Subaward Reporting System (FSRS), found at www.fsrs.gov.

Note also that applicants should anticipate that no subaward of an award made under this solicitation may be made to a subrecipient (other than an individual) unless the potential subrecipient acquires and provides a Data Universal Numbering System (DUNS) number.

What an Application Should Include

Applicants should anticipate that if they fail to submit an application that contains all of the specified elements, it may negatively affect the review of the application, and, should a decision

be made to make an award, it may result in the inclusion of special conditions that preclude access to or use of award funds pending satisfaction of the conditions.

Moreover, applicants should anticipate that applications that are determined to be nonresponsive to the scope of the solicitation, or that do not include application elements that BJA has designated to be critical, will neither proceed to peer review nor receive further consideration. Under this solicitation, BJA has designated the following application elements as critical: Abstract; Program Narrative; Time/Task Plan; and Budget Detail Worksheet and Budget Narrative. Applicants may combine the Budget Detail Worksheet and Budget Narrative in one document. However, if an applicant submits only one document, it must contain **both** narrative and detail information.

OJP strongly recommends that applicants use appropriately descriptive file names (e.g., "Program Narrative," "Budget Detail Worksheet and Budget Narrative," "Time Task Plan," "Memoranda of Understanding," "Resumes") for all attachments. Also, OJP recommends that resumes be included in a single file.

1. Information to Complete the Application for Federal Assistance (SF-424)

The SF-424 is a standard form required for use as a cover sheet for submission of pre-applications, applications, and related information. Grants.gov and GMS take information from the applicant's profile to populate the fields on this form. When selecting "type of applicant," if the applicant is a for-profit entity, select "For-Profit Organization" or "Small Business" (as applicable). **Failure to indicate the entire amount of federal funds requested for the entire project period may result in the applicant receiving an incorrect federal award amount.**

2. Abstract

Applicants must include an abstract that should contain the following information in the order listed:

- List the category of funding requested (1, 2, or 3a/b), jurisdiction size (state, regional, local, tribe), urbanicity (urban, suburban, rural), and type of drug court(s) for which funds are being requested (e.g., Adult Drug Court; Driving While Intoxicated (DWI)/Driving Under the Influence (DUI) Court; Co-Occurring Substance Abuse and Mental Health Court; Veterans Treatment Court; Tribal Healing to Wellness Court), and whether the court is pre- or post-adjudication.
- State the total federal amount requested for the life of the grant. This total amount should be the same amount listed on the SF-424 form and should align with the goals and objectives of the solicitation.
- **State the current maximum participant capacity the applicant drug court can serve on any given day AND the increase in capacity that would result if a grant is awarded.**
- **State the total number of participants proposed to receive services with these grant funds** (if awarded) over the life of the grant project period. Applicants can calculate this number by dividing the length of the grant project period (in months) by the average length of the drug court program (in months) and then multiplying that number by the number of additional people that can be served in the drug court program

because of the grant funds. Identify the minimum, maximum, and average length of program participation.

- Briefly describe the target population, including the risk and need level of participants and how criminogenic risk and need are screened and assessed.
- Affirm that the key components of a drug court are or will be met and indicate which of the seven evidence-based program principles are proposed to be implemented in the application, noting the page numbers where each item is discussed in the application. More information including definitions and incorporation of program design for each of the evidence-based program principles can be found at www.research2practice.org/projects/seven-design/.
- Briefly describe how, if awarded, the applicant will collect and report on recidivism information for program participants and for graduates one year post program completion. Recidivism is defined as any criminal offense that results in a **formal charge** in any local, state, federal, or tribal court.
- Indicate whether the applicant is designated as an Empowerment Zone or Renewal Community by the U.S. Department of Housing and Urban Development.
- Indicate whether the jurisdiction is leveraging any other federal funding sources (e.g. Justice Assistance Grant Program) to support the drug court.
- Indicate whether the applicant jurisdiction has ever received a Drug Court grant from the OJP (include grant number) or ever participated in the Drug Court Planning Initiative. If the jurisdiction received planning assistance, include the dates of the training.

Applications should include a high-quality “Project Abstract” that summarizes the proposed project. Project abstracts should be—

- Written for a general public audience.
- Submitted as a separate attachment with <Project Abstract> as part of its file name.
- Single-spaced, using a standard 12-point font (Times New Roman) with 1-inch margins, and should not exceed 1 page.

As a separate attachment, the project abstract will **not** count against the page limit for the program narrative.

Permission to Share Project Abstract with the Public: It is unlikely that BJA will be able to fund all promising applications submitted under this solicitation, but it may have the opportunity to share information with the public regarding promising but unfunded applications, for example, through a listing on a web page available to the public. The intent of this public posting would be to allow other possible funders to become aware of such proposals.

In the project abstract, applicants are asked to indicate whether they give OJP permission to share their project abstract (including contact information) with the public. Granting (or failing to grant) this permission will not affect OJP’s funding decisions, and, if the application is not

funded, granting permission will not guarantee that abstract information will be shared, nor will it guarantee funding from any other source.

Note: OJP may choose not to list a project that otherwise would have been included in a listing of promising but unfunded applications, should the abstract fail to meet the format and content requirements noted above and outlined in the project abstract template.

3. Program Narrative

The program narrative must respond to the solicitation and the Selection Criteria (1-4) listed below in the order given. The program narrative should be double-spaced, using a standard 12-point font (Times New Roman is preferred) with 1-inch margins, and should not exceed 20 pages. Number pages "1 of 20", "2 of 20," etc.

If the program narrative fails to comply with these length-related restrictions, BJA may consider such noncompliance in peer review and in final award decisions.

The following sections should be included as part of the program narrative:

- a. Statement of the Problem
- b. Project Design and Implementation
- c. Capabilities and Competencies
- d. Evaluation, Aftercare and Healthcare Integration Strategy, Sustainment, and Plan for Collecting the Data Required for this Solicitation's Performance Measures
BJA does not require applicants to submit performance measures data with their application. Performance measures are included as an alert that BJA will require successful applicants to submit specific data to BJA as part of their reporting requirements. For the application, the applicant should indicate an understanding of these requirements and discuss how the applicant will gather the required data, should they receive funding.

Refer to the Selection Criteria, page 20, for the specific components of what the narrative should include.

4. Budget Detail Worksheet and Budget Narrative

Applicants must provide a separate itemized budget for each year of grant activity. A total budget for the grant period should follow to include all combined federal and non-federal expenditures and satisfying the 25 percent match requirement. Applicants must submit the budget worksheets and budget narrative in one file.

Applicants should allocate funds for up to eight people to attend the National Drug Court Training Conference or one BJA-sponsored training per year. A list of BJA-approved drug court trainings can be found on the National Drug Court Resource Center web site at www.NDCRC.org.

a. Budget Detail Worksheet

A sample budget detail worksheet can be found at www.ojp.gov/funding/forms/budget_detail.pdf. Applicants that submit their budget in a

different format should include the budget categories listed in the sample budget worksheet.

For questions pertaining to budget and examples of allowable and unallowable costs, please see the OJP Financial Guide at www.ojp.usdoj.gov/financialguide/index.htm.

b. Budget Narrative

The Budget Narrative should thoroughly and clearly describe every category of expense listed in the Budget Detail Worksheet. OJP expects proposed budgets to be complete, cost effective, and allowable (e.g., reasonable, allocable, and necessary for project activities).

Applicants should demonstrate in their budget narratives how they will maximize cost effectiveness of grant expenditures. Budget narratives should demonstrate cost effectiveness in relation to potential alternatives and the goals of the project. For example, a budget narrative should detail why planned in-person meetings are necessary, or how technology and collaboration with outside organizations could be used to reduce costs, without compromising quality.

The narrative should be mathematically sound and correspond with the information and figures provided in the Budget Detail Worksheet. The narrative should explain how the applicant estimated and calculated all costs, and how they are relevant to the completion of the proposed project. The narrative may include tables for clarification purposes but need not be in a spreadsheet format. As with the Budget Detail Worksheet, the Budget Narrative should be broken down by year to reflect the entire grant period; however, the budget summary page totals should reflect the entire grant period.

5. Indirect Cost Rate Agreement (if applicable)

Indirect costs are allowed only if the applicant has a federally approved indirect cost rate. (This requirement does not apply to units of local government.) Attach a copy of the federally approved indirect cost rate agreement to the application. Applicants that do not have an approved rate may request one through their cognizant federal agency, which will review all documentation and approve a rate for the applicant organization or, if the applicant's accounting system permits, costs may be allocated in the direct cost categories. If DOJ is the cognizant federal agency, obtain information needed to submit an indirect cost rate proposal at www.ojp.usdoj.gov/funding/pdfs/indirect_costs.pdf.

6. Tribal Authorizing Resolution (if applicable)

Tribes, tribal organizations, or third parties proposing to provide direct services or assistance to residents on tribal lands should include in their applications a resolution, a letter, affidavit, or other documentation, as appropriate, that certifies that the applicant has the legal authority from the tribe(s) to implement the proposed project on tribal lands. In those instances when an organization or consortium of tribes applies for a grant on behalf of a tribe or multiple specific tribes, then the application should include appropriate legal documentation, as described above, from all tribes that would receive services/assistance under the grant. A consortium of tribes for which existing consortium bylaws allow action without support from all tribes in the consortium (i.e., without an authorizing resolution or comparable legal documentation from each tribal governing body) may submit, instead, a copy of its consortium bylaws with the application.

7. Additional Attachments

- **Time Task Plan (Required)** A Time Task Plan is required and should outline when goals and objectives will be met over the project period. The Time Task Plan will summarize the major activities, responsible agencies, and expected completion dates for the principal tasks required to implement and manage the drug court program. **Applicants must indicate the number of program participants to be served quarterly under the grant-funded project to demonstrate how the total number of anticipated participants will be served before the end of the grant period.**
- **Letters of Support (Recommended for Implementation and Enhancement Applicants)**
Attach a letter of support from each key drug court team member, with responsibilities outlined for each member. Key drug court team members include a judge, prosecutor, defense attorney, treatment provider, researcher/evaluator/management information specialist, and drug court coordinator.
- **State Substance Abuse (SSA) Agency Director or Designee Letter (Recommended)**
Applicants are encouraged to include a letter from the SSA Director or designated representative in support of the application and include confirmation that the proposal conforms to the framework of the State Strategy of Substance Abuse Treatment. **A listing of the SSAs can be found on Substance Abuse and Mental Health Services Administration's (SAMHSA) web site at www.samhsa.gov/Grants/ssadirectory.pdf.** See #6 above for information about the Tribal Authorizing Resolution requirement.
- **Chief Justice, State Court Administrator, or Designee Letter (Recommended)**
Applicants are encouraged to include a letter from the Chief Justice of the state's highest court, the State Court Administrator, or a designee (e.g., the state drug or problem-solving court coordinator) describing how the proposed application would enhance the statewide efforts related to problem-solving courts, and/or is part of the state's problem-solving court strategy. A listing of the state drug and problem solving court coordinators can be found at the [National Drug Court Resource Center](#).
- **Applicant disclosure of pending applications**
Applicants are to disclose whether they have pending applications for federally funded assistance that include requests for funding to support the same project being proposed under this solicitation and will cover the identical cost items outlined in the budget narrative and worksheet in the application under this solicitation. The disclosure should include both direct applications for federal funding (e.g., applications to federal agencies) and indirect applications for such funding (e.g., applications to state agencies that will be subawarding federal funds).

OJP seeks this information to help avoid any inappropriate duplication of funding. Leveraging multiple funding sources in a complementary manner to implement comprehensive programs or projects is encouraged and is not seen as inappropriate duplication.

Applicants that have pending applications as described above are to provide the following information about pending applications submitted within the last 12 months:

- The federal or state funding agency
- The solicitation name/project name
- The point of contact information at the applicable funding agency

| Federal or State Funding Agency | Solicitation Name/Project Name | Name/Phone/E-mail for Point of Contact at Funding Agency |
|--|--|--|
| DOJ/COPS | COPS Hiring Program | Jane Doe, 202/000-0000; jane.doe@usdoj.gov |
| HHS/ Substance Abuse & Mental Health Services Administration | Drug Free Communities Mentoring Program/ North County Youth Mentoring Program | John Doe, 202/000-0000; john.doe@hhs.gov |

Applicants should include the table as separate attachment, with the file name “Disclosure of Pending Applications,” to their application. Applicants that do not have pending applications as described above are to include a statement to this effect in the separate attachment page (e.g. “[Applicant Name] does not have pending applications within the last 12 months for federally funded assistance that include requests for funding or support the same project being proposed under this solicitation and will cover the identical cost items outlined in the budget narrative and worksheet in the application under this solicitation.”).

8. Other Standard Forms

Additional forms that may be required in connection with an award are available on OJP’s funding page at www.ojp.usdoj.gov/funding/forms.htm. For successful applicants, receipt of funds may be contingent upon submission of all necessary forms. Note in particular the following forms:

- a. [Standard Assurances](#)*
Applicants must read, certify, and submit this form in GMS prior to the receipt of any award funds.
- b. [Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; and Drug-Free Workplace Requirements](#)
Applicants must read, certify, and submit in GMS prior to the receipt of any award funds.
- c. [Accounting System and Financial Capability Questionnaire](#)
Any applicant (other than an individual) that is a non-governmental entity and that has not received any award from OJP within the past 3 years, must download, complete, and submit this form.

*These OJP Standard Assurances and Certifications are forms which applicants accept in GMS. They are not additional forms to be uploaded at the time of application submission.

Selection Criteria

The following five selection criteria will be used to evaluate each application, with the different weight given to each based on the percentage value listed below after each individual criteria. For example, for the first criteria, “Statement of the Problem,” for Category 1 applicants, this section is worth 20 percent of the entire application in the review process.

1. Statement of the Problem

Within this section all applicants should explain the inability to fund the program adequately without federal assistance.

Category 1: Implementation Applicants (20 percent of 100)

- Describe the nature and scope of the substance abuse problem in the jurisdiction. Include data on race, ethnicity, age, gender, arrest volume, and crime patterns for adult offenders.
- Explain the problems with the current court response to cases involving substance abuse, identify how, and to what extent the proposed project will address the current arrest volume, and describe how the current number of treatment slots meets the needs of anticipated referrals.
- Describe the proposed target population, including criminogenic risk level (high, medium, low), substance abuse treatment need, and the average jail or prison sentence that potential participants face, if any. Explain how the target number of people the applicant plans to serve with grant funds was derived.

Category 2: Enhancement Applicants (25 percent of 100)

- Describe the immediate issues that the enhancement grant seeks to address. The issues should be derived from one or any combination of the five criteria listed under the Category 2: Enhancement section on pages 9-10.
- Describe the current operation of the adult drug court, addressing:
 - Referral, screening, and assessment process/eligibility requirements
 - Target population
 - Structure of the drug court (pre-/post-plea, etc.)
 - Current capacity
 - Length and phases of the program
 - Case management process
 - Community supervision
 - Recovery support services delivery plan
 - Judicial supervision
 - Process for randomized drug testing
 - Incentives and sanctions
 - Graduation requirements and expulsion criteria
 - Restitution costs and all fees required for program participation
- Identify the treatment service(s)/ practice(s) available for drug court participants and how those services are currently monitored for quality and effectiveness.
- Discuss the evidence that shows that the treatment service(s)/practice(s) is/are effective with the target population. If the evidence is limited or non-existent for the target population, provide other information to support the intervention selection. Provide local data and any evaluation findings that demonstrate the program's impact with regard to offender and community outcomes. Describe a mechanism that prioritizes court resources and services for the individuals with high criminogenic risk and need including repeat substance abusing offenders.

Category 3: Statewide Applicants (20 percent of 100)

- List the subcategory and total funding amount the applicant is applying for: A, B, or both. Describe the enhancement and/or number and type of drug court(s) and other problem solving courts operating statewide with jurisdiction over substance abusing offenders.

- Describe the extent that the state or these courts meet the needs of the eligible population of nonviolent substance-abusing offenders, are operating at capacity, and the non-budgetary reasons if they are not operating at capacity.
- Provide information about the extent that the enhancement and/or drug courts within the state are incorporating evidenced-based treatment practices/services.
- Describe the issue or need that the enhancement grant seeks to address. Provide state data and any evaluation findings that demonstrate the state drug court program's impact with regard to offender and community outcomes.

2. Project Design and Implementation

Within the Project Design and Implementation section, all applicants should address the following two items and then address their specific category requirements below.

- 1) The Drug Court Discretionary Grant Program authorizing statute requires participant payments for treatment and restitution; however, it does not allow imposing a fee on a client that would interfere with the client's rehabilitation. Applicants should include in their application provisions for determining if these costs would interfere with a client's rehabilitation or graduation.
- 2) Applicants should demonstrate that eligible drug court participants promptly enter the drug court program following a determination of their eligibility. Drug court programs which require an initial period of incarceration are ineligible unless the period of incarceration is mandated by statute for the offense in question. In such instances, the applicant must demonstrate the offender is receiving treatment services while incarcerated if available and begins drug court treatment services immediately upon release.

Category 1: Implementation Applicants (40 percent of 100):

- Describe the drug court program to include the following:
 - Screening and referral process/eligibility requirements
 - Structure of the drug court (pre-/post-plea, etc.)
 - Length and phases of the program
 - Case management process
 - Community supervision
 - Treatment services
 - Recovery supportive services delivery plan
 - Judicial supervision
 - Process for randomized drug testing
 - Incentives and sanctions. Demonstrate an understanding that relapse is a part of the substance addiction recovery process and is taken into consideration in the development of incentives and sanctions.
 - Graduation requirements and expulsion criteria
 - Restitution costs and all fees required for program participation and identify how the fees will be absorbed back into the program. Also describe whether the program fees present a barrier to participation and measures available to reduce or waive fees for indigent participants.
 - Describe how the project design and strategy conforms with the **key components/ evidence-based program principles** described on page 6.
- Describe how the treatment provider(s) will be selected and address the frequency for which key drug court team members will monitor the providers. Monitoring should ensure

that the treatment is effective. Describe the evidence-base for the treatment intervention(s) to be used and how it is responsive to the needs of the target population described above. Describe the range of treatment to be provided to address the substance abuse, mental health, and cognitive behavioral needs of participants.

- Describe how the court will identify, assess, and prioritize participation and services for high-risk/high-need offenders. Identify the validated assessment tool which will be utilized and provide information on why the specific assessment tool was selected.
- If a post-adjudication drug court model is proposed, discuss how the concept of “early intervention” will be implemented.
- Discuss how the community has been engaged in the planning process and describe the community partnerships available to support the drug court program.
- Demonstrate how the proposal conforms to the framework of the State Strategy of Substance Abuse Treatment and the extent to which treatment resources will be available to the court.

Category 2: Enhancement Applicants (40 percent of 100):

- Describe the proposed enhancement and its specific goals and objectives, linking the enhancement to the evidence-based program principles described on page 6 and the key components of drug courts.
- Describe how the court will identify, assess, and prioritize participation and services for high-risk/high-need offenders. Identify the validated assessment tool used and provide information on why the specific assessment tool was selected.
- Identify which of the enhancements options discussed on pages 9-10 for which funds are being requested and explain how each will be accomplished. In the explanation address the following:
 - Describe the detailed and randomized drug testing process and how it will occur throughout all components/phases of the program. Describe the mechanism which the court will use to ensure coverage and coordination of drug testing among all available agencies associated with clients.
 - Describe the proposed frequency of judicial status hearings and related criteria in the program. Describe how the program will ensure consistent procedures in the status hearings.
 - Describe the process the court will use to ensure a perception of procedural fairness throughout all court and program operations.
 - Describe the evidence-base for the treatment intervention(s) to be used and how it is responsive to the needs of the target population described above. Describe the range of treatment to be provided to address the substance abuse, mental health, and cognitive behavioral needs of participants.
 - Demonstrate how the proposal conforms to the framework of the State Strategy of Substance Abuse Treatment.

Category 3: Statewide Applicants (50 percent of 100):

- Describe the specific design, goals, and objectives for the proposed statewide enhancement project and how the project will incorporate and address the evidence-based program principles identified on pages 7-9 of this solicitation. Provide a project strategy identifying how one or more of the following statewide initiatives will be accomplished: training or technical assistance programs for drug court teams; tracking or compiling state drug court information and resources; disseminating statewide drug court information to enhance or strengthen drug court programs; increasing communication, coordination, and information sharing among drug court programs;

conducting a statewide drug court evaluation; or establishing an automated drug court data collection system. Demonstrate how the proposal conforms to the framework of the State Strategy of Substance Abuse Treatment.

- Describe the statewide, data-driven drug court strategy for expanding capacity of problem-solving court options and services for substance-abusing offenders, which may include: implementing new drug courts; reaching capacity of existing drug courts; and expanding/enhancing capacity of existing drug courts to reach specific or emerging offender populations with drug treatment needs.
- If applicable, identify which drug courts are proposed to receive funding, the type of program, at what amounts, for which periods of time, how the statewide applicant will assist the funded courts in achieving their goals and objectives, and how the applicant will monitor progress. Identify how the selected jurisdiction(s) drug court programs will operate in accordance with [Defining Drug Courts: The Key Components](#) and will use subgranted funds to implement research-based, data-driven strategies. Also describe:
 - The detailed and randomized drug testing process and how it will occur throughout all components/phases of the program. Describe the mechanism which the court will use to ensure coverage and coordination of drug testing among all available agencies associated with clients.
 - Describe the proposed frequency of judicial status hearings and related criteria in the program. Describe how the program will ensure consistent procedures in the status hearings.
 - Describe the process the court will use to ensure a perception of procedural fairness throughout all court and program operations.
 - Describe the plan for sustaining drug court programming after federal funding has ended.
 - Demonstrate how the SSA was consulted and how the proposal conforms to the framework of the State Strategy of Substance Abuse Treatment.

3. Capabilities and Competencies

Category 1: Implementation Applicants (20 percent of 100)

- Indicate whether the drug court team members have received training through the BJA Drug Court Planning Initiative or through another opportunity.
- Identify each member of the drug court team and describe their roles and responsibilities.
- Describe how effective communication and coordination among the team will be implemented throughout the project period. Key drug court team members must include a judge, prosecutor, defense attorney, treatment provider, researcher/evaluator/management information specialist, and drug court coordinator.
- Indicate whether the drug court team includes members from local law enforcement and probation departments. If applicable, describe the roles of these members as related to staffing attendance, home visits, and court appearances.
- Describe the drug court program's proposed treatment partners; describe the history of this partnership and how the court will ensure these substance abuse treatment providers will use evidenced-based treatment services.
- Attach a letter of support from each key drug court team member, with responsibilities outlined for each member (see Additional Attachments on page 19).

Category 2: Enhancement Applicants (20 percent of 100):

- Identify each drug court team member who will have a significant role in implementing the enhancement and describe their roles, responsibilities, and qualifications to ensure success of the proposed enhancement project. Key drug court team members must include a judge, prosecutor, defense attorney, treatment provider, researcher/evaluator/management information specialist, and drug court coordinator.
- Identify personnel other than team members who are critical to the enhancement project's successful implementation and discuss their roles, responsibilities, and qualifications.
- Discuss organizational capabilities or competencies that will directly impact the ability to successfully implement the proposed enhancement.
- Describe the drug court program's proposed treatment partners; describe the history of this partnership and how will the court ensure that these substance abuse treatment providers use evidenced-based treatment services and monitor the quality and effectiveness of service delivery.
- Attach a letter of support from each key drug court team member, with responsibilities outlined for each member (see Additional Attachments on page 19).

Category 3: Statewide (15 percent of 100):

- Subcategory A: Identify personnel who are critical to the enhancement project's successful implementation and discuss their roles, responsibilities, and qualifications. Discuss organizational capabilities or competencies that will directly impact the ability to successfully implement the proposed enhancement.
- Subcategory B: Detail the system and process that will be used to monitor the drug court(s) to which funds are passed through for performance, compliance, and technical assistance needs, as well as how the drug court(s) will contribute to a reduction in substance abuse related recidivism. Describe current state-funded drug court services such as practitioner training and professional development opportunities, accessible statewide treatment contracts, and technical assistance available to support the implementation and/or enhancement operations of the drug courts proposed to receive funding. Describe the drug court program's proposed treatment partners; describe the history of this partnership and how will these substance abuse/addiction treatment providers use evidenced-based treatment services.

4. Evaluation, Aftercare and Healthcare Integration, Sustainment, and Plan for Collecting the Data Required for this Solicitation's Performance Measures

All applicants should describe their current ability to collect and analyze client-level performance and outcome data and to conduct regular assessments of program service delivery and performance as described in the evidence-based program principles described in this solicitation. All applicants must indicate their willingness and ability to report aggregated client-level performance and outcome data through BJA's Performance Measurement Tool (PMT). Statewide applicants are expected to report on behalf of subawardees.

Category 1: Implementation Applicants (15 percent of 100):

- Describe the steps the drug court will take to develop a performance management and evaluation plan. The plan should include strategies to collect data, review data, use data to improve program performance, and where appropriate, discuss how the drug court will work with an evaluator.

- Describe who will be responsible for, and the process of, the quarterly review of the actual number of participants served with grant funds as compared to the projected number of participants to be served. The Time Task Plan should reflect when and how the jurisdiction plans to reach that capacity and should be measured on a quarterly basis.
- Provide a client community reintegration or aftercare strategy detailing the step down provisions for aftercare services to assist program graduates as they reintegrate into the community. If applicable, applicants are also encouraged to consider and describe how their state's planned Medicaid expansion, as allowed under the Patient Protection and Affordable Care Act will increase future program capacity or sustainability.
- Provide a sustainability plan detailing how drug court operations will be maintained after federal assistance ends. The sustainability plan should describe how current collaborations and evaluations will be used to leverage ongoing resources. BJA encourages applicants to ensure sustainability by coordinating with local, state, and other federal resources. Allowable uses of funds under the BJA [Justice Assistance Grant \(JAG\) Program](#) are court services and substance abuse and treatment.

Category 2: Enhancement Applicants (10 percent of 100):

- Provide a plan detailing how performance of court operations will be evaluated and managed. Describe the program's screening and referral process which ensures that offenders screened and referred to drug court mirror the jurisdiction's substance abuse arrestee percentages.
- Describe who will be responsible for, and the process of, the quarterly review of the actual number of participants served with grant funds as compared to the projected number of participants to be served. The Time Task Plan should reflect when and how the jurisdiction plans to reach that capacity and should be measured on a quarterly basis.
- Describe how operation and enhancement efforts will be maintained after federal assistance ends and how current collaborations and evaluations will be used to leverage ongoing resources.
- Provide a client community reintegration or aftercare strategy as well as a sustainability plan detailing how court operations will be maintained after federal assistance ends with support from local or state funding. Applicants are also encouraged to consider and describe how the drug court will leverage any state Medicaid expansion under the Patient Protection and Affordable Care Act to increase program capacity and facilitate sustainability
- BJA encourages applicants to ensure sustainability by coordinating with local, state and other federal resources. Such resources, like [JAG](#), have purposes are to support court services and substance abuse treatment.

Category 3: Statewide Applicants (10 percent of 100):

- Provide a plan detailing how enhancement activities and performance of funded drug court operations will be managed and evaluated.
- Detail a screening and referral process using valid screening and assessment tools to ensure the most appropriate offenders are referred to drug court.
- Describe who will be responsible for, and the process of, the quarterly review of the actual number of participants served with grant funds as compared to the projected number of participants to be served. The Time Task Plan should reflect when and how the jurisdiction plans to reach that capacity and should be measured on a quarterly basis.

- Describe how operation and enhancement efforts will be maintained after federal assistance ends and how current collaborations and evaluations will be used to leverage ongoing resources.
- Provide a client community reintegration or aftercare strategy as well as a sustainability plan detailing how court operations will be maintained after federal assistance ends with the support from local or state funding. BJA encourages applicants to ensure sustainability by coordinating with local, state and other federal resources. Such resources, like [JAG](#), have purpose areas to support court services and substance abuse treatment.

5. Budget (5 percent of 100)

All applicants (Categories 1-3) must provide a proposed multi-year budget that is complete, cost effective, and allowable (e.g., reasonable, allocable, and necessary for project activities). Budget narratives should demonstrate how applicants will maximize cost effectiveness of grant expenditures. Budget narratives should demonstrate cost effectiveness in relation to potential alternatives and the goals of the project.² Applicants must provide a separate itemized budget for each year of grant activity reflecting the 25 percent match requirement. A total budget for the grant period should follow to include all combined federal and non-federal match expenditures. The **total** amount must be identified on the SF-424 and abstract. Applicants must submit the budget detail worksheets and budget narrative in one file.

Review Process

OJP is committed to ensuring a fair and open process for awarding grants. BJA reviews the application to make sure that the information presented is reasonable, understandable, measurable, and achievable, as well as consistent with the solicitation.

Peer reviewers will review the applications submitted under this solicitation that meet basic minimum requirements. BJA may use either internal peer reviewers, external peer reviewers, or a combination to review the applications under this solicitation. An external peer reviewer is an expert in the field of the subject matter of a given solicitation who is NOT a current DOJ employee. An internal reviewer is a current DOJ employee who is well-versed or has expertise in the subject matter of this solicitation. A peer review panel will evaluate, score, and rate applications that meet basic minimum requirements. Peer reviewers' ratings and any resulting recommendations are advisory only. In addition to peer review ratings, considerations for award recommendations and decisions may include, but are not limited to, underserved populations, geographic diversity, strategic priorities, past performance, and available funding.

The Office of the Chief Financial Officer (OCFO), in consultation with BJA, reviews applications for potential discretionary awards to evaluate the fiscal integrity and financial capability of applicants, examines proposed costs to determine if the Budget Detail Worksheet and Budget Narrative accurately explain project costs; and determines whether costs are reasonable, necessary, and allowable under applicable federal cost principles and agency regulations.

² Generally speaking, a reasonable cost is a cost that if, in its nature or amount, does not exceed that which would be incurred by a prudent person under the circumstances prevailing at the time the decision was made to incur the costs.

Absent explicit statutory authorization or written delegation of authority to the contrary, all final award decisions will be made by the Assistant Attorney General, who may consider factors including, but not limited to, underserved populations, geographic diversity, strategic priorities, past performance, and available funding when making awards.

Additional Requirements

Applicants selected for awards must agree to comply with additional legal requirements upon acceptance of an award. OJP encourages applicants to review the information pertaining to these additional requirements prior to submitting your application. Additional information for each can be found at www.ojp.usdoj.gov/funding/other_requirements.htm.

- Civil Rights Compliance
- Civil Rights Compliance Specific to State Administering Agencies
- Faith-Based and Other Community Organizations
- Confidentiality
- Research and the Protection of Human Subjects
- Anti-Lobbying Act
- Financial and Government Audit Requirements
- National Environmental Policy Act (NEPA)
- DOJ Information Technology Standards (if applicable)
- Single Point of Contact Review
- Non-Supplanting of State or Local Funds
- Criminal Penalty for False Statements
- Compliance with [Office of Justice Programs Financial Guide](#)
- Suspension or Termination of Funding
- Non-Profit Organizations
- For-Profit Organizations
- Government Performance and Results Act (GPRA)
- Rights in Intellectual Property
- Federal Funding Accountability and Transparency Act (FFATA) of 2006

- Awards in Excess of \$5,000,000 – Federal Taxes Certification Requirement
- Policy and Guidance for Conference Approval, Planning, and Reporting
- OJP Training Guiding Principles for Grantees and Subgrantees

How To Apply

Applicants must submit applications through Grants.gov. Applicants must first register with Grants.gov in order to submit an application through Grants.gov, a “one-stop storefront” to find federal funding opportunities and apply for funding. Find complete instructions on how to register and submit an application at www.Grants.gov. Applicants that experience technical difficulties during this process should call the Grants.gov Customer Support Hotline at **800-518-4726** or **606-545-5035**, 24 hours a day, 7 days a week, except federal holidays. Registering with Grants.gov is a one-time process; however, **processing delays may occur, and it can take several weeks** for first-time registrants to receive confirmation and a user password. OJP encourages applicants to **register several weeks before** the application submission deadline. In addition, OJP urges applicants to submit applications well in advance of the application due date to allow time to receive validation messages or rejection notifications from Grants.gov, and to correct in a timely fashion any problems that may have caused a rejection notification.

Note: BJA encourages all prospective applicants to sign up for Grants.gov email notifications regarding this solicitation. If this solicitation is cancelled or modified, individuals who sign up with Grants.gov for email updates will be notified.

All applicants are required to complete the following steps:

1. **Acquire a Data Universal Numbering System (DUNS) number.** In general, the Office of Management and Budget requires that all applicants (other than individuals) for federal funds include a DUNS number in their applications for a new award or a supplement to an existing award. A DUNS number is a unique nine-digit sequence recognized as the universal standard for identifying and differentiating entities receiving federal funds. The identifier is used to for tracking purposes and to validate address and point of contact information for federal assistance applicants, recipients, and subrecipients. The DUNS number will be used throughout the grant life cycle. Obtaining a DUNS number is a free, one-time activity. Call Dun and Bradstreet at 866-705-5711 to obtain a DUNS number or apply online at www.dnb.com. A DUNS number is usually received within 1-2 business days.
2. **Acquire registration with the System for Award Management (SAM).** SAM replaces the **Central Contractor Registration (CCR) database** as the repository for standard information about federal financial assistance applicants, recipients, and subrecipients. OJP requires all applicants (other than individuals) for federal financial assistance to maintain current registrations in the SAM database. Applicants must be registered in SAM to successfully register in Grants.gov. (Previously, organizations that had submitted applications via Grants.gov were registered with CCR, as it was a requirement for Grants.gov registration. SAM registration replaces CCR as a pre-requisite for Grants.gov registration.) Applicants must **update or renew their SAM registration annually** to maintain an active status.

Applicants that were previously registered in the CCR database must, at a minimum:

- Create a SAM account;
- Log in to SAM and migrate permissions to the SAM account (all the entity registrations and records have already been migrated).

Applicants that were not previously registered in the CCR database must register in SAM prior to registering in Grants.gov. Information about SAM registration procedures can be accessed at www.sam.gov.

3. **Acquire an Authorized Organization Representative (AOR) and a Grants.gov username and password.** Complete the AOR profile on Grants.gov and create a username and password. The applicant organization's DUNS number must be used to complete this step. For more information about the registration process, go to www.grants.gov/applicants/get_registered.jsp.
4. **Acquire confirmation for the AOR from the E-Business Point of Contact (E-Biz POC).** The E-Biz POC at the applicant organization must log into Grants.gov to confirm the applicant organization's AOR. Note that an organization can have more than one AOR.
5. **Search for the funding opportunity on Grants.gov.** Use the following identifying information when searching for the funding opportunity on Grants.gov. The Catalog of Federal Domestic Assistance (CFDA) number for this solicitation is 16.585, titled "Drug Court Discretionary Grant Program," and the funding opportunity number is BJA-2013-3418.
6. **Select the correct Competition ID.** Some OJP solicitations posted to Grants.gov contain multiple purpose areas, denoted by the individual Competition ID. If applying to a solicitation with multiple Competition IDs, select the appropriate Competition ID for the intended purpose area of the application.
7. **Complete the Disclosure of Lobbying Activities.** All applicants must complete this information. An applicant that expends any funds for lobbying activities must provide the detailed information requested on the form, *Disclosure of Lobbying Activities*, (SF-LLL). Applicants that do not expend any funds for lobbying activities should enter "N/A" in the required highlighted fields.
8. **Submit an application consistent with this solicitation by following the directions in Grants.gov.** Within 24–48 hours after submitting the electronic application, the applicant should receive an e-mail validation message from Grants.gov. The message will state whether OJP has received and validated the application, or rejected it, with an explanation. **Important:** OJP urges applicants to submit applications **well in advance** of the application due date to allow time to receive the validation messages or rejection notifications from Grants.gov, and to correct in a timely fashion any problems that may have caused a rejection notification.

Note: Grants.gov only permits the use of specific characters in names of attachment files. Valid file names may only include the following characters: A-Z, a-z, 0-9, underscore (_), hyphen (-), space, and period. Grants.gov will forward the application to OJP's Grants Management System (GMS). GMS does not accept executable file types as application attachments. These disallowed file types include, but are not limited to, the following

extensions: “.com,” “.bat,” “.exe,” “.vbs,” “.cfg,” “.dat,” “.db,” “.dbf,” “.dll,” “.ini,” “.log,” “.ora,” “.sys,” and “.zip.”

Note: Duplicate Applications

If an applicant submits multiple versions of an application, BJA will review the most recent version submitted.

Experiencing Unforeseen Grants.gov Technical Issues

Applicants that experience unforeseen Grants.gov technical issues beyond their control that prevent them from submitting their application by the deadline must e-mail the BJA Justice Information Center (see page 1 for contact information) **within 24 hours after the deadline** and request approval to submit their application. The e-mail must describe the technical difficulties, and include a timeline of the applicant’s submission efforts, the complete grant application, the applicant DUNS number, and any Grants.gov Help Desk or SAM tracking number(s). **Note: BJA does not automatically approved requests.** After the program office reviews the submission, and contacts the Grants.gov or SAM Help Desks to validate the reported technical issues, BJA will inform the applicant whether the request to submit a late application has been approved or denied. If the technical issues reported cannot be validated, BJA will reject the applications as untimely.

The following conditions are not valid reasons to permit late submissions: (1) failure to register in sufficient time, (2) failure to follow Grants.gov instructions on how to register and apply as posted on its web site, (3) failure to follow all of the instructions in the OJP solicitation, and (4) technical issues with the applicant’s computer or information technology environment, including firewalls.

Notifications regarding known technical problems with Grants.gov, if any, are posted at the top of the OJP funding web page at www.ojp.usdoj.gov/funding/solicitations.htm.

Provide Feedback to OJP on This Solicitation

To assist OJP in improving its application and award processes, we encourage applicants to provide feedback on this solicitation, application submission process, and/or the application review/peer review process. Feedback can be provided to OJPSolicitationFeedback@usdoj.gov.

IMPORTANT: This e-mail is for feedback and suggestions only. Replies are **not** sent from this mailbox. If you have specific questions on any program or technical aspect of the solicitation, **you must** directly contact the appropriate number or e-mail listed on the front of this solicitation document. These contacts are provided to help ensure that you can directly reach an individual who can address your specific questions in a timely manner.

If you are interested in being a reviewer for other OJP grant applications, e-mail your resume to ojppeerreview@lmbps.com. The OJP Solicitation Feedback e-mail account cannot forward your resume. **Note:** Neither you nor anyone else from your organization can be a peer reviewer in a competition in which you or your organization has submitted an application.

Application Checklist

FY 2013 Adult Drug Court Discretionary Grant Program

The application checklist has been created to assist in developing an application.

Eligibility

_____ States, state and local courts, counties, units of local government

The Federal Request is within Allowable Limits and not to exceed:

_____ \$350,000 for Category 1: Implementation

_____ \$200,000 for Category 2: Enhancement

_____ \$200,000 for Category 3: Statewide Subcategory A

_____ \$1,300,000 for Category 3: Statewide Subcategory B

** Note, the total federal amount requested for all years should be the same amount listed on the SF-424.

What an Application Should Include:

_____ Application for Federal Assistance (SF-424) (see page 15)

_____ Abstract* (including affirmation of evidence-based program features and total budget amount) (see page 15)

_____ Program Narrative* (see page 17)

_____ Budget Detail Worksheet* and Budget Narrative* (see page 17)

_____ Indirect Cost Rate Agreement (if applicable) (see page 18)

_____ Tribal Authorizing Resolution (if applicable) (see page 18)

_____ Additional Attachments (see page 19):

_____ Time Task Plan*

_____ State Substance Abuse Agency Director, or Designee Letter

_____ Chief Justice, State Court Administrator or Designee Letter

_____ Applicant disclosure of pending applications

_____ Other Standard Forms as applicable, (see page 20):

_____ Accounting System and Financial Capability Questionnaire (if applicable)

*These elements are the basic minimum requirements for applications. Applications that do not include these elements shall neither proceed to peer review nor receive further consideration by BJA.

Appendix A

Tribal Healing to Wellness Court Key Components

Key Component #1: Tribal Healing to Wellness Courts brings together community-healing resources with the tribal justice process, using a team approach to achieve the physical and spiritual healing of the participant and the well-being of the community.

*(Corresponding evidence-based program principle) **Treatment and Other Services**—The applicant should maintain program resources that: address drug court participant needs identified over time; accommodate the range of treatment and other rehabilitation services required; and apply case management beyond initial referral to confirm that providers appropriately deliver ongoing assessment and services.*

*(Corresponding evidence-based program principle) **Relapse Prevention, Aftercare and Community Integration**—From the first program phase, the applicant should demonstrate how culturally sensitive planning and other programming will be implemented to support relapse prevention, community integration, and aftercare/continuing care services.*

Key Component #2: Participants enter the wellness court program through various referral points and legal procedures while protecting their due process rights.

*(Corresponding evidence-based program principle) **Screening and Assessment**—Referral sources and other stakeholders should be clear on program eligibility criteria, which must be consistent with targeted population needs and available program resources. Applicants should demonstrate an ability to screen promptly and systematically for all offenders potentially eligible for the drug court, identify the agency which will conduct this screening, and detail the procedures that will be used for screening.*

The applicant should further demonstrate how those offenders determined to be eligible for the drug court as a result of screening will then be assessed to identify their risk for relapse and recidivism, as well as the nature of treatment and other rehabilitation needs. Assessments should be conducted using instruments that have been validated for the targeted population and updated periodically. Treatment and other service assessments should be reviewed and adjusted to gauge offender needs that may change over time.

*(Corresponding evidence-based program principle) **Target Population**—Program resources should be prioritized for offenders who demonstrate both high criminogenic risk and high substance abuse treatment need. Applicants should aim to serve offenders whose characteristics and risk factors directly relate to a high probability of offending, and who are frequent drug users diagnosed for drug dependence. Also, applicants should target offenders who are subject to (or eligible for) legal sanctions that may provide greater leverage in program compliance.*

Key Component #3: Eligible substance abuse offenders are identified early through legal and clinical screening for eligibility and are promptly placed in the Tribal Healing to Wellness Program.

Key Component #4: Tribal Healing to Wellness Programs provides access to holistic, structured and phased substance abuse treatment and rehabilitation services that incorporate culture and tradition.

Key Component #5: Participants are monitored through intensive supervision that includes frequent and random testing for alcohol and other substance use.

*(Corresponding evidence-based program principle) **Monitoring**—The applicant should demonstrate a comprehensive plan to: monitor drug court participants using random drug testing and community supervision; disseminate results efficiently to the drug court team; and immediately respond to noncompliance according to established program requirements.*

Key Component #6: Progressive consequences (or sanctions) and rewards (or incentives) are used to encourage participant compliance with program requirements.

*(Corresponding evidence-based program principle) **Procedural and Distributive Justice**—Applicants should establish and clearly communicate a system of graduated sanctions and incentives that is activated and delivered with certainty in response to offender behavior. Information from the drug court team and the offender should be considered in determining noncompliance and the appropriate response. Specific program responses should be meaningful to the offenders, understandable, and delivered in a manner perceived as fair and equitable.*

Key Component #7: Ongoing judicial interaction with each participant and judicial involvement in team staffing is essential.

*(Corresponding evidence-based program principle) **Judicial Interaction**—Judges should interact directly and regularly with drug court participants during drug court hearings, which should be as frequent as the participant may require. As the program leader, the judge will maintain authority by demonstrating support for the program and knowledge of individual offenders. Communication between the participant and the judge should be based on a foundation of respect, and judges must maintain an understanding of program resources available to assess and respond to participant behavior.*

Key Component #8: Monitoring and evaluation measure the achievement of program goals and gauge effectiveness to meet three purposes: providing information to improve the Healing to Wellness process; overseeing participant progress; and preparing evaluative information for interested community groups and funding sources.

Key Component #9: Continuing interdisciplinary education promotes effective wellness court planning, implementation, and operation.

Key Component #10: The development of ongoing communication, coordination, and cooperation among team members, the community and relevant organizations are critical for program success.

Appendix B

Veterans Treatment Court 10 Key Components

Key Component #1: Veterans Treatment Court integrate alcohol, drug treatment, and mental health services with justice system case processing.

*(Corresponding evidence-based program principle) **Treatment and Other Services**—The applicant should maintain program resources that: address drug court participant needs identified over time; accommodate the range of treatment and other rehabilitation services required; and apply case management beyond initial referral to confirm that providers appropriately deliver ongoing assessment and services.*

Key Component #2: Using a non-adversarial approach, prosecution and defense counsel promote public safety while protecting participants' due process rights.

*(Corresponding evidence-based program principle) **Procedural and Distributive Justice**—Applicants should establish and clearly communicate a system of graduated sanctions and incentives that is activated and delivered with certainty in response to offender behavior. Information from the drug court team and the offender should be considered in determining noncompliance and the appropriate response. Specific program responses should be meaningful to the offenders, understandable, and delivered in a manner that can be perceived as fair and equitable.*

Key Component #3: Eligible participants are identified early and promptly placed in the Veterans Treatment Court program.

*(Corresponding evidence-based program principle) **Screening and Assessment**—Referral sources and other stakeholders should be clear on program eligibility criteria, which must be consistent with targeted population needs and available program resources. Applicants should demonstrate an ability to screen promptly and systematically for all offenders potentially eligible for the drug court, identify the agency which will conduct this screening, and detail the procedures that will be used for screening.*

The applicant should further demonstrate how those offenders determined to be eligible for the drug court as a result of screening will then be assessed to identify their risk for relapse and recidivism, as well as the nature of treatment and other rehabilitation needs. Assessments should be conducted using instruments that have been validated for the targeted population and updated periodically. Treatment and other service assessments should be reviewed and adjusted to gauge offender needs that may change over time.

*(Corresponding evidence-based program principle) **Target Population**—Program resources should be prioritized for offenders who demonstrate both high criminogenic risk and high substance abuse treatment need. Applicants should aim to serve offenders whose characteristics and risk factors directly relate to a high probability of offending, and who are frequent drug users diagnosed for drug dependence. Also, applicants should target offenders who are subject to (or eligible for) legal sanctions that may provide greater leverage in program compliance.*

Key Component #4: Veterans Treatment Court provide access to a continuum of alcohol, drug, mental health and other related treatment and rehabilitation services.

*(Corresponding evidence-based program principle) **Relapse Prevention, Aftercare and Community Integration**—From the first program phase, the applicant should demonstrate how culturally sensitive planning and other programming will be implemented to support relapse prevention, community integration, and aftercare/continuing care services.*

Key Component #5: Abstinence is monitored by frequent alcohol and other drug testing.

*(Corresponding evidence-based program principle) **Monitoring**—The applicant should demonstrate a comprehensive plan to: monitor drug court participants using random drug testing and community supervision; disseminate results efficiently to the drug court team; and immediately respond to noncompliance according to established program requirements.*

Key Component #6: A coordinated strategy governs Veterans Treatment Court responses to participants' compliance.

Key Component #7: Ongoing judicial interaction with each Veteran is essential.

*(Corresponding evidence-based program principle) **Judicial Interaction**—Judges should interact directly and regularly with drug court participants during drug court hearings, which should be as frequent as the participant may require. As the program leader, the judge will maintain authority by demonstrating support for the program and knowledge of individual offenders. Communication between the participant and the judge should be based on a foundation of respect, and judges must maintain an understanding of program resources available to assess and respond to participant behavior.*

Key Component #8: Monitoring and evaluation measure the achievement of program goals and gauge effectiveness.

Key Component #9: Continuing interdisciplinary education promotes effective Veterans Treatment Court planning, implementation, and operations.

Key Component #10: Forging partnerships among Veterans Treatment Court, Veterans Administration, public agencies, and community-based organizations generates local support and enhances Veteran Treatment Court effectiveness.

Appendix C

The Guiding Principles of DWI Courts

Guiding Principle #1: Determine the Population

*(Corresponding evidence-based program principle) **Target Population**—Program resources should be prioritized for offenders who demonstrate both high criminogenic risk and high substance abuse treatment need. Applicants should aim to serve offenders whose characteristics and risk factors directly relate to a high probability of offending, and who are frequent drug users diagnosed for drug dependence. Also, applicants should target offenders who are subject to (or eligible for) legal sanctions that may provide greater leverage in program compliance.*

Guiding Principle #2: Perform a Clinical Assessment

*(Corresponding evidence-based program principle) **Screening and Assessment**—Referral sources and other stakeholders should be clear on program eligibility criteria, which must be consistent with targeted population needs and available program resources. Applicants should demonstrate an ability to screen promptly and systematically for all offenders potentially eligible for the drug court, identify the agency which will conduct this screening, and detail the procedures that will be used for screening.*

The applicant should further demonstrate how those offenders determined to be eligible for the drug court as a result of screening will then be assessed to identify their risk for relapse and recidivism, as well as the nature of treatment and other rehabilitation needs. Assessments should be conducted using instruments that have been validated for the targeted population and updated periodically. Treatment and other service assessments should be reviewed and adjusted to gauge offender needs that may change over time.

Guiding Principle #3: Develop the Treatment Plan

Guiding Principle #4: Supervise the Offender

*(Corresponding evidence-based program principle) **Monitoring**—The applicant should demonstrate a comprehensive plan to: monitor drug court participants using random drug testing and community supervision; disseminate results efficiently to the drug court team; and immediately respond to noncompliance according to established program requirements.*

Guiding Principle #5: Forge Agency, Organization, and Community Partnerships

*(Corresponding evidence-based program principle) **Relapse Prevention, Aftercare and Community Integration**—From the first program phase, the applicant should demonstrate how culturally sensitive planning and other programming will be implemented to support relapse prevention, community integration, and aftercare/continuing care services.*

Guiding Principle #6: Take a Judicial Leadership Role

*(Corresponding evidence-based program principle) **Procedural and Distributive Justice**—Applicants should establish and clearly communicate a system of graduated sanctions and incentives that is activated and delivered with certainty in response to offender behavior.*

Information from the drug court team and the offender should be considered in determining noncompliance and the appropriate response. Specific program responses should be meaningful to the offenders, understandable, and delivered in a manner that can be perceived as fair and equitable.

Guiding Principle #7: Develop Case Management Strategies

Guiding Principle #8: Address Transportation Issues

Guiding Principle #9: Evaluate the Program

Guiding Principle #10: Ensure a Sustainable Program