



# BJA Drug Court Discretionary Grant Program: FY 2012 Requirements Resource Guide

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# Introduction

## About the Requirements Resource Guide

Applicants should review this document carefully to address all required factors in their proposal. This publication provides required and supplemental guidance for the following grant categories of the Drug Court Discretionary Grant Program:

- Adult Drug Court Implementation Grants.
- Adult Drug Court Enhancement Grants.
- Statewide Drug Court Grants.

### Assistance with the Proposal

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](mailto:support@grants.gov). **Note:** The [Grants.gov](http://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](mailto: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.

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Release date: January 10, 2012.

For all information about the juvenile and family solicitations, contact Gwendolyn Williams at 202-616-1611 or [Gwendolyn.Williams@usdoj.gov](mailto:Gwendolyn.Williams@usdoj.gov).

For general information about Bureau of Justice Assistance (BJA) programs, training, and technical assistance, contact BJA at 202-616-6500 or visit the National Drug Court Resource Center at [www.ndcrc.org](http://www.ndcrc.org).

## The Drug Court Movement

In 1989, troubled by the increasing impact of drugs and drug-related crime on their criminal justice systems, several communities began experimenting with an approach to low-level drug offenses that brought significant change to the way the court system does business. Miami, Florida established the first known drug court in the country. This new approach integrated substance abuse treatment, sanctions, and incentives with case processing to place nonviolent, drug-involved defendants in judicially supervised programs.

Since 1989, more than 2,600 courts have implemented or are planning to implement a drug court to address the problems of substance abuse and drug-related crime. Local coalitions of judges, prosecutors, defense attorneys, treatment professionals, law enforcement officials, and other community stakeholders are using the court to structure services including escalating sanctions, mandatory drug testing, treatment, and strong aftercare programs to help offenders remain drug and crime free. This grassroots criminal

justice initiative began with the adult offender population, but with the success of adult drug courts over the past 20 years, the approach has been adapted to juvenile, tribal, veterans, and family drug courts.

In 1994, Congress joined local communities in supporting the drug court philosophy to rehabilitate offenders while holding them accountable for their actions. By enacting Title V of the Violent Crime Control and Law Enforcement Act of 1994, Public Law 103-322, 108 Stat. 1796 (September 13, 1994), Congress authorized the U.S. Attorney General to award grants to states, state courts, local courts, units of local government, and Indian tribal governments to establish drug courts. The authority was delegated to the Assistant Attorney General, Office of Justice Programs (OJP). In 1995, the Drug Courts Program Office (DCPO) was established by OJP to administer the Drug Court Discretionary Grant Program and to provide training, financial and technical assistance, and related programmatic guidance and leadership to communities interested in drug courts. A modified program was authorized under the 21st Century Department of Justice Appropriations Authorization Act, Public Law 107-273, 116 Stat. 1758 (November 8, 2002) as Part EE of the Omnibus Crime Control and Safe Streets Act of 1968, as amended. In FY 2003, BJA began administering the Drug Court Discretionary Grant Program.

## Partnership with Treatment

For drug courts to be most effective, judges, court personnel, treatment providers, and treatment coordinators partner to assist in developing treatment, habilitation, and supervision plans for each defendant based on a clinical assessment or diagnostic process. Length of stay in treatment and in aftercare are factors associated with positive outcomes and, in particular, with the cessation of drug use, reduction in recidivism rates, and improvement in educational and employment status and family relationships.

In coordination with the drug court judge and other court personnel, treatment and case management personnel assess clients' treatment needs, track their progress in treatment programs, and determine appropriate levels of treatment services. Supportive social services provide drug court staff with links to employment, educational and vocational placement, family counseling, and housing placement assistance for drug court participants.

Drug court practitioners understand that drug addiction is a complex, chronic, relapsing disease and that a comprehensive, sustained continuum of therapeutic interventions and services can increase clients' periods of abstinence and reduce the rate of relapse, rearrest, and incarceration. Therapeutic interventions and services include prompt intake and assessment, detoxification, substance abuse treatment ranging from outpatient to residential services, and a strong focus on therapeutic relapse prevention methodologies.

## Key Components of Drug Courts

In January 1997, DCPO released *Defining Drug Courts: The Key Components*, which is based on experiences from those in the drug court field. The report describes the 10 key components of a drug court and provides performance benchmarks for each component. It was developed through a cooperative agreement between DCPO and the National Association of Drug Court Professionals, which convened the Drug Court Standards Committee. The committee was comprised of drug court practitioners throughout the nation and included judges, prosecutors, defense attorneys, treatment providers, pre-trial services officers, and probation officers. The Conference of Chief Justices, the Conference of State Court Administrators, and several states have adopted the following key components. The report is available online at [www.ojp.usdoj.gov/BJA/grant/DrugCourts/DefiningDC.pdf](http://www.ojp.usdoj.gov/BJA/grant/DrugCourts/DefiningDC.pdf).

## **Ten Key Components of a Drug Court**

1. Drug courts integrate alcohol and other drug treatment services with justice system case processing.
2. Using a non-adversarial approach, prosecution and defense counsel promote public safety while protecting participants' due process rights.
3. Eligible participants are identified early and promptly placed in the drug court program.
4. Drug courts provide access to a continuum of alcohol, drug, and related treatment and rehabilitation services.
5. Abstinence is monitored by frequent alcohol and other drug testing.
6. A coordinated strategy governs drug court responses to participants' compliance.
7. Ongoing judicial interaction with each drug court participant is essential.
8. Monitoring and evaluation measure the achievement of program goals and gauge effectiveness.
9. Continuing interdisciplinary education promotes effective drug court planning, implementation, and operations.
10. Forging partnerships among drug courts, public agencies, and community-based organizations generates local support and enhances drug court program effectiveness.

# General Information

## Definitions

**Drug court:** A specially designed court calendar or docket, the purposes of which are to achieve a reduction in recidivism and substance abuse among nonviolent substance-abusing offenders and to increase the offenders' likelihood of successful habilitation through early, continuous, and intense judicially supervised treatment, mandatory periodic drug testing, and use of appropriate sanctions and other habilitation services.

### **Evidence-Based Programs or Practices**

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](http://www.crimesolutions.gov) is one resource that applicants may use to find information about evidence-based programs in criminal justice, juvenile justice, and crime victim services.

**Design features:** In 2011, BJA in conjunction with the National Institute of Justice (NIJ), reviewed recent drug court evaluations and research to develop 7 evidence based program guidelines or design features. Ideally, applicants should review the latest research findings and incorporate each of the features into their application's program design to yield the most effective outcomes for drug court participants. Applicants may propose alternative program designs that depart from the below list with compelling justification, however priority consideration may not be provided. See below for a description of the 7 design features:

1. **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.

2. **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.

3. **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.
4. **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.
5. **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.
6. **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.
7. **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.

**Violent offender:** For purposes of BJA-funded adult, family, veterans, and tribal drug courts, a person who either:

1. Is charged with or convicted of an offense that is punishable by a term of imprisonment exceeding 1 year, during the course of which:
  - A. The person carried, possessed, or used a firearm or another dangerous weapon; and
  - B. There occurred the use of force against the person of another; or
  - C. There occurred the death of, or serious bodily injury to, any person, without regard to whether any of the circumstances described above is an element of the offense or conduct of which or for which the person is charged or convicted; or
2. Has one or more prior convictions of 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.

*Note: This definition includes recent amendments made by the Second Chance Act of 2007, Pub. L. 110-199. See appendix A for frequently asked questions about the violent offender definition.*

**Retention:** Retention is the number of drug court graduates plus current participants (numerator) divided by the number of people ever enrolled (denominator).

**Grantee:** States, state courts, local courts, counties, other units of local government, or Indian tribal governments acting directly or through an agreement with other public or private entities that receive funding under the drug court program.

**State:** Any state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the U.S. Virgin Islands, American Samoa, Guam, or the Northern Mariana Islands.

**Unit of local government:** Any city, county, township, town, borough, parish, fiscal court, village, or other general purpose political subdivision of a state; an Indian tribe that performs law enforcement functions as determined by the Secretary of the Interior; or, for the purpose of assistance eligibility, any agency of the District of Columbia government or the U.S. government performing law enforcement functions in and for the District of Columbia and the Trust Territory of the Pacific Islands.

**Indian tribe:** A tribe, band, pueblo, nation, or other organized group or community of Indians, including any Alaska Native village or regional or village corporation (as defined in, or established pursuant to, the Alaska Native Claims Settlement Act [43 U.S.C. 1601 et seq.]), that is recognized as eligible for the special programs and services provided by the United States to Indians because of their special status as Indians.

**Eligible applicants:** For purposes of this application, eligible applicants are states, state courts, local courts, counties, and other units of local government; Indian tribal governments may apply directly under the Coordinated Tribal Assistance Solicitation (CTAS). All applicants must demonstrate management and financial capabilities to effectively plan and implement projects of the size and scope described in this application. While faith-based and community-based as well as non-profit and for-profit agencies are not eligible applicants for drug court funding, they are encouraged to partner with eligible applicants for delivery of services to offenders.

If a subunit of government (e.g., county probation department, district attorney's office, or pre-trial services agency) wishes to apply, it must be designated by an eligible applicant as the authorized representative of that applicant for purposes of applying for this grant. For example, the county executive may designate the county probation or county district attorney's office as its representative for the purpose of applying for this grant. A sample authorization letter may be found on page 28.

## Program Provisions

The following section is for informational purposes only and relates to the programmatic provisions and requirements of the Office of Justice Programs and the Bureau of Justice Assistance.

### A. Application for Federal Assistance (SF-424)

The Application for Federal Assistance is a standard form used by most federal agencies. This form contains 18 different items, all of which must be completed before the application is reviewed.

## B. Assurances

The applicant, by clicking “Accept” in the Assurances and Certifications section of Grants.gov, assures that it will comply with the requirements contained in the assurances in order to receive federal funds under this program. It is the responsibility of the recipient of the federal funds to comply with these requirements. Failure to comply may result in the withholding of funds, termination of the award, or other sanctions.

## C. Certification Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; and Drug-Free Workplace Requirements

- Lobbying

The applicant and its subgrantees, contractors and subcontractors, will not use federal funds for lobbying and will disclose any lobbying activities.

- Debarment, Suspension and Other Responsibility Matters

The applicant and its principals have not been debarred or suspended from federal benefits and have not had any proceedings initiated against them; have not been convicted of, indicted for, or criminally or civilly charged by a government entity for fraud, violation of antitrust statutes, embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property; and have not had a public transaction terminated for cause or default.

- Drug-Free Workplace

The applicant will or will continue to provide a drug-free workplace. Clicking “Accept” in the Assurances and Certifications section of Grants.gov commits the applicant to compliance with the certification requirements under 28 C.F.R. Part 69, New Restrictions on Lobbying, and 28 C.F.R. Part 67, Government-Wide Debarment and Suspension (Nonprocurement) and Government-Wide Requirements for Drug-Free Workplace (Grants). The certification will be treated as a material representation of the fact upon which reliance will be placed by the U.S. Department of Justice in making awards.

## D. Match Requirements

The federal share of a grant-funded project may not exceed 75 percent of the total project costs. At least 25 percent of the total project costs is a required match and must come from local sources.

Within each budget category, the applicant must clearly delineate the individual items that are match. For example, individual items that represent local match may be indicated with an asterisk. Although there is no minimum cash amount specified, **some portion of the match must be cash** to encourage local jurisdictions to support the program after federal funding ends.

## E. Single Point of Contact Review

Executive Order 12372 requires applicants from state and local units of government or other organizations providing services within a state to submit a copy of the application to the state Single Point of Contact (SPOC), if one exists, and if this program has been selected for review by the state. Applicants must contact their state SPOCs ([www.whitehouse.gov/omb/grants/spoc.html](http://www.whitehouse.gov/omb/grants/spoc.html)) to determine whether their

programs have been selected for state review. The date that the application was sent to the SPOC or the reason such submission is not required should be entered in Block 3 of the Overview section of GMS.

#### F. Civil Rights Compliance

All recipients of federal grant funds are required to comply with nondiscrimination requirements contained in various federal laws. In the event that a court or administrative agency makes a finding of discrimination on grounds of race, color, religion, national origin, gender, disability, or age against a recipient of funds after a due process hearing, the recipient must agree to forward a copy of the finding to the Office of Civil Rights, Office of Justice Programs. All applicants should consult the Assurances and Certifications required with the application funds to review the applicable legal and administrative requirements.

#### G. Suspension or Termination of Funding

The Office of Justice Programs may suspend funding in whole or in part, terminate funding, or impose another sanction on a recipient for the following reasons:

- Failure to comply substantially with the statutory requirements of Part EE of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, Public Law 90-351, Title I, 82 Stat. 197, and the program guidelines issued thereunder, or other provisions of federal law.
- Failure to make satisfactory progress toward the goals or strategies set forth in this application.
- Failure to adhere to the requirements in the grant agreement, standard conditions, or special conditions.
- Propose or implement substantial plan changes to the extent that, if originally submitted, the application would not have been selected for funding.
- File a false certification in this application or other report or document.
- Other good cause shown.

Before imposing sanctions, the Office of Justice Programs will provide reasonable notice to the recipient of its intent to impose sanctions and will attempt informally to resolve the problem. Hearing and appeal procedures will follow those in U.S. Department of Justice regulations (see 28 C.F.R. Part 18).

#### H. Reporting Requirements

All recipients of drug court grants awarded by the Bureau of Justice Assistance are required to submit quarterly financial and performance measures reports and semiannual progress reports. Additionally, recipients who expend \$500,000 or more of federal funds during their fiscal year are required to submit an organization-wide financial and compliance audit report. Refer to appendix B for more specific information on these reporting requirements.

## Priority Consideration

- A. BJA will give priority consideration to all applicants who have completed the BJA Drug Court Planning Initiative (DCPI) training. For more information or to register for the training, please go to the resource center web site at [www.NDCRC.org](http://www.NDCRC.org).
- B. BJA partnered with the National Institute of Justice (NIJ) to review recent drug court evaluation and research. [www.ojp.usdoj.gov/nij/topics/courts/drug-courts/madce.htm](http://www.ojp.usdoj.gov/nij/topics/courts/drug-courts/madce.htm). The intent was to identify recommended policies and practices that maximize the return on investment for Adult Drug Court Program funding. As a result, BJA identified 7 design features to be incorporated into drug court programming for best results. Thus, BJA will give priority consideration to applications that propose designs and strategies that are consistent with each of the following evidence-based program design features:
  1. **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.
  2. **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.
  3. **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.
  4. **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.
  5. **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.

6. **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.
7. **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.

**For a detailed analysis of the research supporting each design feature, visit the below links:**

- **Quality Improvement for Drug Courts- Evidence-Based Practices**  
[www.ndci.org/sites/default/files/ndci/Mono9.QualityImprovement.pdf](http://www.ndci.org/sites/default/files/ndci/Mono9.QualityImprovement.pdf)  
Design Features (DF) 1, 6, 7)
- **Evidence-Based Relationships** [www.nrepp.samhsa.gov/LearnLanding.aspx](http://www.nrepp.samhsa.gov/LearnLanding.aspx)  
(DF 1, 6, 7)
- **NIJ website Multi-site Adult Drug Court Evaluation**  
[www.ojp.usdoj.gov/nij/topics/courts/drug-courts/madce.htm#results](http://www.ojp.usdoj.gov/nij/topics/courts/drug-courts/madce.htm#results)  
(DF 2, 3, 4, 5)
- **Exploring the Key Components of Drug Courts: A Comparative Study of 18 Adult Drug Courts on Practices, Outcomes and Costs** [www.npcresearch.com/Files/NIJ\\_Cross-site\\_Final\\_Report\\_0308.pdf](http://www.npcresearch.com/Files/NIJ_Cross-site_Final_Report_0308.pdf)

# Application Process

## Applicant Information Page

The first page of the program narrative must include the following information in the order listed. This page does not count toward the 20-page limit for the program narrative.

- A. An abstract containing a description of the program as well as a summary of goals and objectives for which funding is required. In addition, the abstract should clearly state the maximum capacity the jurisdiction plans to serve with federal assistance over the life of the grant. Capacity is defined as the total number of expected clients to be served based on resource allocations. The abstract should affirm that the key components of a drug court are or will be met and must indicate which of the seven evidence-based design features are proposed to be implemented in the application, noting the page numbers where each feature is discussed in the application. More information including definitions and incorporation of program design for each of the design features can be found at [www.research2practice.org/projects/](http://www.research2practice.org/projects/).

**Sample:** The (*jurisdiction name*) is requesting Drug Court Discretionary Grant Program funds in the amount of (*list only the total federal amount*) to (*implement/enhance*) an adult drug court to assist nonviolent offenders with successful rehabilitation from the use of drugs and/or alcohol. The intent of the drug court will be to (*list goals and objectives of the project*). This will be accomplished by (*list all relevant Key Components and Design Features citing page numbers where referenced*).

- A. List the type of the funding requested to include:
- Implementation, Enhancement, Statewide category A or B.
  - Urban, suburban, or rural community.
  - State, regional, tribal, or local jurisdiction.
  - Adult, Veterans, DWI/DUI, Co-Occurring with Substance Abuse, Campus Drug Court
- C. Indicate whether the applicant is designated as an Empowerment Zone or Renewal Community by the U.S. Department of Housing and Urban Development.
- D. Indicate whether the applicant jurisdiction is collaborating with a prevention-based initiative, Second Chance, or other Office of Justice Programs funded initiative. **Collaboration among local partners with similar initiatives is highly encouraged.**
- B. Indicate whether the applicant jurisdiction has ever received a Drug Court grant from the Office of Justice Programs (include grant number) or ever participated in the Drug Court Planning Initiative. If the jurisdiction received planning assistance, include the dates of the training.

## Selection Criteria

### Statement of the Problem or Program Narrative

#### Implementation Applicants

- A. 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. Specify the drugs of choice and the substance abuse patterns for the target population. Applicants should describe how the drug court will be structured (e.g., deferred prosecution, post-adjudication, or a combination).
- B. Explain the problems with the current court response to cases involving substance abuse, and identify how the current number of treatment slots is insufficient to meet the anticipated referrals.
- C. Describe the group of adult offenders who will be eligible to receive the services of the drug court. Estimate the proportions of the target population who are substance dependent at arrest, experiencing physical symptoms of withdrawal, and in need of medically monitored detoxification or maintenance services.

#### Enhancement Applicants

- A. Describe the current operation of the adult drug court, addressing program structure; program length; target population; screening and assessment; recovery supportive services delivery plan; judicial supervision; community supervision; drug testing; case management; incentives and sanctions; treatment and restitution; costs charged to program participants; and program success data. Identify the treatment services and practices available for drug court participants.
- B. 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 repeating substance abuse offender population (high-risk/high-need). If the evidence is limited or nonexistent for the target population, provide other information to support the intervention selection.
- C. Describe the issue or need that the enhancement grant seeks to address. Provide local data and any evaluation findings that demonstrate the program's impact with regard to offender and community outcomes. Explain clearly how the project is directly responsive to the target population's needs, and is consistent with the program's plan and resources.

#### Statewide Applicants

**The grant maximum per applicant for the two Subcategories totals \$1.5 million. Of the \$1.5 million, a maximum of \$200,000 is available for each applicant under the subcategory A, and a maximum of \$1,300,000 is available for each applicant under the subcategory B. Project period should be a maximum of 36 months.**

Statewide Subcategories:

- A. To improve, enhance, or expand drug court services statewide by encouraging adherence to the 7 evidence-based design features 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.
- B. 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.ojp.usdoj.gov/BJA/grant/drugcourts.html](http://www.ojp.usdoj.gov/BJA/grant/drugcourts.html).) 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 7 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 develop 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.**

- A. List the category 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.
- B. Describe the extent that 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.
- C. Provide information about the extent that the drug courts within the state are utilizing evidence-based treatment practices and services.
- D. 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.

## Project or Program 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 or restrict a client from graduation. 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

### Implementation Applicants

- A. Describe how the project design and strategy will be implemented and briefly describe any supporting evidence-based research that supports the approach. Address each of the 10 key components of drug courts and develop a project strategy incorporating the design features (Items 1-7) previously described.
- B. Identify the screening process and eligibility requirements; the structure of the drug court; the length and phases of the program; case processing; process for assessment and diagnosis; the treatment services and practices; and the evidence that shows that the services and practices are effective with the target population. If the evidence is limited or nonexistent for the target population; provide other information to support the treatment intervention selection; the non-treatment recovery supportive services delivery plan including educational and vocational services; primary and mental health care services; housing; case management; judicial supervision; drug testing; incentives and sanctions; graduation requirements; expulsion criteria; and treatment and restitution costs.
- C. Discuss how the community has been engaged in the planning process and describe the community partnerships available to support the drug court program. If a post adjudication drug court model is proposed, discuss how the concept of early intervention will be implemented.
- D. Demonstrate if and how the SSA was consulted and how the proposal conforms to the framework of the State Strategy of Substance Abuse Treatment.
  - Applicants should explain the process by which a case enters the drug court and how a case is resolved, based on the client's successful or unsuccessful completion of the drug court program.
  - Describe how the drug court will ensure that program participants reflect the race, ethnic diversity, age, and gender of the arrestee population, and that the program is serving the target population as defined in the program design.
  - Indicate the average length of time, in days, between arrest and first appearance in the drug court. Explain the process of moving an individual from arrest to first drug court appearance.

- Specify the time period for conducting an initial assessment and how the assessment is used to develop the treatment plan and to match treatment needs with treatment services.
- E. Describe the treatment philosophy and interventions (evidenced-based treatment modality) employed in treatment (e.g., 12-step, cognitive-behavioral, group vs. individual). Indicate whether the treatment protocols are in a manual or otherwise standardized format and, if so, how the protocol integrity is ensured and measured. Specify what training curriculum, if any, the treatment professionals complete related to the treatment of drug offenders and to integrating treatment services with the criminal justice system. Indicate what training/certifications, if any, that the treatment provider will use with the identified population.
- F. Indicate how frequently clients are tested for drug use. State what methods of analysis are used for the initial testing and for confirmation testing (e.g., test cups, GCMS). Describe the quantitative methods, if any, used for assessing changes in levels of cannabis or other drugs and for assessing recent alcohol ingestion.
- G. Indicate what graduated incentives and sanctions are used in the program.

### **Enhancement Applicants**

- A. Describe the enhancement and its specific goals and objectives, linking the enhancement to the 10 key components and 7 design features of drug courts [Defining Drug Courts: The Key Components](#). Identify how one or more of the following enhancements will be accomplished:
1. Applicants may 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. (*See eligibility for a full list of allowable court components. Additional programs can also be considered to address services for gender specific treatment or for populations where English is the second language*)
  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. (*A review of recent drug arrestee data could suggest new areas to request funding to enhance services within existing programming*)
  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.
- B. Demonstrate if and how the SSA was consulted and how the proposal conforms to the framework of the State Strategy of Substance Abuse Treatment.

For applicants wishing to continue or expand their existing program, please include a discussion of the following in the application. Please note applicants are only to respond to those sections for

which they are requesting funding. Applicants should have identified the areas for which they are requesting enhancement funds in the applicant information page.

- **Statistical information on program success.**  
Applicants must provide the following:
  - Program capacity.
  - Retention rate.
  - Daily average number of clients enrolled.
  - Total clients, graduates, and terminations since the beginning of the program.
  - Data on the race and ethnicity, age, and gender of the arrestee population in the applicant community.
  - Information on the specific substance abuse patterns among adult offenders in the applicant community.
  
- **Enhancement of capacity or improvement of services.**
  - The specific goals and objectives of the proposed enhancement.
  - Evaluation findings that justify the need for the additional resources or services.
  - The specific problems that will be addressed by the additional resources or services.
  - An explanation of how the additional resources or services will benefit drug court clients.
  
- **Development of training programs for drug court practitioners.**  
If the application seeks funding to develop training programs for drug court practitioners, applicants must provide the following information:
  - A full description of the proposed training program.
  - An explanation of why federal funds are needed to develop training programs.
  - The specific goals and objectives of the trainings.
  - The target audience.
  - An explanation of how the training programs will be organized.
  - The intended impact of the trainings.
  - An explanation of how the training programs will be evaluated.
  - A description of the intended follow-up after the training events.
  - An explanation of how the training programs will incorporate the 7 design features and 10 key components of a drug court (see [Defining Drug Courts: The Key Components](#)).
  
- **Attendance at training programs by drug court practitioners.**  
If the application requests funding for drug court practitioners to attend training programs, applicants must provide the following information:
  - The subject matter of the training programs to be attended.
  - A list of the drug court team members who will attend the trainings.
  - An explanation of how the trainings will benefit the drug court program.
  - A description of the intended follow-up after the training events.
  
- **Completion of a process and outcome evaluation.**  
If the application seeks funding to conduct a process and outcome evaluation:

- Applicants must identify the independent evaluator who will help the drug court conduct the process and outcome evaluations. If the evaluator has not been identified, the applicant must describe the steps the drug court will take to solicit and select the evaluator, and how the drug court will work with the evaluator to design the data collection process, collect and maintain the data, analyze the data, and prepare evaluation reports.
- The description must incorporate measurable program goals and objectives. Examples include size and type of target population screened and admitted, program completion rates, average time in program (or cohort-based 1-year retention rates), percentage of drug tests that are negative, percentage of participants rearrested during program participation, amount and type of services received, and percentage of participants employed after 1 year.
- **Process evaluation.**  
Applicants must:
  - Describe how the process evaluation will help the drug court assess the effectiveness of its operations and its ability to meet its goals and objectives, and how the findings could be used to change and improve the court’s operations.
  - Describe the specific data elements to be collected and analyzed for the process evaluation and how these data will be used for program operation and management.
- **Outcome evaluation.**  
Applicants must:
  - Describe how the outcome evaluation will help the drug court assess the effectiveness of its operations, and how the findings could be used to change and improve the court’s operations.
  - Describe the plan for collecting data on rearrest, reconviction, and re-incarceration for 1 year following drug court completion or dropout. If available, provide the identification of sources of data for other post program outcomes such as drug use, employment and earnings, health care, and drug treatment participation.
  - Identify and justify a comparison group for measuring the relative change in post program recidivism outcome measures. The comparison group should be as similar as possible to the drug court participants. Indicate what variables will be used, either to match drug court participants to comparison subjects, or to balance the samples statistically for analysis. Indicate how the evaluation will identify and control other potential matching variables or covariates.
- **Development and implementation of an automated management information system.**  
If the application seeks funds to develop and implement an automated management information system (MIS), applicants must provide the following information:
  - Describe how the information is currently being collected and analyzed and how the proposed system will benefit the drug court.
  - Describe the methods planned for collecting, storing, and maintaining adequate data to support the drug court’s operations as well as the process and outcome evaluations.

- Discuss plans for data-sharing agreements with treatment service providers and other agencies.
- Provide information on how the MIS will be flexible enough to allow the evaluator to analyze the following data by participant characteristics and other factors such as program services received, drug test results, in-program rearrests, length of time in the program, sanctions and rewards, number of court hearings, race and ethnicity, and completion rates.

## **Statewide Applicants**

- Describe the specific design, goals, and objectives for the proposed statewide enhancement project and how the project will incorporate and address the evidence-based design features identified on pages 6 through 7 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.

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 the 7 design features and [\*Defining Drug Courts: The Key Components\*](#) and will use sub-granted funds to implement research-based, data-driven strategies. Please 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 ensures 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.

# Capabilities and Competencies

## Implementation Applicants

- A. 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 as well as experience in dealing with the substance abusing population. 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. Attach a letter of support from each key drug court team member, with responsibilities outlined for each member.

For applicants wishing to implement a new drug court program, please include a discussion of the following in the application. Please note, applicants are only to respond to those sections for which they are requesting funding. Applicants should have identified the areas for which they are requesting implementation funds in the applicant information page.

- **Case Management.**

- Applicants must explain who is responsible for providing case management and how case management is defined. Indicate what services are provided, how frequently cases are monitored, and the approximate caseload per case manager.
- Describe the monitoring process that will be implemented to ensure that the targeted capacity of the program is reached and describe how the targeted capacity was determined. Relate this to the amount of funding requested.
- Explain who and/or what agency is responsible for conducting a clinical assessment of the client and describe the criteria for assessment.
- Indicate whether treatment providers have a recruitment strategy to ensure diversity that is reflective of the clients as well as gender- and age-specific treatment that is available.
- Describe how the program addresses anger management, violence prevention, victimization issues (e.g., restitution to victims), and the formation of values (as part of an evidenced based treatment modality).

- **Recovery Support Services.**

- Describe the instruments used to assess a client's needs for additional services. Specify what variables are considered by the drug court program in linking service referrals to a client's needs assessments
- Explain to what extent available community resources are being leveraged by the drug court to provide recovery support services.
- Describe the relationships the court has established to meet the recovery support service needs of clients.

- Collateral services may include, but are not limited to, public housing, transportation, mentoring programs, community service, and job preparation.
- Applicants must identify and describe related governmental or community linkages that complement or will be coordinated with the program, examples to include bar associations, businesses, civic groups, community foundations, faith organizations, health and mental health agencies, hospitals, media outlets, social service agencies, and educational institutions.
- Applicants must describe how the program will collect payments from an offender, in whole or in part, for costs associated with treatment (e.g., drug testing and counseling) and restitution either to the offender’s victim or to a victim support fund, if applicable.

**Enhancement Applicants**

- 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.
- 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. Key drug court team members must include a judge, prosecutor, defense attorney, treatment provider, researcher/evaluator/ management information specialist, and drug court coordinator.
- 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

**Statewide Applicants**

- **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 jurisdictions for performance, compliance, and technical assistance needs, as well as how the jurisdiction or region will contribute to a reduction in substance abuse 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 enhancement operations of the drug courts proposed to receive funding.

## Evaluation, Aftercare, Sustainment, and Plan for Collecting the Data Required for this Solicitation's Performance Measures

All applicants should describe the 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 design features described in this solicitation. All applicants must indicate their willingness and ability to report client-level performance and outcome data to federal funding agencies through the Performance Measurement Tool (PMT) (no personally identifiable information shall be collected by federal funding entities or through the PMT). **Statewide applicants are expected to report on behalf of subawardees.**

In addition to addressing the specific elements listed below from the solicitation, applicants should address the plan for provision of aftercare and continuing care services.

- A. Explain who is responsible for working with clients to develop their aftercare and continuing care plans.
- B. Describe the client's role in developing the plan.
- C. Describe the specific aftercare services available to clients. Specify what proportion of aftercare services are professionally administered, based on self-help, or delivered through an alumni association.
- D. Describe the timeframe during which services are available. Indicate the average duration of aftercare and whether it begins before or after graduation of the program.

### **Implementation Applicants**

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 the quarterly review of the actual program capacity as compared to the expected program capacity. Expected capacity is defined by the projected census of clients based on arrestee trend projections and available treatment slots. Program capacity is defined by the actual census of clients at the time of performance measurement reporting and the total number expected over the life of the grant. A Time Task Plan should reflect when and how the jurisdiction plans to reach that capacity and should be measured on a quarterly basis.
- The applicant should 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.
- The applicant should also provide a sustainability plan detailing how 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.

### **Enhancement Applicants**

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 how there will be an ongoing review of the program’s expected capacity as compared to the actual capacity and the mechanism to make adjustments ensuring the program reaches maximum capacity. Expected capacity is defined by the projected census of clients based on arrestee trend projections and available treatment slots. Program capacity is defined by the actual census of clients at the time of performance measurement reporting and the total number expected over the life of the grant. A 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.

### **Statewide Applicants**

- 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 how there will be an ongoing review of the program’s expected capacity as compared to the actual capacity and the mechanism to make adjustments ensuring the program reaches maximum capacity. Expected capacity is defined by the projected census of clients based on arrestee trend projections and available treatment slots. Program capacity is defined by the actual census of clients at the time of performance measurement reporting and the total number expected over the life of the grant. A 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.

### **Budget Detail**

Applicants must provide a proposed budget that is complete, allowable, and tied to the proposed activities.

### **Budget Guidance**

Applicants applying for an implementation grant are required to do the following:

- A. Provide a Budget Detail Worksheet and Narrative that justifies or explains each budget item, relates it to project activities, and supports the number of clients projected in the application. If applying for a multiple-year project, provide the following:
- Complete Budget Detail Worksheet and Narrative for year 1 of the project.
  - Complete Budget Detail Worksheet and Narrative for year 2 of the project.
  - Complete Budget Detail Worksheet and Narrative for year 3 of the project.
  - Total Budget showing all years combined for the project
  - Year 1, year 2, and year 3 Budget Detail Worksheets must be uploaded to the Budget Detail Worksheet as one file. Similarly, year 1, year 2, and year 3 Budget Detail Worksheets and Narratives must be uploaded to the Budget Detail Worksheet Attachment as one file. Only the most current file uploaded as an attachment is saved as part of the application. If years 1, 2, and 3 are not attached as one file, BJA will only receive the last file attached. Note that in order for your application to be considered for funding all year 1, year 2, and year 3 Budget Detail Worksheets and Narratives must be submitted.
- B. The amount of funding requested in the budget must be justified. One of the major criteria that must be met for a budget to be considered reasonable is for the number of clients to be served to match the services to be offered and the funds requested.
- C. The amount of federal funds requested in box A under the “Estimated Funding” in GMS must reflect the total amount of federal funds over the entire 1-, 2-, or 3-year project period.
- D. The amount given in box B under “Estimated Funding” in GMS must reflect the entire 25 percent match requirement. Further, the Budget Detail Worksheets and Budget Narratives for each year of the proposed project period must reflect the federal request and the match amount.
- E. Recipients of juvenile drug court grant funds (now administered by the Office of Juvenile Justice and Delinquency Prevention) are required to include a line item in the budget to attend training on implementing a juvenile drug court, as well as for technical assistance or a visit to an operational drug court. The Drug Court Training and Technical Assistance Program provides recipients of BJA grants with assistance in a variety of areas.
- F. Applicants must include detailed requests for data collection and evaluation costs. The amount budgeted should be sufficient to accomplish the data collection and evaluation plans described in the application, including the preparation of research reports. Budgets should distinguish MIS-related costs from evaluation costs, and internal vs. external staff costs.

Applicants applying for an enhancement grant are required to do the following:

- A. Provide a Budget Detail Worksheet and Narrative that justifies or explains each budget item, relates it to project activities, and supports the number of clients projected for in the application. If applying for a multiple-year project, provide the following:
- Complete Budget Detail Worksheet and Narrative for year 1 of the project.
  - Complete Budget Detail Worksheet and Narrative for year 2 of the project.

- Year 1, year 2, and year 3 Budget Detail Worksheets must be uploaded to the Budget Detail Worksheet as one file. Similarly, year 1, year 2, and year 3 Budget Detail Worksheets and Narratives must be uploaded to the Budget Detail Worksheet Attachment as one file. Only the most current file uploaded as an attachment is saved as part of the application. If years 1, 2, and 3 are not attached as one file, BJA will only receive the last file attached. Note that in order for your application to be considered for funding all year 1, year 2, and year 3 Budget Detail Worksheets and Narratives must be submitted.
- B. The amount of federal funds requested in Box A under “Estimated Funding” in Grants.gov must reflect the total amount of federal funds over the entire 1- or 2-year project period.
- C. The amount given in box B under “Estimated Funding” in Grants.gov must reflect the entire 25 percent match requirement. Further, the Budget Detail Worksheets and Budget Narratives for each year of the proposed project period must reflect the federal request and the match amount.
- D. Applicants must include detailed requests for data collection and evaluation costs. The amount budgeted should be sufficient to accomplish the data collection and evaluation plans described in the application, including the preparation of research reports. Budgets should distinguish MIS-related costs from evaluation costs, and internal vs. external staff costs.

**Note: Federal funds allowable for this program will be 75 percent of the total project costs with a 25 percent match requirement. Match is restricted to the same uses of funds as allowed for federal funds. As required by statute, a portion of the match must be in cash. The term “portion” is not defined. Applicants must note clearly on the Budget Detail Worksheet the budget items that represent local match. For example, the individual items that represent local match may be indicated with an asterisk.**

# Sample Drug Court Budget Narrative

## Allowable Costs

### A. Personnel

- Only personnel who work directly for the grantee should be included in this section. All other personnel should appear under the Consultants/Contracts category. For example, if the court is the grantee, the drug court coordinator should be included in personnel, but the counselors for the treatment provider should be included in the contracts section.

Note: The previous policy that prohibited the use of federal funds for the judges, prosecutors, and defense attorneys has been rescinded.

- Funds may be requested only to support new positions dedicated to the drug court.
- Personnel information must include each employee's annual salary, either percentage of time on the project or Full-Time Equivalent (FTE) (1 FTE = 100 percent), and the duration of the grant period.

Example

Name/Position	Computation	Cost
Jane Doe, Case Manager	100% time x \$20,000 annual	\$20,000 salary x 1 year

### B. Fringe Benefits

- Fringe benefit costs must be provided for all allowable personnel listed in section A. The total percentage of the fringe benefit rate must be shown, along with the breakdown of that percentage.

Example

Name/Position	Computation	Cost
Jane Doe, Case Manager	27.85% fringe benefit rate x \$20,000 annual salary x 1 year	\$5,570

(Fringe Benefit Rate: FICA = 6.2%; Medicare = 1.45%; Unemployment = 0.2%; Health Insurance = 20%; Total = 27.85%)

### C. Travel

- BJA encourages the use of funds for the team to travel to other drug courts, even if the grantee's drug court has been operational for one or more years. All travel must be preapproved by the program manager.
- Grant recipients are encouraged to use BJA funds to send a team to attend the annual drug court conference sponsored by the National Association of Drug Court Professionals.

- Recipients of drug court grant funds are required to include a line item in the budget to attend MIS training (if receiving federal funds to develop or implement an MIS) and to attend the training on implementing a juvenile drug court (if implementing a juvenile program), as well as for technical assistance or a visit to an operational drug court.
- Grant recipients must follow their local travel regulations. If the grantee does not have local travel regulations itemized on the Budget Detail Worksheet, federal regulations would apply.
- Funds in this category must be broken out. When locations of workshops and/or conferences are not known, applicants are asked to estimate conference travel costs, up to \$1,000 per person.

Example

<u>Purpose of Travel</u>	<u>Location</u>	<u>Item</u>	<u>Computation</u>	<u>Cost</u>
Training Workshop	Unknown	Airfare	\$600 x 6 people	\$3,600
		Hotel	\$100/night x 6 people x 3 nights	\$1,800
		Meals	\$40/day x 6 people x 4 days	\$960
		Ground transportation	\$20 x 6 people	\$120

#### **D. Equipment**

- Only nonexpendable items should be listed in this category. Expendable items should be listed under Supplies or Other Costs.
- Federal funds may be used to purchase equipment when current equipment either does not exist or is unable to perform the necessary tasks required in drug court operations. Prior to requesting funds for equipment, applicants must confirm that there is a need for the technology and that equipment will be used by drug court personnel only.
- Equipment must be used 100 percent of the time for drug court purposes.
- Equipment costs should be itemized to the extent possible.

Example

<u>Item</u>	<u>Computation</u>	<u>Cost</u>
Computer	\$850	\$850

#### **E. Supplies**

- It is important to distinguish between supplies and equipment; generally, supplies are expendable. Examples of expendable supplies include office supplies and drug tests.

Example

<u>Supply Item</u>	<u>Computation</u>	<u>Cost</u>
Instant Urine Drug Test Kits	\$330/box x 3 boxes per year x 1 year	\$990
Office Supplies (pens, copy paper, staples, tape, print cartridges, desk calendars, binders)	\$200/month x 12 months	\$2,400

#### **F. Construction**

Construction is not an allowable expenditure. Minor repairs or renovations may be allowable, with approval from the BJA Director.

#### **G. Consultants/Contracts**

- This category includes costs for treatment, collateral services, and evaluation activities.
- Consultant fees in excess of \$450 per day require additional justification and approval by BJA.
- Grant recipients must follow local guidelines for sole source procurement. Contracts of more than \$100,000 awarded without competition (regardless of whether it is federal or match funds) require a sole source justification and approval prior to the awarding of such contracts.

Example

<u>Name of Consultant</u>	<u>Service Provided</u>	<u>Computation</u>	<u>Cost</u>
Public Health Lab	Urine screens	\$5/each x 12 months x 100 screens/month	\$6,000

#### **H. Other Costs**

- Other costs may include rent, telephone costs, and anything else that is not classified as supplies or equipment. These costs must be new and directly related to the drug court program.

Example

<u>Description</u>	<u>Computation</u>	<u>Cost</u>
Telephone Service	\$260/month x 12 months	\$3,120
Technical Assistance	\$1,000 x 1 year	\$1,000

#### **I. Indirect Costs**

- Grant recipients must have an approved federal indirect cost rate. The indirect cost rate is issued by the grantee's cognizant agency; if DOJ is the cognizant agency, then the Office of the Comptroller, OJP, will negotiate an indirect cost rate with the grantee. Local units of government that do not have a federally approved rate may apply an agency-established indirect cost rate. The governmental unit must, upon request, make available for review documentation supporting the rate.

**J. Budget Summary**

- The federal share, match, and total amount must be shown for each category.

Note: Check all calculations and totals before sending the budget to the Office of the Comptroller.

Example

<u>Category</u>	<u>Federal</u>	<u>Local</u>	<u>Total</u>
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A. Personnel

B. Fringe Benefits

C. Travel

D. Equipment

E. Supplies

F. Construction

G. Consultants/Contracts

H. Other Costs

Total Direct Costs

I. Indirect Costs

**TOTAL PROJECT COSTS**

Federal Request

Nonfederal Amount

**Unallowable Costs**

The following costs are unallowable:

A. Firearms.

B. Food.

C. Grant-writing expenses.

- D. Drug dogs.
- E. Law enforcement equipment (body armor, handcuffs, billy clubs, pepper spray).
- F. Electronic monitoring.

## Sample Project Time and Task Plan

The following is a sample Project Time and Task Plan intended to be helpful when summarizing the major activities, responsible agencies, and expected completion dates for the principal tasks required to implement and manage your drug court program. As a sample guide, please review the below listed components to customize the Time and Task Plan and targeted completion dates for each component. It is strongly suggested that the plan be aligned with DOJ performance measures reporting, and progress and financial reporting to ensure compliance with federal regulations. Please add additional rows to the template as needed.

<b>Project Time and Task Plan BJA Drug Court Implementation Grants</b>				
<b>Month</b> (e.g., Month 1,2, 3, etc. )	<b>Project Goal</b>	<b>Task/Activity</b>	<b>Expected Completion Date</b> (e.g., Month 1,2, 3, etc. )	<b>Person/Agency Responsible</b>
<p><b>PROGRAM PLANNING: Anticipated Timeframe: Target Date</b> (includes but is not limited to: (1) developing required program materials (forms, manuals, etc.); (2) hiring/designating program staff; (3) finalizing implementation plan with team including program policies and procedures, and eligibility criteria; (4) finalizing interagency relationships (screening, assessment, referral, program entry, monitoring, supervision, case management, MOUs, etc.); (5) arranging for Delivery of Services (MOUs with providers, etc.); (6) orientation/training for project team members and others involved with the program; (7) establishing court procedures for court status hearings; (8) developing MIS to support program management, monitoring and evaluation functions)</p>				
<p><b>PROGRAM IMPLEMENTATION: Anticipated Timeframe: Target Date</b> (includes but is not limited to: (1) screening and assessment of Drug Court eligible participants; (2) admission to drug court; (3) court hearings; (4) staffings; (5) case management services; (6) supervision services; (7) drug testing; (8) monitoring of/responding to participant performance)</p>				
<p><b>PROGRAM OVERSIGHT AND MANAGEMENT: ANTICIPATED TIMEFRAME: CONCURRENT WITH DATE OF PROGRAM IMPLEMENTATION</b> (includes but is not limited</p>				

<b>Project Time and Task Plan</b> <b>BJA Drug Court Implementation Grants</b>				
<b>Month</b> (e.g., Month 1,2, 3, etc. )	<b>Project Goal</b>	<b>Task/Activity</b>	<b>Expected Completion Date</b> (e.g., Month 1,2, 3, etc. )	<b>Person/Agency Responsible</b>
to tasks to (1) ensure program is operating as intended; (2) level and quality of anticipated services are being provided; (3) program is engaging and retaining targeted population and expected capacity; and (4) implementation issues are identified promptly and addressed at staffing or with Technical Assistance Providers)				
<b>TRAINING: Anticipated Timeframe: Periodic or Concurrent</b> (includes but is not limited to cross-training of drug court team; on-going for team on relevant issues; training for other justice agencies and community; and orientation of new members/personnel, as appropriate)				
<b>PROGRAM EVALUATION: Anticipated Timeframe: Concurrent</b> (includes on going “process” related evaluation activities to ensure program is operating as intended and internal process and impact assessments at major program milestones; should include comments from participants and exit surveys)				
<b>ONGOING REVIEW OF PROGRAM AHERENCE TO THE 7 DESIGN FEATURES AND KEY COMPONENTS: Anticipated Timeframe: Concurrent with Date of Program Implementation</b>				
<b>REPORTING: Anticipated Timeframe: Concurrent with Date of Program Implementation</b> (includes but is not limited to tasks to ensure timely submission of required reports to BJA and other entities, as may be appropriate)				

# Sample Consent Form

## CONSENT FOR DISCLOSURE OF CONFIDENTIAL SUBSTANCE ABUSE INFORMATION: DRUG COURT REFERRAL

I, defendant's name, hereby consent to communication among treatment program's name and Judge name of presiding judge, name of prosecuting attorney or prosecutor's office, name of defense attorney, the probation department of jurisdiction, (and/or other referring agency), and (other).

The purpose of and need for this disclosure is to inform the court and other above parties of my eligibility and/or acceptability for substance abuse treatment services and my treatment attendance, prognosis, compliance, and progress in accordance with the drug court monitoring criteria.

Disclosure of this confidential information may be made only as necessary for and pertinent to hearings and/or reports concerning charges, docket number, indictment number.

I understand that this consent will remain in effect and cannot be revoked by me until there has been a formal and effective termination of my involvement with the drug court for the case named above, such as the discontinuation of all court (and/or, where relevant, probation) supervision upon my successful completion of the drug court requirements or upon sentencing for violating the terms of my drug court involvement (and/or, where relevant, probation).

I understand that any disclosure made is bound by Part 2 of Title 42 of the Code of Federal Regulations, which governs the confidentiality of substance abuse patient (or client) records, and that recipients of this information may redisclose it only in connection with their official duties.

Date \_\_\_\_\_

Signature of Defendant \_\_\_\_\_

Signature of Parent, Guardian or Representative (if Required) \_\_\_\_\_

# Sample Service Agreement

## QUALIFIED SERVICE ORGANIZATION AGREEMENT

Between

PIONEER CLAIM MANAGEMENT and OSBORNE TREATMENT SERVICES, INC.

PIONEER CLAIM MANAGEMENT (PIONEER) and OSBORNE TREATMENT SERVICES, INC. (OSBORNE) hereby enter into a Qualified Service Organization Agreement whereby PIONEER agrees to provide liability insurance representation, including contracting for legal services, to OSBORNE in the matter of Luis Martinez vs. 809 Realty Corp. and Osborne Treatment Services, Inc. Furthermore, PIONEER

- 1) acknowledges that in receiving, storing, processing, or otherwise dealing with any information from OSBORNE about any client of OSBORNE, past or present, PIONEER and all of its agents and assigns are fully bound by the provisions of the federal laws and regulations governing the Confidentiality of Drug and Alcohol Abuse Patient Records (42 United States Code, Section 290dd-2, and 42 Code of Federal Regulations, Part 2); and
- 2) undertakes to resist, in judicial proceedings if necessary, any efforts to obtain access to information pertaining to any OSBORNE client otherwise than as expressly provided for in the federal confidentiality regulations (42 C.F.R., Part 2).

Executed this day of \_\_\_\_\_, 2005

\_\_\_\_\_  
Signature of PIONEER Officer

\_\_\_\_\_  
Signature of OSBORNE Officer

\_\_\_\_\_  
Print Name of Signing Officer

\_\_\_\_\_  
Print Name of Signing Officer

\_\_\_\_\_  
Title of Signing Officer  
PIONEER CLAIM MANAGEMENT  
195 Lake Louise Marie Road  
Rock Hill, NY 12775

\_\_\_\_\_  
Title of Signing Officer  
OSBORNE TREATMENT SERVICES, INC.  
809 Westchester Avenue  
Bronx, NY 10455

## Sample Authorization Letter

[name]

[current date]

Director

Bureau of Justice Assistance

810 Seventh Street NW.

Washington, DC 20531

RE: [drug court grant number, name of grant, and type of grant]

Dear Director [name]:

As the [Chief Executive Officer or similar authority] for the [state or unit of local government], on behalf of [state or unit of local government], I hereby authorize [name of agency administering the grant] as the official representative of [state or unit of local government] authorized to apply to undertake a drug court program or project. This designation is made pursuant to the authority conferred upon me by Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711, et seq.), and it is effective as of [date of original application].

Any additional correspondence concerning this drug court grant should be directed to [the agency administering the grant]. The appropriate contact person at that agency is [contact at agency administering the grant], who can be reached at [phone number] or [e-mail].

Sincerely,

[name and title]

## Civil Rights Guidance

- 12-Step Program and Religious Discrimination

Because the Safe Streets Act prohibits discrimination on the basis of religion, drug court grant recipients are prohibited from requiring individuals to participate in any substance abuse program that incorporates religious elements that are contrary to an individual's religious beliefs (mandatory participation in a substance abuse program that incorporates religious elements may also violate the U.S. Constitution). While requiring participation in some type of established recovery program does not run counter to the Safe Streets Act, numerous courts have found 12-step programs to be religious in nature. Therefore, if a drug court grant recipient uses a 12-step program as its primary method of treatment, it is required that the recipient also identify viable, alternative secular programs, which it can make available on an equal-access basis to individuals who object to the religious tenets of the 12-step program.

- Services to Limited-English-Proficient Persons

Recipients of OJP financial assistance are required to comply with several federal civil rights laws, including Title VI of the Civil Rights Act of 1964 (Title VI) and the Omnibus Crime Control and Safe Streets Act of 1968 (Safe Streets Act), as amended. These laws prohibit discrimination on the basis of race, color, religion, national origin, and sex in the delivery of services.

National origin discrimination includes discrimination on the basis of limited English proficiency (LEP). To ensure compliance with Title VI and the Safe Streets Act, recipients are required to take reasonable steps to ensure that LEP persons have meaningful access to their programs. Meaningful access may entail providing language assistance services, including oral and written translation, where necessary. Grantees are encouraged to consider the need for language services for LEP persons served or encountered both in developing their proposals and budgets and in conducting their programs and activities. Reasonable costs associated with providing meaningful access for LEP individuals are considered allowable program costs.

The U.S. Department of Justice has issued guidance for grantees to assist them in complying with Title VI requirements. The guidance document can be accessed on the Internet at [www.lep.gov](http://www.lep.gov), by contacting OJP's Office for Civil Rights at 202-307-0690, or by writing to the following address:

Office for Civil Rights  
Office of Justice Programs  
U.S. Department of Justice  
810 7th Street NW., Eighth Floor  
Washington, DC 20531

- Racial and Ethnic Preferences in Grantee Programs

Because the above statutes prohibit discrimination on the basis of race and national origin, programs funded by OJP must not condition the delivery of benefits and services on racial classifications. Recipients, therefore, should exercise diligence and caution in attempting to target programs and services to particular racial or ethnic groups. Absent clear evidence of past discrimination by recipients, programs that use race as a criterion for participation, or for providing a service, or benefit are generally impermissible.

# Appendix

## Appendix A: Drug Court Grantee Reporting Requirements

All recipients of Bureau of Justice Assistance grants are required to submit the following reports:

**Financial Status Reports (SF-269A):** Financial status reports are due quarterly no later than day 45 following the end of each calendar quarter. A report must be submitted every quarter the award is active, even if there has been no financial activity during the reporting period. The final report is due 120 days after the end date of the award. Future awards and fund drawdowns will be withheld if financial status reports are delinquent.

A. **Performance Measures:** Beginning in the 2008, Adult Drug Court Discretionary Grant Program performance measures will be collected quarterly through BJA's [Performance Measurement Tool \(PMT\)](#). Grantees will upload their performance measures results from the new web site to the [Grants Management System \(GMS\)](#) on a semiannual basis. The BJA PMT will support grantees' ability to identify, collect, and submit performance measures data for BJA grant awards. An assigned userID and password is needed to access the system. Please contact the help desk at 1-888-252-6867 to obtain a userID. The [Drug Court User's Guide](#) provides more information about this process.

**Semi-annual Progress Reports:** Recipients of funding are required to submit an initial and then semiannual progress report. The progress reports describe activities during the reporting period and the status or accomplishment of objectives as set forth in the approved application for funding. Progress reports must also address the Government Performance and Results Act and programmatic performance measures identified in the solicitation. Progress reports must be submitted within 30 days after the end of the reporting periods (January 1 through June 30 and July 1 through December 31) for the life of the award. A final report, which provides a summary of progress toward achieving the goals and objectives of the award, significant results, and any products developed under the award, is due 120 days after the end date of the award.

**Single Audit Report:** Recipients who expend \$500,000 or more of federal funds during their fiscal year are required to submit an organization-wide financial and compliance audit report. The audit must be performed in accordance with the U.S. General Accountability Office Government Auditing Standards. The audit report currently is due to the Federal Audit Clearinghouse no later than 9 months after the end of the recipient's fiscal year.

## Appendix B: Process Evaluations, Performance Measures, Outcome Evaluations

### Process Evaluations

There are some basic elements that should be considered in any systematic process evaluation of drug courts. The following elements should be common to *all* drug court programs by definition.

**Program Goals:** Drug court evaluators should examine the extent to which programs are meeting their stated or written goals. Suggestions should refer to meeting these goals more successfully or, alternatively, changing the goals to be more practical or relevant. As program goals are often broadly stated, it is incumbent upon the researcher to define these goals in a manner that is meaningful to program management. Many states have specific program goals as part of enacting legislation for drug courts and it may be important to review these larger goals as part of the evaluation project.

**Target Population:** It is often difficult to specifically define the population of offenders that a drug court program serves, considering the often outwardly arbitrary eligibility requirements that may or may not relate to the suitability of the client. However, it is essential to the operation of drug court programs that they be able to concisely identify the population they hope to serve and determine the extent to which they reached the intended group. Drug court evaluators should examine drug court client intake in terms of its stated goals (court goals as well as legislative), resource limitations, and the universe of those who could be eligible for the program. A common complaint among many drug court programs is the inability to stay at full operating capacity. This problem can be researched and suggestions made through a thorough analysis of client intake and target population.

**Substance Abuse Treatment:** The one aspect of drug courts that separates them from nearly all other justice system interventions is substance abuse treatment. When addressing this issue, it is crucial that baseline measures of addiction are considered, as well as comparing treatment plans with the actual court implementation. It is also important to determine the appropriateness of specific treatment modalities for particular clients. While it may not be appropriate to recommend a specific screening instrument, it is important that drug courts document client use prior to the program to enable comparison through the program and that any instrument used contains measures of prevalence and incidence of drug use, addiction severity, and drugs of choice. Baseline data should be compared to one or more reassessments of clients' addiction severity both during and at the conclusion of the program.

**Court Processes:** All of the activities of the drug court program should be documented. Researchers should examine graduation, phase advancement, sanctions and incentives, supervision, and the various ramifications of drug testing, as well as the relationship between client need and services rendered. Behavioral research supports the notion that the magnitude of the sanction or incentive should be proportionally consistent with the precipitating incident, so sanctions and incentives should be measured in relation to client behaviors. It is therefore both possible and desirable to create a ratio of behaviors to sanctions or incentives with the goal of a one to one ratio.

**Units of Service:** Drug court clients generally receive a variety of services while in the program. Each of these services should be documented in a manner that helps the program consider the benefits of particular services. A solid process evaluation should report if clients are gaining from particular programs or interventions. A unit of service is a simple way of measuring and documenting all of the services provided by drug court programs. Included in this documentation should be medical and psychological services, job training and placement services, educational services, and any other service to which the client was linked by program staff.

**Team Member Cooperation:** Drug courts are collaborative efforts. Their success or failure is dependent upon the constant “give and take” that replaces the traditional adversarial system. Some method of qualitative organizational research is useful to determine how well the drug court team functions as a unit.

**Community Support:** Community support is vital to program success. Some team members are selected by the voting community, while the court often utilizes local businesses for token incentives. It is valuable to evaluate the drug court’s popularity among the community it serves as the court may eventually need local funding and support to survive.

Evaluators should provide systematic analysis of all aspects of the program’s operations. Beyond these basic elements inherent to the drug court process, program managers must direct evaluators to consider questions specific to their jurisdiction. For example, if the process of acquiring new and appropriate clients moves at a pace slower than is optimal, the program manager might share their concerns with the evaluator and request particular attention be paid to the topic. Process evaluations should provide managers with useful feedback regarding the form and function of their programs. This information should lead to appropriate program improvements as well as help document program quality.

## Performance Measurement

For detailed information about drug court data elements and collection, please refer to the Bureau of Justice Assistance sponsored National Drug Court Institute publication *Local Drug Court Research: Navigating Performance Measures and Process Evaluations*, available online at [www.ndci.org/sites/default/files/ndci/Mono6.LocalResearch.pdf](http://www.ndci.org/sites/default/files/ndci/Mono6.LocalResearch.pdf).

**Target population:** What is the drug court’s target population? To what extent is that population being reached, as evidenced by relevant characteristics of the drug court participants (e.g., current charge, prior record, nature and severity of substance abuse problem, race, age, and gender)? How do drug court participants compare to defendants not in drug court with respect to these characteristics?

**Screening and assessment:** What are the intake and assessment procedures? What screening and assessment instruments are used to identify offenders who are appropriate for the drug court program (e.g., Addiction Severity Index, Michigan Alcoholism Screening Test)? During each 6-month period of operation, how many offenders are deemed paper-eligible for the program? What are their characteristics? How many offenders undergo formal screening for the drug court program? What are their characteristics? How many offenders are accepted into the drug court program? How many are accepted but decline to participate? How many are rejected by the prosecutor? By the public defender? By the drug court judge? By the treatment provider? What are the characteristics of offenders who decline to participate, or who refuse?

**Case processing:** At what point in the criminal justice process does the program intervene (e.g., pre-trial, post-conviction)?

**Program length:** How long is the program? Is it possible to complete it early? What is the average length of stay in the program? What percentages of clients remain in the program for 1 month? For 3 months? For 6 months? 9? 12? Graduate? (Percentages should be calculated only for those clients who had the opportunity to be in the program for that length of time.) What are the characteristics of clients in each of these categories?

**Urinalysis testing:** Who conducts urinalysis testing? How frequently are participants tested for specific types of drugs? Is the drug testing done randomly? Are drug tests observed? What percentages of all drug tests are positive for any drug? For marijuana? Cocaine? Heroin? Methamphetamine? Other? What percentage of clients has at least one positive urine test? What percentages of clients test positive for marijuana? Cocaine? Heroin? Methamphetamine? Other? Specify the time period used for this calculation. Is testing for alcohol conducted on a routine basis? If so, what percentage of clients tests positive for alcohol?

**Treatment resources:** What treatment services are provided? Who provides the treatment? What specific treatment modalities are used? To what extent, and under what circumstances, does the drug court use residential treatment services? Are there any other service interventions provided (e.g., therapeutic community type, initial detoxification phase)? Are culture- or gender-specific groups used? Is aftercare provided? What does it consist of? How many units of each type of service are received by the clients? Compare by phase of treatment, and specify the time period used.

**Ancillary services:** What ancillary services are provided? Who coordinates the referral of services? How many referrals are made for each type of ancillary service? What percentage of clients actually received each type of service? Compare by phase of treatment, and specify the time period used.

**Sanctions and incentives:** What behavior is sanctioned in the program? What sanctions are used? What behavior is rewarded in the program? What incentives are used? Are sanctions and incentives applied uniformly? Specify the percentages of clients receiving each type of sanction and incentive. What is the average number of each type of sanction and incentive received for each client? Specify the time period used in these calculations.

**Judicial supervision:** How often do defendants appear before the judge? What team members are involved in the status hearings? Are staffings held prior to court? What information is routinely available to the judges and other team members? In what format? What is the average number of status hearings held for each client in the first 3 months of the enrollment? First 6 months? First year? Per month of time in the program?

**Expulsion:** What are the expulsion criteria? What happens to defendants who fail the program?

**Graduation:** How does a defendant graduate from the program? Are charges dismissed upon graduation?

**Drug court team and program coordination:** Who makes up the drug court team? What are the roles and responsibilities of the team members (e.g., judge, prosecutor, defense attorney, treatment provider) in the drug court? What other agencies are linked to or involved with the drug court (e.g., pre-trial services, probation, community mental health)? Who is in charge of coordinating all the agencies? How often does the team meet and what is discussed?

**Retention in the program:** To what extent is the drug court successful in retaining participants in the program and in treatment, as evidenced by the number of persons accepted into the program, graduated, currently active (and length of time in program), and terminated? Are reasons for termination consistent? What are the characteristics (demographics, type of drug problem, charge, prior criminal record, social indicators, health) of clients who graduate from the program? Who is terminated? Who remain at least 6 months? Who remain at least 1 year? If possible, calculate 6-month and 1-year program retention rates including only those clients who were admitted to the program at least 6 months prior to the calculation of retention and 1 year prior, respectively.

**Impact on criminal behavior:** To what extent have program participants been arrested on new charges while they are active in the program? When participants have been arrested, what are the types of charges (e.g., drug possession, traffic infraction, violent offense)? To what extent have drug court participants remained arrest-free after their admission to the program? What percentage of all clients is rearrested during their time in the drug court program? What percentage of graduates? Of those terminated? What are the characteristics of clients who are rearrested during the program, compared to those who are not rearrested? What percentage have reentered the criminal justice system due to a formal criminal charge?

Because arrest data may not provide a true depiction of recidivism for criminally involved individuals due to the use of certain crime deterrent strategies in many communities, drug court programs are encouraged to define recidivism as instances where criminal behavior has resulted in reentering the criminal justice system via formal misdemeanor and felony criminal charges. If possible, this should include arrests both during program participation and from 1 to 2 years after program completion. At a minimum, recidivism should be defined as instances where an individual has reentered the criminal justice system by way of a formal arrest. Whether arrest data are for misdemeanor and/or felony charges and if they apply to program participants and/or program graduates should always be noted. Also note the range of time for when data are being collected (i.e., 1 or 2 years following program completion).

**Impact on substance abusing behavior:** Who conducts urinalysis testing? How frequently are participants tested for specific types of drugs? Is the drug testing done randomly? Are drug tests observed? What percentages of all drug tests are positive for any drug? For marijuana? Cocaine? Heroin? Methamphetamine? Other? What percentage of clients has at least one positive urine test? What percentages of clients test positive for marijuana? Cocaine? Heroin? Methamphetamine? Other? Specify the time period used for this calculation. Is testing for alcohol conducted on a routine basis? If so, what percentage of clients test positive for alcohol?

**Impact on participants' life circumstances:** To what extent has the program succeeded in enhancing participants' capacity to function in the community? Enhancing their educational levels? Job skills? Actual employment? Physical health? To what extent have program participants been able to be reunited with families from whom they had been separated? How many drug-free babies have been born to program participants? What percentages of clients are employed after 6 months in the program? After 12 months? Upon graduation? What percentage is in school or in a training program?

**Implementation:** Were all program components implemented as intended? If not, why? Have any changes been made to the program from the initial design? Is the program reaching the goals and objectives set forth initially? Have new goals and objectives been added? Are there areas of the program that appear problematic? Do team members have concerns about the program? What are some recommendations to improve problematic areas?

## **Outcome Evaluation**

**Recidivism:** What percent of drug court graduates is rearrested 1 year after program completion? What percent are program failures? What percent of all participants admitted to the drug court? (Include only those participants who have had at least 1 year from graduation or termination.) For what types of charges? What are the characteristics (demographics, type of drug problem, charge, prior criminal record, social indicators, health) of those rearrested versus not rearrested? What percent of drug court graduates receive a technical violation of probation 1 year after program completion? What percent of program failures? What percent of all participants admitted to the drug court? (Include only those participants who have had at least 1 year from graduation or termination.) For what types of technical violations? What are the characteristics (demographics, type of drug problem, charge, prior criminal record, social indicators, health) of those who receive violations versus those who do not? What percent of graduates, dropouts,

and all participants are reconvicted for a criminal offense 1 year after the program? What is the total number of jail days served during 1 year after the program by graduates, dropouts, all participants?

### **Collection of Evaluation Data**

Applicants are encouraged to design, implement, and maintain an automated data collection system to collect program implementation data, process information, and baseline data that can be used to chart the progress and impact of the funded program. The application should detail data elements to be included in the automated data collection system and outline procedures to collect this information, including budgetary and personnel information. The following is a list of the types of information that drug court information systems should routinely collect in addition to the information listed under the Performance Measures section of the solicitation:

- Characteristics of persons admitted to the program.
- Date of arrest.
- Date of admission to the drug court program.
- Age.
- Sex.
- Race/ethnicity.
- Family status.
- Employment status.
- Educational level.
- Current charge(s).
- Criminal history.
- Drug use history.
- Alcohol and other drug treatment history.
- Mental health treatment history.
- Medical needs (including detoxification).
- Nature and severity of substance abuse problem.
- Treatment recommendations (from initial assessment and any follow-up assessments) and record of treatment regimen followed by each participant.
- Number of participants currently active in the program, with categorization to reflect the number of persons in specific program phases, duration of time in program, and principal types of treatment being provided
- Number and characteristics of persons who successfully complete the program.
- Number and characteristics of persons who have been terminated from the program, reasons for termination, and length of time in the program before termination.
- Criminal justice sanctions imposed on participants who do not complete the program.
- Number of participants who fail to appear at drug court hearings, and number of bench warrants issued for participants by stage of participation in the program.
- Number of rearrests during involvement in the drug court program and for a period of at least 1 year thereafter, and the types of arrests (e.g., drug possession, other nonviolent offense, violent offense).
- Fees, fines, costs, and restitution paid by each participant.
- Community service hours completed by each participant.
- Drug test histories of each participant while in the drug court program.
- Record of attendance and treatment progress for each participant.
- Record of program sanctions imposed on each participant in response to a positive drug test or other evidence of noncompliance with program requirements.

- Principal accomplishments of each participant while in the drug court program (e.g., advancement to new phase, attainment of GED or other educational objective, employment, family reunification, birth of drug-free baby).
- Costs of drug court operations, and the source(s) of funding for each operational component.

For further information, refer to the BJA publication *Drug Court Monitoring, Evaluation, and Management Information Systems*, available online at [www.ncjrs.org/html/bja/monitor/welcome.html](http://www.ncjrs.org/html/bja/monitor/welcome.html).

## Appendix C: Comprehensive Care Continuum

The following comprehensive treatment continuum is a solid and general framework within which applicants can conceptualize a comprehensive service delivery plan.

### **Program Management, Structure, and Staff**

- A. Clear program vision, philosophy, and mission statements, coupled with a strategic plan for achieving identifiable objectives (e.g., increase the number of clients who complete treatment to 80 percent; reduce rearrest rates for all program participants who complete treatment by 60 percent).
- B. Ability to conduct comprehensive assessments at intake, track client progress via documented case-finding methods and evaluation tools, maintain process-tracking capabilities, and conduct outcome evaluations during and after treatment for all program participants.
- C. Multidisciplinary staff capable of ensuring that programming is delivered in a clinically appropriate and culturally competent manner.
- E. Staff training and cross-training capability covering issues pertinent to effective treatment, including cross training of administrative, security, and treatment staff; gender sensitivity (sexuality, abuse); age-specific interventions; cultural competency; pharmacologic interventions; infectious disease transmission; dissemination of the latest research findings; HIV/AIDS counseling (coping skills/risk reduction/partner notification); addressing with psychopathology; and cognitive training for offenders.

### **Screening, Intake, and Monitoring**

- A. Intake and assessment protocol that consists of a medical exam; alcohol and drug use history; psychosocial evaluation where indicated; psychiatric assessment appropriate for evaluating all clients with respect to drug use, alcohol use, and degree of psychopathology; assessment of physical health; extent of cognitive or other impairments; employment history and capability; social history and status (e.g., family of origin, sociocultural background, exposure to abuse or violence); educational status; and history of involvement in the criminal or juvenile justice systems.
- B. Screening for infectious diseases, including HIV/AIDS (to include pre- and post-test counseling), tuberculosis, sexually transmitted diseases, hepatitis B, and others, as appropriate.
- C. Health education, including safe sex and risk reduction techniques to mitigate the spread of HIV and other sexually transmitted diseases.
- D. Initial urine screening for the presence of prevalent drugs (licit or illicit) and a system of randomized (at least weekly), monitored urine testing for all treated offenders.
- E. Referral of clients to treatment and recovery settings and modalities that are best suited to meet their needs (client-treatment matching).
- F. Case management including timely treatment plan development, treatment record maintenance and patient monitoring, integration of treatment services into supervised programming, and continuation of recovery support services in community-based settings with continual case supervision throughout.

### **Timing and Duration of Treatment and Recovery Services**

- A. Same-day intake services, and, whenever possible, individuals requesting intervention admitted to a treatment unit on the same day.
- B. Treatment and recovery services provided in the context of a sustained continuum that begins during detention or incarceration and is continued in the community of residence during parole and release from the facility.

### **Treatment and Recovery Services**

- A. Special focus groups (peer based and professionally monitored), general peer/support groups, cognitive group therapy, and counseling for HIV-positive clients and victims of sexual abuse.
- B. Special treatment programming designed to address anger management, violence prevention, victimization issues, and values formation.
- C. Preventive and primary medical care as required per client, including gynecologic/obstetric or reproductive health, pre- and postnatal care, and pediatric care.
- D. Psychiatric assessments, followed by provision of specialized therapy to address indicated psychopathology, appropriate pharmacologic interventions, and monitoring, provided by practitioners recognized by appropriate state or local authorities (e.g., appropriately credentialed psychiatrists, psychologists, and psychiatric nurses).
- E. Psychological counseling (when indicated) by persons recognized by state or local authorities as qualified to provide the indicated form of therapy.
- F. Strategies to involve family members and significant others in the treatment process and provision of family and collateral counseling, as appropriate, provided by persons recognized by state or local authorities to provide such counseling.
- G. Use of peers as mentors and sponsors; strong linkages with self-help groups such as Alcoholics Anonymous, Narcotics Anonymous, and Cocaine Anonymous.
- H. Gender-specific, age-specific, and culturally relevant strategies (e.g., staff recruitment and retention, unique treatment setting attributes, appropriate literature and audiovisual materials, and social activities) to keep clients actively engaged in the treatment process.
- I. Parenting skills development for both fathers and mothers, including infant and childhood development courses to enhance parental functioning.
- J. Nutritional and general health education by a qualified technician.
- K. Skill development components that emphasize daily life skills, how to make use of available community resources, and maintaining a drug- and crime-free lifestyle in a community context.
- L. Childcare provision at the treatment facility, where appropriate for custodial parent residents.
- M. Recreational and social activities.

- N. Transportation, both onsite and offsite for specialized services or employment, as appropriate.
- O. Intensive supervision through probation, parole, community supervision, juvenile supervision, or other supervision agencies (e.g., Treatment Alternatives to Street Crime [TASC]).
- P. Sustained continuity of treatment, recovery, and support services postrelease, including frequent interaction with a mentor, primary counselor, or case manager, as appropriate; intensive interventions as needed (e.g., in the event of a traumatic event such as death or divorce); participation in ongoing peer-based support programs; and drug-free cooperative living arrangements.
- Q. Coordination of the treatment and recovery continuum with other germane services, such as vocational rehabilitation, education, legal aid, and transportation.

## Appendix D: BJA-Sponsored Drug Court Training Offerings

### **Practitioner Specific Training**

[www.ndci.org/trainings/2009-comprehensive-drug-court-practitioner-training-series/case-management-training](http://www.ndci.org/trainings/2009-comprehensive-drug-court-practitioner-training-series/case-management-training)

### **Comprehensive Drug Court Judicial Training**

The National Drug Court Institute developed a comprehensive training for judges with the assistance of the National Judicial College and drug court judges from across the country. This innovative training provides role specific training, including advanced substance abuse issues, drug testing, incentives and sanctions, community resources, ethics and confidentiality, the drug court environment, judicial styles, leadership, and the role of the drug court judge.

### **Comprehensive Drug Court Coordinator Training**

The National Drug Court Institute—working in collaboration with the National Center for State Courts—established a comprehensive, skills-based drug court coordinator training program. At this training, participants learn through scenario-based individual and group activities, the skills and approaches needed to prevent and resolve conflict, and to understand the importance of community mapping in order to identify gaps in services and acquire resources. Participants also learn public speaking techniques and how to effectively manage the daily operations of a drug court program.

### **Comprehensive Drug Court Prosecutor Training**

The National Drug Court Institute brought together prosecutors working in drug courts from across the United States to develop the comprehensive drug court prosecutor training program. Prosecutors learn—through interactive presentations and problem-solving breakout sessions—about the role of the prosecutor in the drug court arena, the critical issues encountered when screening participants for inclusion in the program, how to ensure federal confidentiality laws are upheld, and how participants are held accountable through incentives and sanctions.

### **Comprehensive Drug Court Defense Attorney Training**

The National Drug Court Institute asked Defense Attorneys from across the country to assist with developing a comprehensive training for Drug Court Defense Counsel. The resulting curriculum prepares defense attorneys for the complex role of representing a client in drug court or other problem-solving courts. All presentations and information are based on cutting-edge research. Training participants hear seasoned defense counsel discuss the paradigm shift that occurs in drug court. Through real-life scenarios, defense attorneys will have the opportunity to evaluate legal and ethical dilemmas in the drug court field.

### **Comprehensive Drug Court Treatment Provider Training**

The National Drug Court Institute brought together treatment providers working in drug courts from across the nation to develop a comprehensive training program for other drug court treatment providers. Treatment providers gain a better understanding of their role in drug courts, cultural awareness, learn skills necessary to adequately and effectively treat clients, identify behavioral patterns, and discuss the most recent findings pertaining to the administration of substance abuse treatment.

### **Comprehensive Drug Court Community Supervision Training**

The National Drug Court Institute brought together probation and law enforcement officers with expertise in the drug court field to develop a comprehensive training for community supervision officers. Attendees learn how to integrate a case plan, work together in a team environment, follow drug testing protocols, and promote a balanced approach to the role of the community supervision in drug court. Attendees learn effective intervention and enforcement strategies from subject matter experts.

### **Comprehensive Drug Court Case Management Training**

The National Drug Court Institute—working in collaboration with a number of scholars and practitioners—developed a case management monograph in 2006 to present a general overview of the role, key functions, principles, knowledge and skill sets required for effective case management in the drug court setting. This comprehensive, skills-based, drug court Case Management training program is based upon this monograph. Through scenario-based, individual and group activities, participants learn the skills necessary to utilize strength-based approaches and motivational interviewing techniques, adopt ways to engage the family, and identify various adult learning styles to improve client communication. Participants also learn how to maximize their resources and find effective ways to avoid burnout.

### **Statewide and Regional Training**

[www.ndci.org/trainings/drug-court-statewide-and-regional-training](http://www.ndci.org/trainings/drug-court-statewide-and-regional-training)

### **The Promise of Drug Courts**

This presentation outlines the history of drug courts and discusses four main points: What we know about the justice system; what we know about addiction; what we know about treatment; and what we know about coercion. It introduces the audience to the fact that addiction is a disease that it is treatable, and that treatment for addiction is as successful as treatment for other major diseases. The presentation includes basic statistics on the justice system and drug courts, including data from several major studies, the CASA studies and data from individual program evaluations.

### **Targeting and Eligibility**

This presentation discusses the importance of defining the target population of the drug court program. It discusses the differences between target population and eligibility criteria. It discusses the different types of program structures and the benefits of each as well as the carrot for offenders to enter the program. It also discusses the process by which individuals enter the drug court program, through legal screening and risk needs assessment.

### **Psychopharmacology**

This presentation discusses the short and long-term neurological effects of drug and alcohol use, along with discussing the basic concepts of addiction and dependence. The presentation analyzes the most current research findings in the areas of psychopharmacology, and evaluates the application of current research findings to the practice of alcohol and drug treatment.

### **Treatment: What Works?**

This presentation outlines the current research findings in the area of alcohol and drug abuse treatment. The presentation discusses the types of treatment methodologies, the length of treatment, and gives comparisons of different modalities, specifically for drug-addicted individuals involved in the criminal justice system.

### **Team Building**

This presentation discusses individuals' learning styles and how those learning styles contribute to the functioning of the team. The presentation includes an interactive exercise where audience members participate in team building exercises. The audience members are given a team exercise and are expected to teach the rest of the group based upon their team assignment.

## **Confidentiality**

This presentation explains how the federal confidentiality regulations for information involving drug treatment are applied in the drug court setting. It further analyzes the common confidentiality and ethical issues faced in the drug court setting.

## **Motivational Interviewing**

Motivational Interviewing (MI), along with the stages of change, attempts to explain what counselors can do to engage clients and enhance change. Since its inception in the late 1980's, multiple research projects support the use of MI in a variety of settings. Specific populations that seem to respond include substance abusers and those seen as resistant by professionals. The practice of motivational interviewing requires a particular skills set, ability to assess a participant's readiness to change, utilization of tools and practices to enhance that readiness for change.

## **Advanced Subject Matter Training**

[www.ndci.org/trainings/advanced-subject-matter-training](http://www.ndci.org/trainings/advanced-subject-matter-training)

## **Operational Tune-up Training**

"Operational Tune-Up: Re-Tooling Your Program" is a two-day, advanced subject-matter training program that assists drug court teams with learning how to apply the latest drug court research and best practice techniques. The goals of this innovative training program is to assess the current practices within your drug court program; teach participants the scientific research about drug court practices to facilitate the revision and addition of policies and practices relating to incentives and sanctions, target population, supervision, drug testing and understanding what the law will and will not allow; and teach participants best practices that have been established by successful drug court programs.

## **Incentives and Sanctions**

"Incentives and Sanctions: Rethinking Drug Court Responses to Client Behavior" is a two-day, advanced subject-matter training program that solves the problem of drug courts imposing sanctions and incentives without a sophisticated understanding of the science related to behavior management and change. The goals of this innovative training program is to teach participants the behavioral principles relevant to behavioral management and change and transfer those scientific principles to practice within the drug court context; teach participants how to create or facilitate the development of an algorithm of sanctions and incentives based in the scientific principles of behavioral science and; teach participants the requisite skills to effectively deliver court responses to behavior.

## **Ensuring Sustainability of Drug Court Programs**

"Ensuring the Sustainability of Drug Court Programs" is a two-day, advanced subject-matter training program aimed at solving the problem of drug courts operating without a long-term, independent sustainability plan

## **Supervising Methamphetamine Addicts in Drug Court**

This one-day training expands knowledge teaching effective learning theories and techniques for treating and supervising methamphetamine addicts. These trainings help drug court team members identify and understand the unique challenges of working with methamphetamine addicts and apply science-based methods to effectively treat and supervise this population.

## **Cultural Proficiency**

<http://training.ndri.org/>

### **Cultural Proficiency for Drug Court Practitioners**

These trainings are designed to help experienced drug court teams in agency-level (treatment services and the justice system) and systems-level (client and drug court practitioner) deal with issues of cultural proficiency.

### **Tribal Training Opportunities**

<http://tribal-institute.org/>

## Appendix E: Recommended Internet Resources

To access a wide range of court resources, visit the following web sites:

- National Drug Court Resource Center: [www.american.edu/justice](http://www.american.edu/justice)
- Drug Free Workplace Helpline (e-mail): [helpline@samhsa.gov](mailto:helpline@samhsa.gov)
- National Clearinghouse for Alcohol and Drug Abuse Information: [www.health.org](http://www.health.org)
- National Criminal Justice Reference Service: [www.ncjrs.gov](http://www.ncjrs.gov)
- National Drug Court Institute: [www.ndci.org](http://www.ndci.org)
- NDCI Veterans Drug Court Clearinghouse: <http://nadcp.org/node/430>
- National Association of Drug Court Professionals: [www.allrise.org](http://www.allrise.org)
- National Center for DWI Courts: [www.dwicourts.org](http://www.dwicourts.org)
- Office of Justice Programs: [www.ojp.usdoj.gov](http://www.ojp.usdoj.gov)
- Office of National Drug Control Policy: [www.whitehousedrugpolicy.gov](http://www.whitehousedrugpolicy.gov)
- U.S. Department of Education: [www.ed.gov](http://www.ed.gov)
- U.S. Department of Health and Human Services: [www.os.dhhs.gov](http://www.os.dhhs.gov)
- U.S. Department of Housing and Urban Development: [www.hud.gov](http://www.hud.gov)
- U. S. Department of Justice: [www.usdoj.gov](http://www.usdoj.gov)
- U.S. Department of Labor: [www.dol.gov](http://www.dol.gov)