

U.S. Department of Justice  
Office of Justice Programs  
*Bureau of Justice Assistance*



The [U.S. Department of Justice](#) (DOJ), [Office of Justice Programs](#)<sup>1</sup> (OJP) [Bureau of Justice Assistance](#) (BJA) is pleased to announce that it is seeking applications for funding of reentry courts under the Second Chance Act. This program furthers the Department's commitment to providing services and programs to facilitate offenders' successful reintegration into society.

## Second Chance Act State, Local, and Tribal Reentry Courts FY 2010 Competitive Grant Announcement

### Eligibility

Applicants are limited to states, units of local government, federally recognized Indian tribes<sup>1</sup> (as determined by the Secretary of the Interior). BJA will only consider applications that demonstrate that the proposed reentry court will be administered by corrections agencies and an entity with judicial authority, such as a state or local court, or probation and parole.

Priority Consideration: As reflected in the Selection Criteria on page 12, applications that propose to: 1) serve geographic areas with a disproportionate population of offenders released from incarceration; 2) implement evidence-based activities; 3) demonstrate a high degree of collaboration; 4) include coordination with families of offenders; and 5) propose or include a local evaluation of the project with federal or local funding will be given priority consideration.

Applications submitted by entities other than the highest state court are strongly urged to demonstrate that the proposal has been coordinated with, and is supported by, the state's highest state court.

### Deadline

Registration with [Grants.gov](#) is required prior to application submission. (See "How to Apply," page 8)

All applications are due by 8:00 p.m. eastern time on June 3, 2010. (See "Deadlines: Registration and Application," page 1.)

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<sup>1</sup> Pursuant to Pub. L. 108-199, 118 Stat. 60, 62, funds awarded through this program to the tribes listed below may not be used for courts or law enforcement officers for a tribe or village: (1) in which fewer than 25 Native members live in the village year round; or (2) that are located within the boundaries of the Fairbanks North Star Borough, the Matanuska Susitna Borough, the Municipality of Anchorage, the Kenai Peninsula Borough, the City and Borough of Juneau, the Sitka Borough, or the Ketchikan Borough.

## Contact Information

For technical assistance with submitting the application, contact the Grants.gov Customer Support Hotline at 1-800-518-4726 or via e-mail to [support@grants.gov](mailto:support@grants.gov)

Note: The [Grants.gov](http://Grants.gov) Support Hotline hours of operation are 24 hours, 7 days a week, except federal holidays.

For assistance with any other requirement of this solicitation, contact Dr. Gary L. Dennis, Senior Policy Advisor for Corrections, at 202-305-9059 or by e-mail [gary.dennis@usdoj.gov](mailto:gary.dennis@usdoj.gov).

BJA encourages stakeholder feedback on its solicitations and award processes. Send feedback on this solicitation to [AskBJA@usdoj.gov](mailto:AskBJA@usdoj.gov).

**Grants.Gov number assigned to announcement:** BJA-2010-2687

**Release Date:** April 14, 2010

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# **Second Chance Act State, Local, and Tribal Reentry Courts (CFDA #16.812)**

## **Overview**

The Second Chance Act of 2007 (Pub. L. 110-199) provides a comprehensive response to the increasing number of people who are released from prison and jail into communities and the subsequent challenges communities face as offenders attempt to reintegrate into society. A combination of trends in sentencing, incarceration, and post-release supervision has brought prisoner reentry to the forefront of discussion among policy makers, practitioners, and researchers. Widely recognized increases in incarceration rates over the past 20 years have led to record numbers of prisoners, with current estimates indicating that over 2.3 million individuals are incarcerated in federal and state prisons. As a result the number of people released from prison has also grown exponentially. More than 700,000 people are released each year from prison and millions more cycle through local jails every year unprepared and with significant need.

Without consistent support systems, access to resources, and positive intervention, a newly released offender is at risk to return to a life of crime. The Bureau of Justice Statistics reports that 67.5 percent of offenders are rearrested within three years of release, and 30 percent of these re-arrests occur within the first six months of release. These statistics more than suggest that the transition from prison life is inherently difficult. One of the hardest challenges offenders face is finding a stable and well-paying job after their release. Many employers are reticent to hire offenders while an equal or greater number of offenders are uneducated and have little legitimate work experience. Further, many offenders have substance abuse or mental health problems that require immediate and persistent attention.

Section 111 of the Second Chance Act was created to help break the cycle of criminal recidivism, increase public safety, and help states, units of local government, and Indian tribes better address the growing population of offenders who return to their communities. More specifically, Section 111 authorizes the creation of state, local, and tribal reentry courts to monitor offenders and provide them with the treatment services needed to establish a self-sustaining and law-abiding life.

Modeled after the success of the drug court approach, reentry courts represent a relatively new form of jurisprudence. Focused on the back-end of the criminal justice system, the reentry court is designed to leverage partnerships between courts and corrections to facilitate successful offender reintegration. The concept of the reentry court necessitates considerable cooperation between corrections and local judiciaries, as it requires the coordination of the work of prisons and jails in preparing offenders for release and actively involving community corrections agencies and various community resources in transitioning offenders back into the community through active judicial oversight.<sup>2</sup>

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<sup>2</sup>[www.drc.ohio.gov/web/Articles/article93.htm](http://www.drc.ohio.gov/web/Articles/article93.htm)

## Deadlines: Registration and Application

Registration is required prior to submission. OJP strongly encourages registering with Grants.gov several weeks before the deadline for application submission. The deadline for applying for funding under this announcement is 8:00 p.m. eastern time on June 3, 2010. Please see the “How to Apply” section, page 8, for more details.

## Eligibility

Please refer to the cover page for eligibility under this program.

## Second Chance Act State, Local, and Tribal Reentry Courts—Specific Information

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

**Grant recipients will participate in an evaluation of any programs supported through this solicitation. The National Institute of Justice (NIJ) will manage these evaluation activities through the selection of evaluators who will work directly with grant recipients. Each applicant must be willing to participate in an evaluation, including the possibility of evaluation involving random assignment to reentry court and treatment services, and to provide access to any data determined necessary by the evaluator and DOJ. For further information, read NIJ’s Evaluation of the Bureau of Justice Assistance Second Chance Act: FY 2010 State, Tribal, and Local Reentry Courts Program solicitation available at [www.ncjrs.gov/pdffiles1/nij/sl000941.pdf](http://www.ncjrs.gov/pdffiles1/nij/sl000941.pdf).**

Section 111 of the Second Chance Act authorizes the creation of state, local, and tribal reentry courts to oversee the reentry process—including monitoring, supervision, case management, service provision, and community involvement.

## Definitions

For the purpose of this solicitation:

Jail or Prison refers to a place of confinement for persons held in lawful custody.

Reentry refers to the return to the community of incarcerated individuals from America’s jails and prisons and their reintegration into society.

Reentry courts are specialized courts that help reduce recidivism and improve public safety through the use of judicial oversight to apply graduated sanctions and positive reinforcement; to marshal resources to support the prisoner’s reintegration; and to promote positive behavior by the returning prisoners. The goal of a reentry court is to establish a seamless system of offender accountability and support services throughout the reentry process. These courts may be implemented as part of an overall drug court program.

A reentry plan should rely on a risk/needs assessment for an offender that reflects the risk of recidivism—including individual criminogenic factors (history of anti-social behavior, anti-social

personality, anti-social attitudes and values, criminally deviant peers, substance abuse, dysfunctional family relationships.)

### Specific Requirements of Reentry Courts

In response to the growing need to effectively manage the large number of released prisoners returning into the community, the Office of Justice Programs (OJP) launched the Reentry Court Initiative (RCI) in February 2000. The RCI identified and provided technical assistance to nine sites (California, Colorado, Delaware, Florida, Iowa, Kentucky, New York, Ohio, and West Virginia) to implement reentry courts. While tailoring their programs to suit the individual legal, political, and community context in which they operated, the nine RCI pilot sites were encouraged to test the reentry court model comprised of a core set of reentry court components identified by OJP. The framework for establishing a reentry court under the Second Chance Act through this solicitation is based on RCI and insights garnered from research and evaluation of existing reentry courts.

The individualized approach of each reentry court site is primarily determined by judicial involvement and authority. The first step in creating an individualized approach is to determine whether jurisdiction or authority over the offender will be maintained by the judicial branch or the executive branch. The next step is to determine how jurisdiction or authority over the offender will be transferred to the reentry court. Factors such as the statutory framework in the state, caseload, administrative flexibility, and level of collaboration among key stakeholders should be considered when making these determinations. Please see Appendix A (page 18) for additional guidance on reentry court approaches.

While reentry court approaches vary based on the laws and needs of a jurisdiction, the core components of a reentry court are standard and must include: 1) assessment and planning; 2) active oversight; 3) management of support services; 4) accountability; 5) graduated, swift-and-certain sanctions; and 6) rewards for success. Please reference Table 1 for a detailed description of each component.

Applicants currently operating a drug court or other federally funded problem-solving court should use care to avoid the co-mingling of federal funds from different funding streams.

**Table 1. Required Reentry Court Components**

Component	A Reentry Court Must:
Assessment and Planning	<ul style="list-style-type: none"> <li data-bbox="488 1402 1474 1556">○ Develop and utilize a system to identify appropriate candidates for participation prior to release—admission criteria <u>must</u> be drafted by a group, panel, or commission with broad representation from stakeholders in the criminal justice system to include judges, prosecutors, defense counsel, probation staff, parole staff, and social service providers</li> <li data-bbox="488 1583 1474 1749">○ Develop and utilize a system to perform needs assessment, utilizing a <i>validated assessment tool</i><sup>3</sup> to create an individualized reentry plan prior to the offender’s release to include social services, family counseling, health and mental health services, substance abuse treatment, parenting support, housing, job training, work opportunities, and other services as needed</li> </ul>

<sup>3</sup> Funded Reentry Courts should use validated and dynamic assessment tools to determine the risks and needs of offenders included in the court’s target population. Please see Appendix B for additional guidance on validated assessment tools.

Active Oversight	<ul style="list-style-type: none"> <li>○ Require the offender to have regular court appearances beginning immediately after release and continuing throughout probation or parole supervision</li> <li>○ Require the offender to have regular contact with the judge</li> <li>○ Require the involvement of judge, probation supervisor/parole officer, health/mental health service provider, community policing officer, defense counsel</li> </ul>
Management of Support Services	<ul style="list-style-type: none"> <li>○ Develop and utilize a system to identify necessary support resources, including substance abuse treatment providers, education services, job training programs, private employers, faith institutions, family members, housing services, and community organizations</li> <li>○ Develop a system (in partnership with service providers) to track the number of offenders who both enroll in and complete the support services identified in their individualized plans.</li> <li>○ Develop and utilize a case management system</li> <li>○ Utilize evidence-based services health/mental health services</li> </ul>
Accountability	<ul style="list-style-type: none"> <li>○ Require a restitution/community service requirement for program participants</li> <li>○ Form partnerships with state and local government agencies and non-profits to link supervision and accountability with opportunity</li> </ul>
Graduated, Swift-and-Certain Sanctions and Incentives	<ul style="list-style-type: none"> <li>○ Use system of graduated sanctions (including incentives) that are applied throughout the course of the offenders program to encourage accountability and compliance</li> <li>○ Use of clearly articulated sanctions applied in a manner that is certain, swift, consistent, and parsimonious</li> </ul>
Rewards for Success	<ul style="list-style-type: none"> <li>○ Identify program milestones</li> <li>○ Use rewards to recognize milestones</li> <li>○ Must require offenders to be gainfully employed and enrolled in school at least part-time to be eligible to exit the court program</li> </ul>

### **Mandatory Requirements for the Second Chance Act Reentry Court Grant Application**

Each application must include the following:

- A description of the applicant’s reentry court approach—detailed explanation of judiciary involvement and/or authority **and** how authority over the offender will be transferred to the reentry court. See Program Design and Implementation on page 13.
- A list of partners and a detailed explanation of each partner’s role in the reentry court. See Collaboration on page 14.
- A Letter of Commitment by a senior authority is required from all key partners detailing the commitment to work with the applicant to promote the mission of the project including courts, administrative law judges, community corrections, probation and parole, sheriffs, and any other key partners affected by the reentry court. See Project Timeline and Letters of Support (Attachment 3) on page 11.

- Statistics on the population of offenders released from prisons, jails, or juvenile detention facilities in the locale that the reentry court will serve. See Statement of the Problem on page 12.
- Target Population—the target population for the applicant’s reentry court must be a specific subset of the population. Based on the needs of the community that the reentry court proposes to serve, applicants must identify and define the specific subset of offenders, or combination of subsets, that are proposed to be the target population of their project, to include supporting documentation (e.g., validated statistics) when appropriate. See Program Design and Implementation on page 13.

Examples of target populations include:

- A specific demographic or set of demographics (age, gender, etc.)
  - Offenders returning to a specific community or neighborhood or zip code
  - Offenders housed in the same facility
  - Offenders assessed/classified as high risk
- Applicants should provide the likely minimum number of offenders the project will serve. See Program Design and Implementation on page 13.
  - Applicants should provide, with supporting documentation, the number of offenders released from jail or prison during the previous year in the applicant’s jurisdiction. See Program Design and Implementation on page 13.
  - Reentry courts must provide substance abuse treatment and services. In facilitating these services, the applicant must demonstrate collaboration with the State Substance Abuse Authority. Memoranda of Understanding and other formal documentation of collaboration are the preferred format for exhibiting this coordination. See Substance Abuse Treatment Requirements (Attachment 4) on page 11.
  - A reentry court strategic plan identifying how the applicant will develop and implement each of the required components in Table 1 on page 3: assessment and planning; active oversight; management of support services; accountability; graduated and parsimonious sanctions; rewards for success. See Program Design and Implementation on page 13.

This plan should also include an analysis of staff needs necessary to accomplish the tasks outlined in the implementation plan. See, Project Timeline and Letters of Support (Attachment 3) on page 11.

- A system (in partnership with service providers) to track the number of offenders who both enroll in and complete the support services identified in their individualized plans. See Impact/Outcomes, Evaluation, Sustainability, and Plan for Collecting Data for Performance Measures on page 13.
- A description of the methodology that will be used to measure annual performance outcomes relating to reducing recidivism and increasing public safety. See Impact/Outcomes, Evaluation, Sustainability, and Plan for Collecting Data for Performance Measures on page 13.

- A list of potential service providers. See Collaboration on page 14.
- Description of how the program will maintain accountability to the relevant community, including potential use of community service or other restorative measures. See Collaboration on page 14.
- Include a plan to promote the sustainability of the reentry court once federal funding ceases. See Impact/Outcomes, Evaluation, Sustainability, and Plan for Collecting Data for Performance Measures on page 13.

### **Amount and Length of Awards**

Awards will be for 12 months with the ability for no-cost extensions. A grantee may be eligible for continuation funding for an additional 2 years contingent upon the availability of funds and demonstration of adequate progress toward meeting established goals of the program. Contingent upon the availability of funds, awards of up to \$500,000 will be made.

### ***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 2010 salary table for SES employees is available at [www.opm.gov/oca/10tables/indexSES.asp](http://www.opm.gov/oca/10tables/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 limitation on compensation rates allowable under an award may be waived on an individual basis at the discretion of the Assistant Attorney General (AAG) for the Office of Justice Programs. An applicant that wishes to request a waiver must include a detailed justification in the budget narrative of its application. Unless the applicant submits a waiver request and justification with the application, the applicant should anticipate that OJP will request that the applicant adjust and resubmit their budget.

The justification should include: the particular qualifications and expertise of the individual, the uniqueness of the service being provided, 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 that is to be done.

### **Match Requirement**

As required by the Second Chance Act, a grant made under this program may not cover more than 50 percent of the total costs of the project being funded. The applicant must identify the source of the 50 percent non-federal portion of the budget and how match funds will be used. The recipient of a grant must provide 25 percent of the total project cost in cash match, and 25 percent of the total project cost may be matched by making in-kind contributions of goods or services that are directly related to the purpose for which the grant was awarded. Federal funds received and cash match provided by the grantee shall be used to supplement, not supplant,

non-federal funds that would otherwise be available for the activities funded under this section. **The applicant must identify the source of the 25 percent non-federal cash portion of the budget and how both cash and in-kind match funds will be used.**

The formula for calculating match is:

$$\frac{\text{Award amount}}{\text{Federal Share}} = \text{Adjusted Project Costs}$$

$$\text{Recipient's share} \times \text{Adjusted Project Cost} = \text{required match}$$

**Example:** For a federal award amount of \$500,000, match would be calculated as follows:

$$\frac{\$500,000}{50\%} = \$1,000,000 \quad 50\% \times \$1,000,000 = \$500,000 \text{ match}$$

Federal funds received shall be used to supplement, not supplant activities related to the purpose for which such grant was awarded (i.e., may not be used to replace state or local funds that would, in the absence of federal assistance, be available or forthcoming).

## Performance Measures

To assist in fulfilling the Department's responsibilities under the Government Performance and Results Act (GPRA), P.L. 103-62, applicants who receive funding under this solicitation must provide data that measures the results of their work. **Additionally, applicants must discuss in their application their methods for collecting data for performance measures. Please refer to "Selection Criteria" (below), for additional information on applicant responsibilities for collecting and reporting data.** Grantees are required to provide the data requested in the "Data Grantee Provides" column so that OJP can calculate values for the "Performance Measures" column.

Successful applicants are required to respond to specific performance outcomes related to the long-term goal of stabilizing communities by reducing recidivism and reintegrating offenders into the community. For the purpose of this solicitation, recidivism is defined as a return to prison, jail, or correctional facility with either a new conviction or as the result of a violation of the terms of supervision or parole within 12 months of initial release. The Second Chance Act requires that recidivism be a measure of success in funded programs. Each grant recipient will be required to report on its progress toward achieving its strategic performance outcomes listed in the Performance Measures section below. Second Chance awardees will report program performance measures quarterly in BJA's Performance Measurement Tool (<https://www.bjaperformancetools.org/>). Performance measures for this solicitation are as follows:

Objective	Performance Measure	Data Grantee Provides
Increase public safety and reduce recidivism.	Percent of eligible offenders who enroll in the program.	Number of offenders eligible for program participation.
		Number of offenders who enroll in the program.
	Percent of enrolled offenders who exit the program successfully.	Number of offenders who exit the program (successfully or unsuccessfully).

Increase the number and types of program services to offenders reentering the community.	Number of offenders who enroll in program services, by service and participant demographics.	Number of participants who enroll in substance abuse treatment (pre- and post-release).
		Number of participants who enroll in mental health treatment (pre- and post-release).
		Number of participants who enroll in cognitive-based programming (pre- and post-release).
		Number of participants who enroll in other pre-release services.
To increase participation in program services among the target population.	Number of offenders who complete program, by service and participant demographics.	Number of participants who complete substance abuse treatment (pre- and post-release).
		Number of participants who complete mental health treatment (pre- and post-release).
		Number of participants who complete cognitive-based programming (pre- and post-release).
		Number of participants who participate in an employment readiness or education program (pre- and post-release).
		Number of participants who receive assistance for finding or maintaining housing.
		Number of participants who participate in pro-social activities (such as mentor programs, peer support groups, community events, faith-based activities, etc.).
		Total number of successful program completions regardless of type (narrative description of type).
To protect communities against dangerous offenders by using validated assessment tools to assess the risk factors and treatment needs of returning offenders.	Percent of offenders who receive individualized reentry plans, by risk assessment level (high, medium, or low).	Number of high-risk offenders based on completed risk assessment.
		Number of medium-risk offenders based on completed risk assessment.
		Number of low-risk offenders based on completed risk assessment.
		Number of offenders who receive individualized reentry plans.

## How to Apply

Applications will be submitted through Grants.gov. Grants.gov is a “one-stop storefront” that provides a unified process for all customers of federal grants to find funding opportunities and apply for funding. Complete instructions on how to register and submit an application can be found at [www.grants.gov](http://www.grants.gov). If you experience difficulties at any point during this process, please call the Grants.gov Customer Support Hotline at **1-800-518-4726**, 24 hours, 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 up to several weeks** for first-time registrants to receive confirmation and a user password. The Office of Justice Programs highly recommends that applicants start the registration process as early as possible to prevent delays in submitting an application package by the application deadline specified.

All applicants are required to complete the following.

1. **Acquire a DUNS Number.** A DUNS number is required for [Grants.gov](http://Grants.gov) registration. The Office of Management and Budget requires that all businesses and nonprofit applicants for Federal funds include a DUNS (Data Universal Numbering System) number in their applications for a new award or renewal of an existing award. A DUNS number is a unique nine-digit sequence recognized as the universal standard for identifying and keeping track of entities receiving federal funds. The identifier is used 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. Obtain a DUNS number by calling 1-866-705-5711 or by applying online at [www.dunandbradstreet.com](http://www.dunandbradstreet.com). Individuals are exempt from this requirement.
2. **Acquire or Renew Registration with the Central Contractor Registration (CCR) Database.** OJP requires that all applicants (other than individuals) for federal financial assistance maintain current registrations in the Central Contractor Registration (CCR) database. An applicant must be registered in the CCR to successfully register in Grants.gov. The CCR database is the repository for standard information about federal financial assistance applicants, recipients, and subrecipients. Organizations that have previously submitted applications via Grants.gov are already registered with CCR, as it is a requirement for Grants.gov registration. Please note, however, that applicants must update or renew their CCR registration at least once per year to maintain an active status. Information about CCR registration procedures can be accessed at [www.ccr.gov](http://www.ccr.gov).
3. **Acquire an Authorized Organization Representative (AOR) and a Grants.gov Username and Password.** Complete your AOR profile on Grants.gov and create your username and password. You will need to use your organization's DUNS Number to complete this step. For more information about the registration process, go to [www.grants.gov/applicants/get\\_registered.jsp](http://www.grants.gov/applicants/get_registered.jsp).
4. **Acquire Authorization for your AOR from the E-Business Point of Contact (E-Biz POC).** The E-Biz POC at your organization must login to Grants.gov to confirm you as an AOR. Please note that there can be more than one AOR for your organization.
5. **Search for the Funding Opportunity on Grants.gov.** Please 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 16.812, titled "Second Chance Act Prisoner Reentry Initiative," and the funding opportunity number is BJA-2010-2687.
6. **Submit an Application Consistent with this Solicitation.** Within 24-48 hours after submitting your electronic application, you should receive an e-mail validation message from Grants.gov. The validation message will tell you whether the application has been received and validated or rejected, with an explanation. **Important:** You are urged to submit your application at least 72 hours prior to the due date of the application to allow time to receive the validation message and to correct any problems that may have caused a rejection notification.

**Note: 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."

### **Experiencing Unforeseen Grants.gov Technical Issues**

If you experience unforeseen Grants.gov technical issues beyond your control that prevent you from submitting your application by the deadline, you must contact BJA staff within **24 hours after the deadline** and request approval to submit your application. At that time, BJA staff will require you to e-mail the complete grant application, your DUNS number, and provide a Grants.gov Help Desk tracking number(s). After the program office reviews all of the information submitted, and contacts the Grants.gov Help Desk to validate the technical issues you reported, OJP will contact you to either approve or deny your request to submit a late application. If the technical issues you reported cannot be validated, your application will be rejected as untimely.

To ensure a fair competition for limited discretionary funds, the following conditions are not valid reasons to permit late submissions: (1) failure to begin the registration process 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 experienced with the applicant's computer or information technology (IT) environment.

Notifications regarding known technical problems with Grants.gov are posted on the OJP funding web page, [www.ojp.usdoj.gov/funding/solicitations.htm](http://www.ojp.usdoj.gov/funding/solicitations.htm).

### **What an Application Must Include**

This section describes what an application is expected to include and sets out a number of elements. Applicants should anticipate that failure to submit an application that contains all of the specified elements may negatively affect the review of the application and, should a decision nevertheless be made to make an award, 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 not responsive to the scope of the solicitation, or do not include a program narrative, budget, and budget narrative will not proceed to peer review and will not receive further consideration.

OJP strongly recommends use of appropriately descriptive file names (e.g., "Program Narrative," "Budget and Budget Narrative," "Timelines," "Memoranda of Understanding," "Resumes") for all attachments. OJP recommends that, if applicable, resumes be included in a single file.

### **Standard Form 424**

Please see [www07.grants.gov/assets/SF424Instructions.pdf](http://www07.grants.gov/assets/SF424Instructions.pdf) for instructions on how to complete your SF 424.

### **Program Narrative (Attachment 1)**

The program narrative must respond to the solicitation and the Selection Criteria (1-3, 5-6) in the order given. The program narrative must be double-spaced, using a standard 12-point font (Times New Roman is preferred) with not less than 1-inch margins, and must not exceed 20 pages. Please number pages "1 of 20," "2 of 20," etc.

Applicants should anticipate that if the program narrative fails to comply with these length-related restrictions, such that it provides a significant competitive advantage, the failure to comply may be considered in peer review and in final award decisions.

### **Budget and Budget Narrative (Attachment 2)**

Applicants must have a detailed budget in response to Selection Criteria 4. A sample budget worksheet can be found at [www.ojp.gov/funding/forms/budget\\_detail.pdf](http://www.ojp.gov/funding/forms/budget_detail.pdf). If you submit a different format, you must include the budget categories as listed in the sample budget worksheet.

Please see the OJP Financial Guide for questions pertaining to budget including allowable and unallowable costs at [www.ojp.gov/financialguide/index.htm](http://www.ojp.gov/financialguide/index.htm).

Applicants must budget funding to travel to Department of Justice-sponsored grant meetings. Applicants should estimate the costs of travel and accommodations for three staff to attend two meetings in Washington D.C.

### **Project Timeline and Letters of Support (Attachment 3)**

Attach a Project Timeline that includes each project goal, related objective, activity, expected completion date, responsible person, or organization; and Letters of Commitment from all key partners, detailing the commitment to work with Reentry Court project partners to promote the mission of the project.

The Letter of Support from the lead organization responsible for the operational aspects of the project must include (1) certification that the lead agency has consulted with other local parties, including community corrections and parole entities, and (2) the following statement: "The agency agrees to provide individual criminal history information for all participants to evaluators, unless prohibited by law. These data will be provided in response to periodic requests from the grantees and evaluator throughout the period of performance of this project to capture both criminal history prior to the program enrollment and subsequent recidivism."

Applications submitted by entities other than the highest state court are strongly urged to submit a Letter of Support from the state's Chief Justice demonstrating that the proposal has been coordinated with, and is supported by, the state's highest state court. This requirement does not pertain to Indian government applicants. See Attachment 5 below for information about the Tribal Authorizing Resolution requirement.

Applicants should also provide official documentation that all collaborating service provider organizations are in compliance with all local (city, county) and state/tribal requirements for licensing, accreditation, and certification or official documentation from the appropriate agency of the applicable state/tribal, county, or other governmental unit that licensing, accreditation, and certification requirements do not exist.

### **Substance Abuse Treatment Requirements (Attachment 4)**

Reentry courts must provide substance abuse treatment and services. In facilitating these services, non-tribal applicants must demonstrate collaboration with the State Substance Abuse Authority. Memoranda of Understanding and other formal documentation of collaboration are the preferred format for exhibiting this coordination.

## **Tribal Authorizing Resolution (Attachment 5, if applicable)**

If an application is being submitted by either 1) a tribe or tribal organization, or 2) by a third party proposing to provide direct services or assistance to residents on tribal lands, then a current authorizing resolution of the governing body of the tribal entity or other enactment of the tribal council or comparable governing body authorizing the inclusion of the tribe or tribal organization and its residents must be included with the application. In those instances when an organization or consortium of tribes proposes to apply for a grant on behalf of a tribe or multiple specific tribes, then the application must include a resolution from all tribes which will be included as a part of the services/assistance provided under the grant.

## **Selection Criteria**

**Priority Considerations** will be given to applications that:

- Focus their program on geographic areas with a disproportionate population of offenders released from prisons, jails, or juvenile detention facilities. Population data should be supported with statistics.
- Include a plan to implement activities that have been demonstrated effective—evidence-based—in facilitating the successful reentry of offenders.
- Demonstrate a high degree of collaboration among a variety of public, private, and faith-based organizations.
- Demonstrate that the application has been coordinated with, and is supported by, the state's highest state court.
- Include coordination with families of offenders.
- Propose a rigorous, scientific local evaluation of the reentry court program using federal or local funding (including in-kind contributions).

### **1. Statement of the Problem (25 percent out of 100)**

- Indicate the jurisdiction or tribal community to be served and the recidivism rate in that community. Include details on the offender population to include the number of offenders returning to the community, and describe the number and type of offenders in facilities. Include statistics and other literature to support the analysis.
- Describe some of the barriers to reentry for offenders in the named community.
- Detail how crime and recidivism affects the named communities and families within that community. Where available, include statistics on recidivism in the named communities.
- Describe the availability of offender services in the immediate community.
- Summarize the basic components of the current reentry process in the jurisdiction, including:
  - How risk and need assessments are currently utilized;
  - Transition plans;
  - Pre- and post-release programs and services; and
  - Data collection and analysis.
- Identify and define the specific subset of offenders, or combination of subsets, that are proposed to be the target population of the reentry court, e.g., a specific demographic or set of demographics (age, gender, etc.); specific community, neighborhood, or zip code

with high population of returning offenders; offenders housed in the same facility; offenders assessed/classified as high risk.

- Explain why the identified population is important and how the reentry court will help with this particular subset of offenders.

## **2. Program Design and Implementation (20 percent out of 100)**

- Describe the applicant's reentry court approach, including a detailed explanation of judiciary involvement and/or authority and how authority over the offender will be transferred to the reentry court. See Appendix A for sample approaches. The applicant's description **must** be detailed.
- Provide a reentry court strategic plan identifying how the applicant will develop and implement each of the six required components in Table 1 on page 3. This plan should also include an analysis of staff needs necessary to accomplish the tasks outlined in the plan.
- Provide the likely minimum number of offenders the project will serve. This data should be consistent with the applicant's identified target population.
- A plan to integrate offenders with their families.
- A plan to promote the sustainability of the reentry court once federal funding ceases.

## **3. Capabilities/Competencies (15 percent out of 100)**

- Describe the management structure and staffing of the project, identifying the agency responsible for the project and the grant coordinator.
- Demonstrate the capability of the applicant agency to implement the project including gathering and analyzing information; developing a plan; collaborating with state and local agencies and community organizations; and evaluating the program. The management and organizational structure described should match the staff needs necessary to accomplish the tasks outlined in the implementation plan.

## **4. Budget (10 percent out of 100)**

- Provide a proposed budget and budget narrative that are cost-effective, complete, and allowable. See Budget (Attachment 2) on page 11.
- The budget must indicate how the 50 percent federal funds and the 50 percent in-kind match will be allocated in the overall budget.

## **5. Impact/Outcomes, Evaluation, Sustainability, and Plan for Collecting Data for Performance Measures (10 percent out of 100)**

Applicants must be willing to participate in an evaluation to be managed by the National Institute of Justice, which could include random assignment of offenders to reentry court services.

- Describe the process for assessing the initiative's effectiveness through the collection and reporting of the required performance metrics data. See Performance Measures on page 7.

- Identify goals and objectives for program development, implementation, and outcomes.
- Describe how performance will be documented, monitored, and evaluated, and identify the impact of the strategy once implemented.
- Outline what data and information will be collected and describe how evaluation and collaborative partnerships will be leveraged to build long-term support and resources for the program.
- Describe the process to track offenders who both enroll in and complete the support services identified in their individualized plans.
- Discuss how this effort will be integrated into the state and local justice system plans or commitments, how the program will be financially sustained after federal funding ends, and the expected long-term results for the program.
- Describe the strategy/methodology for tracking offenders assigned to the reentry process for a period of up to 3 years after their release from prison, jail, or juvenile detention facility.

#### **6. Collaboration (20 percent out of 100)**

- A letter of support from the state's Chief Justice demonstrating that the proposal has been coordinated with, and is supported by, the state's highest state court. See Project Timeline and Letters of Support (Attachment 3) on page 11.
- A list of potential service providers and an explanation of the services that will be offered.
- Description of how the program will maintain accountability to the relevant community, including potential use of community service or other restorative measures.
- A list of all partners and a detailed explanation of each partner's role in the reentry court. For each partner listed here, the applicant must include a letter of support. See Project Timeline and Letters of Support (Attachment 3) on page 11.
- Description of how the program will maintain accountability to the relevant community, including potential use of community service or other restorative measures.

## **Review Process**

OJP is committed to ensuring a fair and open process for awarding grants. The Bureau of Justice Assistance 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 be reviewing the applications submitted under this solicitation that meet basic minimum requirements. The Bureau of Justice Assistance 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 U.S. Department of Justice employee. An internal reviewer is a

current U.S. Department of Justice employee who is well-versed or has expertise in the subject matter of this solicitation. Eligible applications will be evaluated, scored, and rated by a peer review panel. 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, strategic priorities, past performance, and available funding.

The Office of the Chief Financial Officer (OCFO), in consultation with the Bureau of Justice Assistance, conducts a financial review of applications for potential discretionary awards and cooperative agreements to evaluate the fiscal integrity and financial capability of applicants; examines proposed costs to determine if the budget and budget narrative accurately explain project costs; and determines whether costs are reasonable, necessary, and allowable under applicable federal cost principles and agency regulations.

Absent explicit statutory authorization or written delegation of authority to the contrary, all final grant award decisions will be made by the Assistant Attorney General (AAG), who may also give consideration to 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. We strongly encourage you 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](http://www.ojp.usdoj.gov/funding/other_requirements.htm).

- [Civil Rights Compliance](#)
- Faith-Based and Other Community Organizations
- Confidentiality and Human Subjects Protection (if applicable)
- Anti-Lobbying Act
- Financial and Government Audit Requirements
- National Environmental Policy Act (NEPA) (if applicable)
- 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

**Application Checklist**  
**FY 2010 Second Chance Act State, Local, and Tribal Reentry Courts**

The application checklist has been created to aid you in developing your application.

**Eligibility Requirement**

States, units of local government, federally recognized tribe

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

\$500,000

**The application Components:**

Program Narrative:

Statement of the Problem/Program

Project Design and Implementation

Capabilities/Competencies

Impact/Outcomes and Evaluation/Plan for Collecting Data for Performance Measures

Collaboration

Budget Narrative and Budget Detail Worksheet

Project Timeline

Letters of Support

Substance Abuse Treatment Requirements

Tribal Authorizing Resolution (if applicable)

**Program Narrative Format:**

Double-spaced

12-point standard font

Not less than 1" standard margins

Narrative is 20 pages or less

**Other:**

Standard 424 form

DUNS number

Central Contractor Registration (CCR)

# Appendix A

The following information on reentry courts was collected by Jeffrey Tauber, founder of [www.reentrycourtsolutions.com](http://www.reentrycourtsolutions.com).

Additional information about reentry courts and reentry court models can be found at, [www.reentrycourtsolutions.com/wp-content/uploads/2009/11/STATE-PRISON-BASED-MODELS.pdf](http://www.reentrycourtsolutions.com/wp-content/uploads/2009/11/STATE-PRISON-BASED-MODELS.pdf).

## Existing Reentry Court Models

County-based Judicial Jurisdiction Model	State Correctional Agency Jurisdiction Model
<p><b>Split Sentencing/Prison to Probation</b>            In this model, a convicted offender can be sentenced to prison for a determinate sentence and returned to the jurisdiction of the court for a probationary period following the prison sentence</p>	<p><b>Administrative Hearing Officer Model</b>            This model is used when the offender is released from prison as a parolee. This model has the advantage of a quasi-judicial official potentially engaging the participation in incentivized rehabilitation earlier in the prison term. Acting in the same capacity as the Reentry Judge, the official could hold progress hearings on a regular basis, order sanctions and incentives and move the participant forward toward release into the community. Upon release from prison, the official could continue to hold regular progress hearings (or shift the responsibility to a Superior Court judge.)</p>
<p><b>Split Sentencing/Returning for Special Court Program</b>            In this model, the sentencing judge sends the convicted offender to prison to complete a drug treatment or other rehabilitation program. The offender is then returned to the sentencing judge and probation supervision after the successful completion of that program.</p>	<p><b>Retired Judges Preside in Reentry Court</b>            This collaborative partnership between corrections and the courts could be situated at a local prison or nearby, allowing the emerging parolee to develop a relationship with the Reentry Judge, community based rehabilitation programs and the parole authority. In the second phase, parolees could be ordered to report to the same Reentry Court Judge at their local court (or other appropriate facility) on a regular basis to review the parolee's progress and mete out incentives and sanctions where appropriate.</p>
<p><b>Sentence/Return to Court</b>            This model relies on the state prison to provide relatively short upfront assessment and rehabilitative services before the offender is returned to state court jurisdiction for continued supervision, rehabilitative services and monitoring (and incarceration where appropriate). Typically, the offender returns to the county and its Reentry Court after a 3–6 month prison term.</p>	

<p><b>Single Corrections Agency-Based Model</b>  This model is found in many smaller states where jails and prisons come under the same agency authority. It operates an integrated parole and probation system, with the potential for increased cooperation between corrections and the courts, and the courts maintaining its jurisdiction over the offender over the course of incarceration.</p>	
<p><b>Early Release/Prior to Term Completion</b>  This model presents the possibility of doing a final assessment of the offender before release and introducing the offender to incentivized reintegration services and education while in custody/or concurrent with release into the community.</p>	

# Appendix B

## Validated Assessment Tools

Funded Reentry Courts should use validated and dynamic assessment tools to determine the risks and needs of offenders included in the court's target population.

Applicants should use the following four criteria in determining validity of a risk instrument:

1. A valid instrument identifies discrete groups of offenders who pose different levels of risk to public safety as measured by recidivism.
2. The risk instrument must be reliable as measured by tests of inter-rater and intra-rater reliability. Inter-rater reliability means that two different staff members would score the same offender the same way on the risk instrument and intra-rater reliability means the same staff person would score the same offender the same way repeatedly with no change in circumstances.
3. The risk instrument is demonstrated to be fair to all offender populations such as by gender or race/ethnicity.
4. The risk instrument should be practical, efficient, and provide utility to staff.

We encourage all applicants to read the U.S. Department of Justice, National Institute of Corrections' [publication on Assessment Issues](#) to ensure that they are thoroughly familiar with the validated assessment research principle.