



JUDICIAL COUNCIL OF CALIFORNIA

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REPORT TO THE JUDICIAL COUNCIL

For business meeting on February 19, 2015

Title	Agenda Item Type
Trial Courts: Recidivism Reduction Fund Court Grant Program Recommended Awards	Action Required
Rules, Forms, Standards, or Statutes Affected	Effective Date
None	February 19, 2015
Recommended by	Date of Report
Judicial Council staff Curtis L. Child, Chief Operating Officer Shelley Curran, Senior Manager Criminal Justice Services	February 5, 2015
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Executive Summary

As part of the Budget Act of 2014, the Legislature directed the Judicial Council of California to develop and administer a competitive grant program for trial courts that incorporate practices known to reduce adult offender recidivism. Criminal Justice Services, staff to the Judicial Council, recommends approving the Recidivism Reduction Fund (RRF) Court Grant Program funding allocation and distribution as well as recommendations related to further RRF funding opportunities for the courts and for grant administration activities.

Recommendation

Criminal Justice Services (CJS), staff to the Judicial Council, recommends that the council, effective February 19, 2015:

1. Approve awards of approximately \$13.654 million to 27 superior courts for the period of April 1, 2015, to April 30, 2017, from the Recidivism Reduction Fund Court Grant Program, as stated in Attachment A.

2. Allow the six courts that did not meet the minimum 65-point requirement for funding (per Section 2.5.1 of the request for proposals; see Attachment B) to submit revised proposals for review, rescoring by Judicial Council staff, and possible funding from the remaining balance of the RRF Court Grant Program.
3. After funds have been distributed to courts for the implementation and operation of programs outlined in recommendations 1 and 2, make any remaining funds available to all interested California trial courts for small training, planning, or technical assistance grants related to programs known to reduce adult offender recidivism.
4. Authorize CJS staff to work with the grantee courts to enable them to shift budgeted amounts from one fiscal year to another, modify budgets if necessary, or roll over unspent funds at fiscal year-end, provided these funds are within the courts' original award amounts.

Previous Council Action

The Budget Act of 2014 (Sen. Bill 852; Stats. 2014, ch. 25) appropriated \$15 million from the RRF for a competitive grant program to be developed and administered by the Judicial Council with the intent to support the administration and operation of trial court programs and practices known to reduce adult offender recidivism and enhance public safety. Five percent of the funds were directed to the Judicial Council for the administration and evaluation of this program. The remaining \$14.250 million was to be distributed to the trial courts for the operation of collaborative courts for adult offenders, pretrial programs, and court use of risk and needs assessments.

At its August 19, 2014, meeting, the Judicial Council's Executive and Planning Committee (E&P) approved the RRF Court Grant Program timeline and procedures for CJS staff to administer the program while avoiding any potential conflicts of interest. In its report *Recidivism Reduction Grant Administration Procedure*, presented at the aforementioned meeting, CJS was to "be responsible for all aspects of administering the grant program, including developing the request for proposals (RFP), developing a review methodology and process for scoring [proposals], evaluating [proposals]; . . . [and] making funding allocation recommendations to the Judicial Council." CJS would "score the proposals based upon specific criteria that will be included in the RFP" and make an effort to "adequately fund as many grants as possible, emphasizing a diversity of program types throughout the state." CJS was also to submit final funding recommendations to E&P and the Judicial Council for consideration and approval.

At the Judicial Council meeting on October 27, 2014, CJS staff presented an update to the Judicial Council on the feedback provided by external experts and stakeholders during the development of the RFP, the release of the RFP on September 15, 2014, the general funding methodology, and the proposal review process in anticipation of receiving proposal submissions by December 15, 2014.

Rationale for Recommendation

As a part of its grant administration responsibility, CJS was directed to submit grant funding recommendations to E&P and the Judicial Council for consideration and approval. As noted in the RFP and frequently asked questions (see Attachment C), recommended grant awards typically range from \$300,000 to \$600,000. Proposals for grant awards outside that range were considered only if/when the cost proposals clearly demonstrated a need for an increased or reduced level of funding.

Funding policies

The following policies were developed and recommended during the proposal review process to ensure funding for the maximum number of programs that met the RFP criteria:

- Per the RFP (Section 2.5.1), fund only those programs that meet the minimum score requirement of 65 points.
- Fund all courts that submitted a proposal that scored at least 65 points.
- Limit each court to funding in only one program category (i.e., collaborative courts for adult offenders, pretrial programs, or court use of risk and needs assessments), even if a court received a score of 65 points in more than one program category. Courts that qualified in more than one program category were asked to choose the preferred category in which to receive funding.
- Limit grant awards to a maximum of \$600,000.

Grant funds were intended to be awarded to as many courts as possible, with the condition that each grant would provide beneficial services and satisfy the overall goals of the RRF Court Grant Program as outlined in the budget bill language. Funding was also designated to represent statewide geographical and program diversity, and funding priority was given to planning and implementation proposals for new programs (RFP Section 2.5.1).

From the 38 grant proposals received, 27 court programs are recommended for funding, representing a tentative total of \$13.654 million in grant awards.¹ CJS staff anticipates that small adjustments may be necessary to address computation errors, eliminate nonallowable costs, and the like. After any necessary adjustments, CJS anticipates that approximately \$600,000 to \$650,000 will remain unallocated. CJS recommends that the Judicial Council allow the six courts (Colusa, Lassen, Los Angeles, Placer, San Luis Obispo, and Stanislaus) that did not meet the minimum 65-point requirement for funding to submit revised proposals for review and rescoring by Judicial Council staff and for possible funding from the unallocated balance of the RRF Court Grant Program.

¹ Award amounts are considered tentative until any necessary budget adjustments are made and the contracting process is completed.

CJS staff has worked with the Judicial Council's Accounting and Business Services Unit to prepare for the execution and administration of contracts with the superior court grantees. Over the course of the grant period, several courts will likely require budget modifications. CJS staff would assist the grantee courts to enable them to shift budgeted amounts from one fiscal year to another, modify budgets if necessary, or roll over unspent funds at fiscal year-end provided these funds are within the courts' original award amounts. To ensure that all RRF court grants are fully spent, midterm financial evaluations (per RFP section 2.5.4) may necessitate budget reallocations from one court to another, which would revise the original awards for affected courts. If so, Judicial Council approval would be requested for any redistribution of funds among different trial courts.

Should RRF Court Grant Program funds be available at another time in the grant process, CJS suggests offering interested courts the opportunity to apply for small training, planning, or technical assistance grants of \$10,000 to \$20,000 for implementation of programs known to reduce adult offender recidivism. More information on this proposal will be available at a future Judicial Council meeting.

Scoring methodology and peer review process

A total of 38 proposals were received from the courts, totaling \$20.757 million in requested funding. Courts were permitted to submit a proposal in more than one grant category. A review panel of five members with a designated panel lead was formed for each of the three RRF grant program categories: collaborative courts (23 proposals received), pretrial programs (13 proposals received), and court use of risk and needs assessments (2 proposals received).² Review panels were made up of multidisciplinary teams of Judicial Council staff. A summary of the review process is included in Attachment D.

The reviewers focused on evaluating the proposals consistent with the RFP, not against each other. Each RFP section had a maximum possible number of points. Proposals were scored based on their responsiveness to the RFP criteria, the quality of responses to each section, and the level of detail provided.

After the proposals were scored by the reviewers individually, category panel meetings were held on January 5 and 6, 2015. The panel leads facilitated group discussion of the strengths and weaknesses of each proposal to enable the panel to resolve any areas of misunderstanding or disagreement regarding proposal evaluation and funding recommendations.

On January 8, 2015, panel leads met with the CJS office head to review and evaluate the group scores and comments for each proposal, consider the statewide geographic representation,

² Our recommendations do not include funding for any court in the use of risk and needs assessments category. Of the two proposals received, one court's proposal did not meet the minimum score requirement of 65 points. The second court submitted proposals in two categories and chose to accept grant funding in another category instead.

confirm final scores, and draft proposed grant allocation recommendations for consideration and approval by the Judicial Council at the February 19, 2015, meeting.

Comments, Alternatives Considered, and Policy Implications

Alternatives to the recommendations in this report include:

1. Funding courts above \$600,000. Six court proposals included requests for more than \$600,000. The Judicial Council may consider funding these courts at an amount higher than \$600,000.
2. Funding multiple programs in a single court. Two courts submitted multiple proposals that met the 65-point minimum threshold. The Judicial Council may consider funding multiple programs in a single court.

CJS does not recommend either of these alternatives because fewer court programs would receive funding, which is contrary to the Judicial Council's intent of adequately funding as many grants as possible, emphasizing a diversity of program types throughout the state.

Implementation Requirements, Costs, and Operational Impacts

Once the courts receive their award notifications, CJS staff will work with the Judicial Council's Accounting and Business Services Unit to finalize contracts with each court as close to the April 1, 2015, grant start date as possible. Within four weeks of contract execution, courts requesting support for startup costs must submit a Start-up Cost Report, which itemizes and documents funding needed to initiate and/or operate the program until June 30, 2015 (up to a maximum of 20 percent of the grant). Funds will be distributed to the courts for this deliverable as soon as possible. A follow-up report with documentation is required before release of any further funding. The Judicial Council will reimburse the courts monthly for their qualified expenses based on submission of invoices and financial documentation and contingent on the timely submission of all quarterly reports. Quarterly financial and program progress reports must be submitted, along with quarterly data submissions. CJS will compile information annually and report aggregate-level data generated by the awarded programs to the Department of Finance and the Joint Legislative Budget Committee as required in the Budget Act of 2014.

Attachments and Links

1. Attachment A: Summary of Recidivism Reduction Fund Proposed Grant Funding
2. Attachment B: Request for Proposals
3. Attachment C: Frequently Asked Questions, from December 10, 2014
4. Attachment D: Peer Review Process

**Judicial Council of California
Criminal Justice Services
Summary of Recidivism Reduction Fund Proposed Grant Funding**

CATEGORY: PRETRIAL			
No.	Applicant Court	Budget Amount Requested	Approximate Proposed Grant Funding Allocation
1	Alameda	598,270	598,270
2	El Dorado	763,799	600,000
3	Fresno	599,935	599,935
4	Imperial	378,041	378,041
5	Monterey	338,754	338,754
6	Orange	618,878	600,000
7	Shasta	902,642	600,000
8	Solano	302,049	302,049
9	Sonoma	855,336	600,000
10	Yuba	293,930	293,930
		\$ 5,651,634	\$ 4,910,979
CATEGORY: COLLABORATIVE COURTS			
11	Contra Costa	572,037	572,037
12	Kern	600,000	600,000
13	Lake	439,613	439,613
14	Mendocino	508,425	508,425
15	Merced	582,877	582,877
16	Modoc	343,477	343,477
17	Sacramento	597,131	597,131
18	San Diego	827,823	600,000
19	San Francisco	599,687	599,687
20	San Joaquin	598,500	598,500
21	San Mateo	603,378	600,000
22	Santa Clara	600,000	600,000
23	Santa Cruz	591,401	591,401
24	Tehama	599,705	599,705
25	Tulare	600,000	600,000
26	Tuolumne	134,176	134,176
27	Ventura	175,248	175,248
		\$ 8,973,478	\$ 8,742,277
TOTAL Proposed Grant Awards			\$ 13,653,256

REQUEST FOR PROPOSALS

**JUDICIAL COUNCIL OF CALIFORNIA
CRIMINAL JUSTICE SERVICES**

Recidivism Reduction Fund Court Grant Program

GRANT PERIOD: April 1, 2015 – April 30, 2017

TYPICAL GRANT AWARDS: \$300,000 - \$600,000

ELIGIBLE APPLICANTS: Superior Courts of California

PROPOSALS DUE: 5:00 p.m. on Monday, December 15, 2014

NOTICE OF INTENT TO APPLY:

Applicant courts should submit a “Notice of Intent to Apply” via email to crimjusticeoffice@jud.ca.gov by 5:00 p.m. on October 8, 2014. Notice should include program category and phase.

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1.0 BACKGROUND INFORMATION

1.1 Organizational Background

- 1.1.1 The Judicial Council is the policymaking body of the California courts, the largest court system in the nation. Under the leadership of the Chief Justice and in accordance with the California Constitution, the council is responsible for ensuring the consistent, independent, impartial, and accessible administration of justice. Judicial Council staff implements the council's policies.
- 1.1.2 The staff arm of the Judicial Council of California is comprised of three divisions, including the Operations and Programs Division, of which Criminal Justice Services (CJS) is a part. CJS oversees and coordinates the Judicial Council staff's efforts related to adult criminal justice, including the 2011 Criminal Justice Realignment Act and community corrections, in order to improve efficiencies and provide assistance to the courts, justice system partners, and the public. CJS also provides legal, program, and research assistance.

1.2 Creation of Recidivism Reduction Fund by Senate Bill 105 (SB 105)¹

- 1.2.1 For over two decades, California's prison system faced many challenges with overcrowding and lawsuits related to the provision of health and mental health services in prison. The population increased from approximately 60,000 inmates in 1986 to an all-time high of 173,479 in 2006. In 2011, the United States Supreme Court upheld a lower court ruling requiring the California Department of Corrections and Rehabilitation (CDCR) to reduce the population in its institutions to 137.5 percent of the system's design capacity by June 30, 2013. Subsequent orders extended the deadline, and on February 10, 2014, the lower court issued a final order granting the state a two-year extension to meet the cap by February 28, 2016. As of September 10, 2014, the State's prison population is approximately 140.6 percent of design capacity.
- 1.2.2 SB 105 provided \$315 million to CDCR to house inmates in contracted facilities to avoid early release and comply with the court-imposed population cap. It specified that if a sufficient time extension were granted by the court and all of the funding was not used for increased prison capacity, the first \$75 million of any savings would be transferred into the Recidivism Reduction Fund (RRF) created by SB 105. Savings beyond the \$75 million would be split, with half going to the RRF and half going to the General Fund. As a result, \$91 million is available in the RRF in Fiscal Year 2014–2015, and is allocated to various entities. Fifteen million dollars of the fund is designated for court programs that

¹ Senate Bill No. 105, Chapter 310, 2013. See also, California State Budget 2014–2015, Public Safety, pages 31–33.

are known to reduce adult offender recidivism including collaborative courts, pretrial programs, and court use of risk and needs assessment information.

2.0 RECIDIVISM REDUCTION FUND COURT GRANT PROGRAM

2.1 Program Overview and Purpose

As part of the Budget Act of 2014, the Legislature allocated \$15 million from the RRF for a competitive grant program to be administered by the Judicial Council of California. The funds are designated for courts to use in the administration and operation of programs and practices known to reduce offender recidivism and enhance public safety, including the use of validated² risk and needs assessments, other evidence-based practices,³ and programs that specifically address the needs of mentally ill and drug addicted offenders. Because these funds are specifically designated for court programs, judicial leadership is critical for all funded programs.

These funds are available to the Superior Courts of California for the establishment or ongoing operation and staffing for three categories of programs known to reduce adult recidivism and enhance public safety:

- Adult criminal collaborative courts that serve moderate and high-risk offenders (hereafter referred to as collaborative courts),
- Pretrial programs, and
- Court use of validated risk and needs assessment information.

Within each grant category courts may apply for either a planning/implementation grant or an enhancement grant. See Sections 2.4.1 and 2.4.2 for additional information.

Note: This is a competitive bidding process and therefore courts will not automatically receive RRF court grant program funding.

² For the purpose of this RFP, risk and needs assessments must be validated on a similar offender population.

³ Programs and practices are considered to be evidence-based when their effectiveness has been demonstrated by causal evidence, generally obtained through one or more outcome evaluations. As defined in California Penal Code section 1229(d), evidence-based practices refers to supervision policies, procedures, programs, and practices demonstrated by scientific research to reduce recidivism among individuals under local supervision. Specific examples of evidence-based practices can be found on the National Institute of Justice web page at www.crimesolutions.gov. The Substance Abuse and Mental Health Services Administration provides information related to the use of evidence-based practices when working with adult criminal offenders with substance abuse and mental health disorders. (See www.samhsa.gov.)

2.2 Grant Category Descriptions

Background information is provided below for the three grant categories that will be funded by the RRF court grant program.

2.2.1 Adult criminal collaborative court programs that serve moderate and high-risk offenders

Adult criminal collaborative court programs combine intensive judicial supervision and collaboration among justice system partners with rehabilitation services to reduce recidivism and improve outcomes for moderate and high-risk offenders with significant treatment needs. Examples of eligible criminal collaborative courts include community courts, drug courts, mental health courts, reentry courts, and veterans courts. Eligible collaborative courts may address various offender needs (mental health, substance abuse, etc.) and/or varied adult populations (veterans, women with substance abuse issues, etc.).

Although program models differ among court types and local jurisdictions, eligible adult criminal collaborative courts are generally led by a judge and include an interdisciplinary team consisting of a defense attorney, a prosecutor, a representative from probation or parole, and treatment staff and/or case managers or other representatives specific to the particular court. Participants are assessed for their risk of reoffending and for their mental health, substance abuse/dependence, and other treatment needs. Community supervision and treatment plans are created based on the information obtained from these assessments. Participants also attend regularly scheduled court sessions, usually one to four times a month, to discuss their adherence to the individualized supervision/treatment plans and other program requirements. Graduated sanctions, such as admonishments, increased frequency of court sessions, and jail sanctions are used to respond to noncompliant behaviors. Incentives, such as verbal praise, reduced frequency of court hearings, and transportation or food vouchers are used to reward and encourage participants' progress. Participants typically remain in the program and receive case management and treatment services for approximately 12 months or other length of time as determined in the treatment plan.

All collaborative court programs funded under this court grant program must:

- Target moderate and high-risk felony offenders using a validated risk assessment tool;
- Develop appropriate supervision and treatment recommendations based upon risk and needs assessment information;

- Collect program data to evaluate the effectiveness of the program; and
- Adhere to the collaborative court principles as defined by the Judicial Council's Collaborative Justice Courts Advisory Committee,⁴ as follows:
 - Collaborative justice courts integrate services with justice system processing.
 - Collaborative justice courts emphasize achieving the desired goals without using the traditional adversarial process.
 - Eligible participants are identified early and promptly placed in the collaborative justice court program.
 - Collaborative justice courts provide access to a continuum of services, including treatment and rehabilitation services.
 - Compliance is monitored frequently.
 - A coordinated strategy governs the court's responses to participants' compliance, using a system of sanctions and incentives to foster compliance.
 - Ongoing judicial interaction with each collaborative justice court participant is essential.
 - Monitoring and evaluation measure the achievement of program goals and gauge effectiveness.
 - Effective collaborative justice court operations require continuing interdisciplinary education.
 - Forging partnerships among collaborative justice courts, public agencies, and community-based organizations increases the availability of services, enhances the program's effectiveness, and generates local support.
 - Effective collaborative justice courts emphasize a team and individual commitment to cultural competency. Awareness of and responsiveness to diversity and cultural issues help ensure an attitude of respect within the collaborative justice court setting.

2.2.2 Pretrial Programs

Pretrial programs are an integral component of local criminal justice systems. Their three primary functions are to:

- Collect and analyze information about pretrial detainees for use in determining risk for committing new crimes during the pretrial phase of case adjudication, and risk of failure to appear for court hearings;
- Make recommendations to the court regarding pretrial release including, where appropriate, recommendations for release on own recognizance or conditions of pretrial release; and,

⁴ These collaborative court principles are based on the National Association of Drug Court Professionals' (NADCP) key components described in "Defining Drug Courts: The Key Components." <https://www.ncjrs.gov/pdffiles1/bja/205621.pdf>, (accessed September 12, 2014).

- Supervise defendants who are released from secure custody during the pretrial phase, where appropriate.

Pretrial supervision programs provide county justice systems with intermediate options between releasing a detainee on his/her own recognizance and remanding him/her to jail. Risk-based assignment to a continuum of pretrial supervision options, with intensity of supervision matched to risk level, can help assure that offenders return to court, maintain public safety, address jail overcrowding, and conserve resources for more intensive supervision of high-risk caseloads.

Pretrial programs may use a variety of tools, including validated risk assessment instruments, to gather relevant information for assessing defendants' risk of failure to appear in court for hearings and risk of committing a new crime if released pending trial. Pretrial programs also incorporate the use of specialized domestic violence, substance abuse/dependence, and/or mental health assessments. Components of a program often include automated reminders of court dates, expanded use of citation releases by law enforcement, designated prosecutors to review new arrests before the initial appearance in court for bail setting, defense representation at bail hearings, electronic monitoring of the offender, a needs assessment for individuals on supervised release, and periodic check-ins with supervision officers. Pretrial programs funded under this court grant program may operate to release defendants pre- or post-arraignment.

Many different pretrial program models may be used to reduce the risk of failure to appear and the likelihood of re-arrest while on pretrial status. The following components must be included in programs funded under this court grant program:

- The program must be designed to work closely with the court and other justice system partners.
- If a program is based in an entity other than the court—probation departments, jail or sheriff's department, or in an independent organization that contracts with the court—the court and judge must play a central role as the lead of the program.
- Funded programs must incorporate the use of a pretrial risk assessment tool and provide appropriate supervision and monitoring based on risk level and type of risk.
- Courts must be provided with risk assessment information for making release decisions; these decisions should be made at the earliest stages of case processing, including pre-arraignment.
- Data must be collected on individuals participating in the program.

2.2.3 Court use of validated risk and needs assessment information

Validated risk and needs assessments provide judges with additional information to consider when making sentencing decisions and determining the courts' responses to violations of supervision, including probation, postrelease community supervision, mandatory supervision and parole.

Courts funded under this grant category should use the funds to facilitate the incorporation of risk and needs assessment information at sentencing and/or in responding to noncompliant offender behavior. Courts, in consultation with their probation department or other assessment agency, and consistent with the California Rules of Court, should determine the format and content of the risk and needs assessment information provided to the court, and develop a formal and consistent protocol to enable courts to integrate this information into sentencing decisions and in responding to violations of supervision.

Jurisdictions are encouraged to assist probation departments in the development of integrated models that incorporate additional evidence-based practices, including targeted interventions that:

- Structure treatment, supervision, and responses to offender behavior based on offender risk level, needs, and personal characteristics;
- Enhance intrinsic motivation by applying the use of communication techniques that assist offenders in identifying their own reasons and readiness for change;
- Integrate substance abuse/dependence, mental health, and other treatment services with sentence/sanction requirements;
- Use cognitive behavioral treatment methods to disrupt criminal thinking, and provide opportunities to practice pro-social behaviors;
- Affirm and reward compliant behavior including, where possible, at a greater rate than punishing non-compliant behavior;
- Connect offenders to pro-social family, friends, and activities in the community so that their time is structured positively;
- Collect data on the effectiveness of the program; and
- Analyze and use the data to provide feedback to systems, agencies, teams, and individuals.

2.3 Eligibility and Application

- 2.3.1 All California superior courts are eligible to apply for a planning/implementation grant or an enhancement grant for any one of the three categories of the RRF

court grant program described in Section 2.2 above. Courts may apply for more than one grant category (i.e., collaborative court, pretrial programs, or court use of validated risk and needs assessment information). Note that separate applications must be submitted if a court is applying in more than one grant category.

2.3.2 Regional/joint court applications will be accepted provided there is a designated lead court.

2.3.3 Courts shall submit a proposal on behalf of the court, county,⁵ and other appropriate local justice system partners that clearly details the initiative(s) for which funding is sought, including the grant category and program phase; the associated staffing activities, programs, and services to be delivered by each of the partner organizations; and how the grant funds will be used to cover those costs. Courts must consult with relevant local justice system partners for the development of the proposal to avoid duplication of services that may be provided by a partner. Letters of support for the project from justice system partners must be submitted with the proposal. Information that briefly describes the process by which this proposal for funding was developed must also be submitted. (Detailed information regarding proposal contents can be found in Section 6.0.)

2.4 Phases of the Recidivism Reduction Fund Court Grant Program

For each of the three grant categories (collaborative courts, pretrial programs, and court use of validated risk and needs assessment information), the RRF court grant program provides funding for two program phases: planning/implementation, and enhancement.

2.4.1 Planning/Implementation Phase for Initial Program Development

Planning/implementation grants are available for jurisdictions that have not yet established but are committed to instituting one or more of the following: an adult criminal collaborative court that serves moderate and high-risk offenders, a pretrial program, and/or a court program that incorporates the use of risk and needs assessment information.

⁵ Persons authorized to act on behalf of the county include a member of the board of supervisors, the county administrative officer (CAO), or a designee named by the board or CAO.

Allowable uses of award funds for planning the program include the following:

- Support of, and training for, a Project Management Team (PMT) comprised of the court and local justice system partners and representatives of relevant agencies, service providers, nonprofit organizations, and other key stakeholders (See Section 3.1);
- Costs for court staff and local justice system partners involved in planning the program;
- Collection and analysis of local data that will be used in the development of a project plan;
- Development of a project plan by the PMT; and
- Contracts with subject matter experts for technical assistance in developing the project plan.

Allowable uses of award funds for implementing the program include the following:

- Court operations and services, including court staff;
- Staffing costs for local justice system partners involved in the program;
- Program training of judicial officers, staff, volunteers, mentors, and other partners involved in the program;
- Contracts for treatment services;
- Purchase or development of validated risk assessment tools and associated reporting and tracking software, drug testing and electronic monitoring equipment, and other program elements;
- Collection and reporting of data, as required; and
- Technical assistance.

2.4.2 Enhancement Phase for Ongoing Program Support and Expansion

Enhancement grants are available to courts with fully operational programs.

Allowable uses of award funds for program enhancement include the following:

- Ongoing operation of an existing program that meets all of the requirements of this grant program;
- Costs for court staff and local justice system partners involved in the program;
- Collection and reporting of data, as required;
- Program training of judicial officers, staff, volunteers, mentors, and other partners involved in the program;
- Increasing the number of participants served who meet the existing criteria for the target population;

- Expansion of the criteria for the target population to serve additional participants who meet the expanded description; and
- Enhancement of court or other local justice system operations, including supervision and treatment services.

2.5 Recidivism Reduction Fund Court Grant Awards and Funding

- 2.5.1 The Judicial Council seeks to adequately fund as many qualified RRF court grant programs as possible, emphasizing a diversity of program types throughout the state. Funding priority will be given to planning/implementation grants for new programs.

Total grant awards will typically range from \$300,000 to \$600,000. Applications outside of the range will be considered when the cost proposals clearly demonstrate a need for funding outside of the range.

In order to make funds available to courts of various sizes, applications will be considered in one of four designated pools based upon the number of offenders supervised in each county as a percent of the statewide total. The supervised populations include: probation, mandatory supervision, postrelease community supervision, and parole. Pools are broken down as follows:

- Pool 1 Supervised population is less than 0.4% of the statewide total
- Pool 2 Supervised population is between 0.4 and 1% of the statewide total
- Pool 3 Supervised population is between 1 and 5% of the statewide total
- Pool 4 Supervised population is greater than 5% of the statewide total

Courts are assigned to one of the designated pools based upon data provided to the Judicial Council by the Chief Probation Officers of California (CPOC) and the California Department of Corrections and Rehabilitation. Please see Appendix A for individual court designations.

It is the intent of the Judicial Council to fund applicants in each of the pools. Funds will not necessarily be allocated equally among the four pools.

Applications within the same pool will be scored against other applications of the same grant category (i.e., collaborative courts, pretrial programs, court use of validated risk and needs assessment information). In order to be awarded a grant, a proposal must score at least 65 percent of the possible points. (See Section 7.0.)

- 2.5.2 Funds must be fully expended by April 30, 2017, after which any unexpended funds shall revert to the State. Courts must submit final invoices prior to May 5,

2017. Invoices received by the Judicial Council after this date will not be accepted.

- 2.5.3 Grant funds will be disbursed as one payment in Fiscal Year 2014-2015 (up to 20% of the total grant award) upon receipt of a deliverable (see Section 3.3.1) and shall be reimbursement-based in Fiscal Years 2015–2016 and 2016–2017 (see Section 3.3.2). The purpose in distributing the funds in this manner is to assist courts with program start-up costs.
- 2.5.4 To ensure that all RRF court grant program funds are fully spent, the Judicial Council will conduct a mid-term financial evaluation. If the Judicial Council determines that courts will not be able to spend their full grant allocation, the Judicial Council may redistribute funds as necessary to support other RRF court grant programs. The Judicial Council may also redistribute any unspent funds if a court terminates its program prior to the end of the grant period.
- 2.5.5 The Judicial Council may offer partial grant awards, and courts may be asked to submit modified project plans and revised budgets that reflect the award amounts offered.

2.6 General Approved Use of Recidivism Reduction Fund Court Grant Program Funds

- 2.6.1 The Court shall follow applicable federal, state, and local laws and regulations, including but not limited to the following:
- The Judicial Branch Contracting Manual and Trial Court Financial Policies and Procedures Manual, as applicable; and,
 - The State of California’s Manual of Accounting for Audit Guidelines for Trial Courts as published by the State Controller’s Office, which is applicable when the court utilizes county administrative services.
- 2.6.2 Acceptable uses of funds include the following:
- Salary and benefits for court employees necessary to meet the operational requirements of the program;
 - Contractor/subcontractor/consultants/professional services, including training. Subcontracts may include salaries and benefits for employees of local justice system partners necessary to meet the operational requirements of the program. A copy of all subcontracts must be provided to Judicial Council Grant Accounting before any reimbursement can be made;
 - Services including but not limited to electronic monitoring and ongoing supervision, assessment, job/educational training, residential or outpatient

treatment for mental health or substance abuse/dependence treatment, health screening, transitional/temporary housing;

- Drug testing, alcohol monitoring, and related supplies;
- Registration fees for trainings and conferences, with proof of attendance, that are directly related to the grant programs;
- Travel as required pursuant to items in Section 3.2;
- Equipment, defined as non-expendable items costing \$5,000 or above. Such items must be clearly related to the program objectives and directly contribute to program activities and be pre-approved in writing by the Judicial Council project manager;
- Purchase, production, or reproduction of educational and training materials;
- Courts' indirect costs calculated as a percentage of court employee salaries and benefits charged to this grant (as outlined in Section 6.4.1);
- Costs of incentives given to program participants. Incentives may include gift cards, food coupons, bus and other transportation passes, field trip passes, movie tickets, etc. Funds must not be distributed as cash. Maximum amount of incentive reimbursements per program is \$1,500 per year. The Judicial Council will provide a form for reporting incentive distribution. Funds are reimbursed only upon submission of both proof of purchase and proof of distribution to program participants within the grant contract period. Court employees, subcontractors, or anyone other than a program participant are not allowed to receive incentives;
- Computers, staffing, and other costs associated with collecting, maintaining and reporting required data; and
- Any other expenses directly related to the project not listed herein, as properly budgeted and approved by Judicial Council Grant Accounting.

2.6.3 Ineligible use of funds includes the following except in situations where prior approval has been obtained by the Judicial Council program manager:

- Duplication of services that are already being provided by a justice system partner;
- Food and/or drink of any kind including bottled water and related purified water dispensers (either by the court and/or subcontractor except as outlined in incentives or associated with approved travel);
- Membership dues;
- Penalties, fines, late fees, licenses, interest, damages, and/or settlements resulting from violations or noncompliance by program participants;
- Costs for fundraising, scholarships, tuition, stipend, contributions and donations, or non-incentive-related gifts;

- Construction, rehabilitation, and/or remodeling of any building and/or structure;
- Entertainment costs such as show tickets, sporting events, and/or any other events except for use as participant incentives as described above; and
- Participant living expenses including rent, hotel lodging, food, utility bills, vehicle expenses, parking, medical insurance premiums, etc.

3.0 COURT GRANT PROGRAM REQUIREMENTS

3.1 Project Management

Each court will be required to establish a project management team (PMT) chaired by a judge, and include, as appropriate, a court manager and a representative of: the sheriff, probation chief, district attorney, criminal defense, pretrial services, parole, treatment provider, etc. The PMT should meet at least two times per year to discuss shared issues.

3.2 Program Training

The Judicial Council will host meetings related to each of the grant categories in the RRF. Court grant program funds may be used for travel expenses for attendance at required meetings.

- Pretrial programs: Applicant courts and their PMTs are strongly encouraged to attend an initial Pretrial Summit scheduled for February 17-18, 2015, in San Francisco. Applicant courts that are awarded a pretrial program grant may use RRF grant funding for expenses associated with attendance. Because courts will not receive the notice of intent to award until after the Summit, applicant courts that are not awarded a pretrial program grant will be reimbursed by the Judicial Council for the expenses associated with attendance at the Pretrial Summit.
- Court use of validated risk and needs assessment information: Courts awarded grants for court use of validated risk and needs assessment information are required to attend, with their PMT, a meeting scheduled for April 2, 2015, in San Francisco.
- Collaborative court programs: Courts awarded grants for collaborative court programs are required to attend, with their PMT, a meeting that will be scheduled for fall 2015.

3.3 Process for Funding Courts

- 3.3.1 Program Start-up Costs, Fiscal Year 2014-2015 (April 1 to June 30, 2015): Deliverable-based program start-up costs. At any time, but no later than four weeks after contract execution, courts must submit a Program Start-up Cost Report to the satisfaction of the Judicial Council project manager that documents the funding needed to initiate program planning/implementation or enhancement. This Program Start-up Cost Report must detail the amount of funds needed by the courts until June 30, 2015, how the funding will be utilized, and include an itemized budget. This report will serve as the deliverable referenced in Section 2.5.3 and a template will be provided.

Before the reimbursement portion of the grant contract is initiated as described below, courts must submit a narrative and budget report that describes and accounts for the use of these initial funds, which must be reviewed and approved by the Judicial Council project manager. A template will be provided for this report.

- 3.3.2 Fiscal Year 2015–2016 and Fiscal Year 2016–2017: Reimbursement-based contracts payable with proper financial documentation. Requests for reimbursement, with proper financial documentation, should be submitted monthly by the 20th of the following month. Only approved, allowable expenses incurred during the contractual funding grant period will be considered reimbursable.
- 3.3.3 Courts may request funds from the Judicial Council in advance for expenses that are necessary to implement the program. A copy of a fully executed contract, approved invoice, and explanation of the services must be provided to the Judicial Council program manager for review and approval at the time of the request. Payments in advance will not be made for amounts less than \$25,000 and generally should not be requested by a court more than once per year. Proof of payment by the court must be provided and approved within 90 days of the Judicial Council advance. After this time period, no other reimbursements will be paid until the court’s proof of payment is received and approved by the Judicial Council program manager.
- 3.3.4 Funds must be fully expended by April 30, 2017, and final reimbursement submissions must be received by the Judicial Council no later than May 5, 2017. Invoices received by the Judicial Council after this date will not be accepted.

3.4 Grant Administration Reporting and Tracking

- 3.4.1 Quarterly Grant Administration Reports: Award recipients must submit quarterly

grant administration reports that summarize grant-related activities, including progress towards goals and objectives, program achievements and challenges, collaboration with justice system and other local partners, and changes to key staff or procedures. Reports are due no later than 30 days following the end of each calendar quarter. A template will be provided.

- 3.4.2 **Fiscal Tracking:** Award recipients agree to track, account for, and report on all funds from the RRF court grant program separately from all other funds used for the same or similar purposes or programs. RRF court grant program funds may be used in conjunction with other funding as necessary to complete projects; however, tracking and reporting of these funds must be separate. Accordingly, the accounting systems of award recipients must ensure that funds from the RRF court grant program are not commingled with funds from any other source.
- 3.4.3 **Supporting Documentation:** Award recipients agree to maintain supporting documentation (e.g., timesheets, invoices, contracts, etc.) used to compile reports, and to provide copies of this supporting documentation to the Judicial Council, if requested.

3.5 Program Evaluation and Data Collection

- 3.5.1 Grant recipients agree to adhere to quarterly data collection and reporting requirements as outlined by the Judicial Council. The CJS will provide data collection tools, reporting templates, and instructions for submitting data using the Judicial Council's secure file transfer protocol (FTP) site, where necessary. CJS staff will provide data collection technical assistance and will work with funded programs to ensure that data can be collected and reported to the Judicial Council.
- 3.5.2 Judicial Council staff will compile data reported by courts awarded RRF court grant program funds and annually report aggregate level data related to awarded programs to the Department of Finance and the Joint Legislative Budget Committee, as required in the Budget Act of 2014. In consultation with CDCR and CPOC, the Judicial Council shall establish performance-based outcome measures appropriate for each program.
- 3.5.3 Awardees must report program process data as well as aggregate level outcome data. Depending on program type, size, and data collection capacity, participant (i.e., individual) level data may be required. Courts must submit required data and participate in data quality conference calls. Required data elements will differ depending on the program type (i.e., collaborative court, pretrial program, court use of validated risk and needs assessment information). Judicial Council staff will finalize the data elements necessary to measure required outcomes before

contract execution. Examples of the types of data that will likely be required appear below.

Program Data

- Program operations and polices (e.g. eligibility criteria, referral and admission processes, validated risk and needs assessment instruments utilized, termination and completion criteria, program phases, etc.);
- Aggregate program data for each program category to determine whether the program plan was adhered to and whether the program was implemented as intended (e.g., number of persons assessed and/or referred, number of persons in the program, service referrals, services provided, participant outcomes, other program outcomes, etc.).

Individual Level Data

- Participant demographic characteristics such as race, ethnicity, gender, and age;
- Risk and needs assessment information including risk level and substance abuse/dependence or mental health issues identified;
- Participant criminal activity information such as arrests, convictions, jail and prison stays;
- Participant case disposition information, if applicable, including length of sentence;
- Participant failures to appear at court hearings.

4.0 TIMELINE FOR THIS RFP

4.1 Grant Applicants' Teleconference

Judicial Council staff will host four applicant teleconferences for superior courts interested in applying for this grant. The purpose of the applicant teleconferences is to provide an opportunity for courts to ask specific questions regarding the RFP grant application, grant program requirements, and terms and conditions for funding.

The applicant teleconferences are scheduled for:

Tuesday, October 7, 2014, from 10:00–11:30 a.m., and from 2:00–3:30 p.m.

Thursday, October 16, 2014, from 9:00–10:30 a.m., and from 3:00–4:30 p.m.

Interested applicants should email crimjusticeoffice@jud.ca.gov to RSVP for a teleconference.

To ensure a fair process, applicants (including interested justice system partners, and co-applicants) should submit their questions in advance to crimjusticeoffice@jud.ca.gov. Questions must be received by 12:00 p.m. on October 3, 2014, for the October 7, 2014, calls; and by 12:00 p.m. on October 14, 2014, for the October 16, 2014, calls. Requests for clarification or guidance should indicate the RFP page number and section, and state the question clearly. Judicial Council staff will consolidate or paraphrase questions for efficiency and clarity. Questions and answers will be posted here <http://www.courts.ca.gov/RecidivismReduction.htm> within one week following the conference call and may be updated, as needed.

4.2 List of key events related to this RFP.

All dates are subject to change at the discretion of the Judicial Council.

EVENT	DATE
RFP issued	Monday, September 15, 2014
Deadline for questions for applicant teleconferences on October 7, 2014	Friday, October 3, 2014, no later than 12:00 p.m.
Applicant calls – October 7, 2014	Tuesday, October 7, 2014, 10:00–11:30 a.m. Tuesday, October 7, 2014, 2:00–3:30 p.m.
Deadline for Notice of Intent to Apply	Wednesday, October 8, 2014, no later than 5:00 p.m.
Deadline for questions for applicant teleconferences on October 16, 2014	Tuesday, October 14, 2014, no later than 12:00 p.m.
Applicant calls – October 16, 2014	Thursday, October 16, 2014, 9:00–10:30 a.m. Thursday, October 16, 2014, 3:00–4:30 p.m.
Latest date and time proposal may be submitted	Monday, December 15, 2014, no later than 5:00 p.m.
Presentation to Judicial Council	Thursday, February 19, 2015 or Friday, February 20, 2015
Notice of Intent to Award	Monday, February 23, 2015
Negotiation and execution of contract	Monday, February 23, 2015–Wednesday, April 1, 2015

EVENT	DATE
Contract start date	Wednesday, April 1, 2015
Contract end date	Friday, April 30, 2017
Final reimbursement submissions received by the Judicial Council	Friday, May 5, 2017

5.0 SUBMISSIONS OF PROPOSALS

- 5.1 Proposals should provide information that satisfies the requirements outlined in this RFP. Expensive bindings, color displays, etc., are not necessary or desired. Emphasis should be placed on conformity to the RFP's instructions and requirements, and completeness and clarity of content.
- 5.2 The Applicant must submit one (1) original and five (5) copies of the proposal in a sealed envelope. The original must be signed by the court's executive officer or presiding judge. The original proposal (and the copies) must be submitted to Judicial Council of California/Criminal Justice Services. The Applicant must write the RFP title on the outside of the sealed envelope.
- 5.3 The Applicant must submit an electronic version of the entire proposal to crimjusticeoffice@jud.ca.gov.
- 5.4 Proposals must be delivered by Monday, December 15, 2014, no later than 5:00 p.m., to:
- Judicial Council of California
Criminal Justice Services
Attn: Barbara Whiteoak, Executive Secretary
455 Golden Gate Avenue, 8th Floor
San Francisco, CA 94102-3688
- 5.5 Late proposals will not be accepted.

6.0 PROPOSAL CONTENTS

The following information must be included in the proposal and must cover the full twenty-five month grant period (April 1, 2015 to April 30, 2017). A proposal lacking any of the following information may be deemed non-responsive.

6.1 Court Contact Information

Provide lead court name, address, and telephone number in addition to the name, title, and email address of the individual who will act as the court Project Manager for purposes of this RFP.

6.2 Project Abstract

Maximum 1 page, 12 point, Times New Roman, double-spaced.

Clearly state: the grant category(s) (i.e., collaborative court, pretrial program, court use of validated risk and needs assessment information); the program phase (i.e., planning/implementation or enhancement) for which the court is applying; the target population and eligibility criteria; the projected number of persons to be served with funding under this grant, and the total number of persons served by the program, if different; the total dollar amount requested; and a brief description of the proposed use of funds.

6.3 Project Narrative

Maximum 15 pages, 12 point, Times New Roman, double-spaced.

The project narrative should address the requirements of this RFP and include the components described below depending on the grant category(s) (i.e., collaborative court, pretrial program, court use of validated risk and needs assessment information) and program phase (i.e., planning/implementation or enhancement). If an item listed below is not applicable to the program, briefly explain why it does not apply.

6.3.1 Problem statement

- Describe the local problem to be addressed by the project, including contributing factors (be specific and concise), and include local data where possible.
- Describe previous efforts to address the identified local problem including effectiveness and limitations of these efforts.

6.3.2 Project plan

- Describe the purpose, goals, and objectives of the proposed program, including how the program meets the requirements outlined in Section 2.2. Goals are broad statements of what the program seeks to achieve in the long term, and are generally not measurable. Objectives focus on the strategies that

will be used to achieve the program goals and should be clearly stated, specific, realistic, and measurable. Objectives should reflect the project description and support the achievement of project goals. It is not necessary to list specific program activities in the program narrative as they must be identified in Attachment B, Project Time-Task Plan (described in more detail below).

- If applying for a planning/implementation grant and significant planning activities have already taken place, describe those planning efforts and any changes proposed to the plan to meet the requirements of this RFP. If applying for an enhancement grant, describe how the grant will be used to enhance or expand an existing program and how the program meets the requirements of Section 2.2.
- Describe program operations and policies, as applicable:
 - Identify the target population, projected number of persons the program is designed to serve over the grant period, and whether the target population includes persons with a mental illness or substance abuse/dependence issue;
 - Describe program eligibility criteria and any excluded populations;
 - Describe the referral and admission process;
 - Describe program components/services and identify the agency that will oversee/provide each component/service. Indicate whether the component/service(s) described qualifies as an evidence-based practice, and;
 - Describe criteria for successful program completion or revocation/termination.
- In the template provided in Attachment B, Project Time-Task Plan, identify key project activities (for planning/implementation or enhancement, as applicable) and link these activities to each goal and objective described in the program narrative, as well as expected completion dates and the agency responsible for each activity. Activities are the key operational elements of the program. Description of the activities must be specific, and must correspond with the project timeline.

6.3.3 Capabilities, Roles, and Competencies

- Describe relevant experience related to implementing or managing the proposed project or a similar project.
- Provide overall management/staffing plan for the project, including information on the establishment and role of the required PMT outlined in Section 3.1. Include a brief description of proposed key program staff, their roles and responsibilities, and their training and qualifications.
- List justice system partners who may be involved in the project but not included as part of the overall management/staffing plan, and their roles,

responsibilities, and qualifications. In order to avoid duplication of services, describe how the services to be provided under this proposal differ from those already offered by other local justice system partners.

- Describe ability to collect data as outlined in Section 3.5, including current data collection practices. Identify possible data sources and explain the plan for collaborating with justice system partners to collect and report required data. Include anticipated challenges related to collecting data as well as data quality issues. Briefly describe methods for assuring data quality and maintaining data confidentiality.

6.3.4 Local Collaboration

Describe how the court developed this proposal and grant program in collaboration with other local justice system partners. In addition to this description, letters of support from each agency involved in the project must be attached. (See Section 2.3.3.)

6.4 Cost Proposal

The cost proposal is not included in the Project Narrative's 15 page limit.

6.4.1 Proposed Costs

Budget Detail Worksheets: Using the attached Budget Detail Worksheet template, Attachment C, include a detailed line item budget showing costs of the proposed services. This worksheet is broken out into three sections: 1) Program Start-up Budget; 2) Annual Fiscal Year 2015–2016 Budget; and, 3) Annual Fiscal Year 2016–2017 Budget.

- 1) Program Start-up Budget (April 1 to June 30, 2015): The proposed funding request detailed in the Program Start-up Budget should document the amount of funding needed for program start-up costs.
- 2) Annual Budget Fiscal Year 2015–2016 (July 1, 2015 to June 30, 2016): The estimated funding need for Fiscal Year 2015–2016 must be included in this section.
- 3) Annual Budget Fiscal Year 2016–2017 (July 1, 2016 to April 30, 2017): The estimated funding need for Fiscal Year 2016–2017 must be included in this section.

All Budget Detail Worksheets include four main budget categories: Personnel Services/Benefits, Operating Expenses, Consultants/Contractors, and Indirect Costs.

- Expense items listed under Personnel Services/Benefits should list each position by title and name of employee (if known), show the monthly salary rate, the percentage of time to be devoted to the project or number of months

the employee will be needed for the project. A full benefit breakdown should also be included for the same time base and number of months.

- Project expense items listed under Operating Expenses, including travel expenses, equipment, supplies, and other costs, should consist of actual costs paid by the court and/or the court's contractor, not to exceed the contract amount.
- Consultant expense items should include a breakdown of type and cost of services to be provided and estimated time on the project.
- Courts' indirect costs are costs that cannot be directly assigned to a particular activity but are necessary to the operation of the organization and the performance of the project. The costs of operating and maintaining facilities, accounting services, and administrative salaries are examples of indirect costs. In order to qualify to be reimbursed for indirect costs, the program must comply with the following:
 - Court staff salaries and benefits funded by this grant must appear in the Personnel Services cost category on the budget sheet;
 - The indirect cost rate of no more than 20% of the court staff salaries and benefits funded by this grant may be reimbursed if the court has a current Judicial Council approved indirect cost rate on file; and
 - Partner agency and subcontractor indirect costs are not allowed.
- Calculating indirect costs: Add the court employee salary and benefits funded through this grant and multiply that total by the Judicial Council approved indirect cost rate or 20% (whichever is lower). This is the maximum amount that will be reimbursed to the court.

6.4.2 **Budget Justification:** A full explanation of all budget line items in narrative form. The Budget Justification should thoroughly and clearly describe every category of expense listed in the Budget Detail Worksheets. Proposed budgets should be complete, cost effective, and allowable (e.g., reasonable, allocable, and necessary for project activities). Applicants should describe cost effectiveness in relation to potential alternatives, goals of the project, and number of individuals served. For example, the narrative could detail why some in-person meetings are necessary, or how collaboration with an outside organization could reduce costs. The narrative should explain how the applicant estimated and calculated costs, and how those costs are relevant to the completion of the proposed project.

7.0 EVALUATION OF PROPOSALS

The Judicial Council staff will evaluate the proposals on a 100 point scale using the criteria set forth in the table below. Applicants may be asked to respond to questions from Judicial Council staff to clarify elements set forth in their proposals.

Grant awards will be posted at <http://www.courts.ca.gov/RecidivismReduction.htm>.

CRITERION	RFP SECTION	MAXIMUM NUMBER OF POINTS
Problem statement	6.3.1	15
Project plan	6.3.2	25
Capabilities, roles, and competencies	6.3.3	20
Local collaboration	6.3.4	15
Cost proposal	6.4	25

APPENDIX A: COURT POOLS

Pools are based on statewide percentage of supervised populations (i.e. felony probation, mandatory supervision, post-release community supervision, and parole) as of 3/31/14.

Pool 1: Supervision population is less than 0.4% of the statewide total.

Court	Total supervised population	% of statewide total
Alpine	34	0.0%
Amador	380	0.1%
Calaveras	458	0.1%
Colusa	176	0.0%
Del Norte	300	0.1%
Glenn	436	0.1%
Imperial	1,342	0.3%
Inyo	246	0.1%
Lake	965	0.3%
Lassen	269	0.1%
Marin	910	0.2%
Mariposa	124	0.0%
Mendocino	873	0.2%
Modoc	86	0.0%
Mono	270	0.1%
Nevada	581	0.2%
Plumas	167	0.0%
San Benito	695	0.2%
Sierra	29	0.0%
Siskiyou	745	0.2%
Sutter	1,079	0.3%
Tehama	1,060	0.3%
Trinity	223	0.1%
Tuolumne	969	0.3%
Yuba	913	0.2%

Pool 2: Supervised population is between 0.4 and 1% of the statewide total.

Court	Total supervised population	% of statewide total
Butte	2,202	0.6%
El Dorado	1,481	0.4%
Humboldt	1,750	0.5%
Kings	2,735	0.7%
Madera	3,436	0.9%
Merced	3,523	0.9%
Napa	1,511	0.4%
Placer	2,673	0.7%
San Luis Obispo	2,771	0.7%
Santa Cruz	3,296	0.9%
Shasta	2,127	0.6%
Solano	3,238	0.8%
Sonoma	3,275	0.8%
Yolo	3,075	0.8%

Pool 3: Supervised population is between 1 and 5% of the statewide total.

Court	Total supervised population	% of statewide total
Alameda	13,875	3.6%
Contra Costa	4,806	1.2%
Fresno	13,031	3.4%
Kern	11,639	3.0%
Monterey	4,035	1.0%
San Francisco	4,837	1.3%
San Joaquin	9,146	2.4%
San Mateo	4,126	1.1%
Santa Barbara	5,690	1.5%
Santa Clara	14,910	3.9%
Stanislaus	7,653	2.0%
Tulare	8,295	2.1%
Ventura	4,544	1.2%

Pool 4: Supervised population is greater than 5% of the statewide total.

Court	Total supervised population	% of statewide total
Los Angeles	103,217	26.7%
Orange	31,345	8.1%
Riverside	27,661	7.2%
Sacramento	20,401	5.3%
San Bernardino	25,294	6.6%
San Diego	21,091	5.5%

Recidivism Reduction Fund Court Grant Program
Frequently Asked Questions
(Updated December 10, 2014¹)

ADMINISTRATIVE QUESTIONS

Notice of Intent to Apply

1. Q: I will be unable to attend the conference call on October 7 and plan to attend the October 16 call instead. Will this impact the notice of intent deadline of October 8?
A. *The October 8 deadline to submit the Notice of Intent to Apply does not impact the applicant teleconferences. If your court is considering applying, we ask that you submit the notice by October 8. If, after you participate on a conference call, your court decides not to apply, please submit an e-mail withdrawing your Notice of Intent to Apply.*

2. Q: What is the format for the Notice of Intent to Apply?
A. *Applicant courts should submit a 'Notice of Intent to Apply' via email to crimjusticeoffice@jud.ca.gov by 5:00 p.m. on October 8, 2014. Notice should include program category and phase. There is no other specified format.*

3. Q: I have a question regarding the intent to apply requirement on this grant. The Department of Justice is planning to partner with a Superior Court that will be applying for this grant. Can the Department of Justice submit an intent to apply notice on behalf of the Court that it will be partnered with? Or does the notice need to come directly from the potential recipient?
A. *The Superior Court, as the applicant, should submit the Notice of Intent to Apply.*

4. Q: Will you be sending out any more specific details about the grant application prior to the conference calls? We are trying to establish a pre-trial program, but need to know what the grant will fund.
A. *We will not be sending more specific details prior to the conference calls. The specific details about funding are included in the RFP. (See sections 2.4 - 2.6 of the RFP.)*

5. Q: Should I have letters of support to accompany my notice of intent to apply or is notification from the court alone sufficient?
A. *No, an emailed notice from the court, including category and phase, is sufficient.*

6. Q: On page 16, in the list of key events, the deadline for the notice of intent to apply is 5:00 PM, Wednesday, October 8. Can you clarify the method of delivery? Does the Court simply send an email to this address specifying its intent to apply, or must a letter be delivered to the address on page 17?
A. *Please see the answer to question 2 under "Notice of Intent to Apply," above.*

¹ New questions and answers are included in bold and italic.

7. Q. If a court submitted a notice of intent to apply for an implementation grant and now would also like to add an enhancement grant should the Judicial Council staff be notified?
 - A. *Yes, please email Criminal Justice Services to confirm your revised plans as soon as a final decision has been made.*

8. Q. If a court submitted a notice of intent to apply for a collaborative court planning and implementation grant, can it still apply for a pretrial program planning and implementation grant, either in addition to the collaborative court application or in the alternative?
 - A. *Yes, a court can still apply for a pretrial program planning and implementation grant. Please email Criminal Justice Services to confirm your revised plans as soon as a final decision has been made.*

Application

1. Q. Is any match, whether of funds, in-kind, or otherwise, required of the Court applying for the Grant?
 - A. *No, there is no match whether of funds, in-kind, or otherwise required of the court applying for the grant.*

2. Q. May we submit an application for a criminal collaborative court jointly with a neighboring county? Our two courts serve the same population and utilize the same treatment resources, etc.
 - A. *Yes, regional or joint applications will be accepted provided there is a designated lead court. (See section 2.3.2 of the RFP.)*

3. Q: Can we apply for one grant, but apply the dollars to two different programs, i.e., more than one court?
 - A. *Courts may apply for a grant to support more than one program in the same category. As an example, if an adult criminal collaborative court grant is used to fund both a veterans' court and a mental health court, a single application is appropriate. In this example, the court may need to complete some of the proposal elements twice, one for each type of collaborative court, e.g., provide two sets of budget detail worksheets, etc. Additionally, if a court seeks funding for more than one court program in the same category and the application seeks funding for different phases (planning/implementation and enhancement), courts should still submit one application and will receive priority in scoring related to the planning/implementation components of the program. Courts must submit two applications if they are applying for a grant for two different program categories, for example, a collaborative court program and a pretrial program. (See answer to question 6 and question 9 under "Application," below and section 2.3.1 of the RFP.)*

4. Q. We are interested in applying for the first category, “Adult criminal collaborative courts”. Does that mean we can only apply for one grant for one court under this category?
- A. *Please see answer to question 3 under “Application,” above.*
5. Q. What constitutes an “implementation grant” for the purposes of this grant? We have a mental health court pilot program that we initiated in May that we would like to now take to scale. Can we apply for an “implementation grant” or must we apply for an “enhancement grant?”
- A: *Implementation grants are appropriate for court programs that have been operational for less than a year. In the grant application the court should clearly state why a planning/implementation grant is the appropriate phase under which funding is being sought.*
6. Q. Our court is interested in possibly incorporating various components of the different grant categories into one program. For example, we anticipate incorporating risk (and needs) assessments into a pretrial program and collaborative courts, as well as at sentencing and/or in responding to noncompliant offender behavior. Rather than applying for all three grant categories separately, which is not practical given our limited court staff resources, do you have any guidance about how to handle this situation?
- A. *Courts may apply for more than one grant category (i.e., collaborative court, pretrial programs, or court use of validated risk and needs assessment information) but separate applications must be submitted for each grant category. If limited staff resources preclude a court from applying in more than one grant category, courts are encouraged to consult with local justice system partners and choose the grant category that is most appropriate for the needs in their county. For the “court use of risk and needs assessment information” grant category, the RFP requires courts to use the funds to facilitate the incorporation of risk and needs assessment information at sentencing and/or in responding to noncompliant offender behavior. Note, however, that courts applying for a grant in the “court use of risk and needs assessment information” category are not precluded from seeking funds to also incorporate risk and needs assessments into their collaborative courts and pretrial programs, and may do so in the same grant application. Applicants must specify whether they are applying for a planning/implementation grant or an enhancement grant, and all programs in the grant application must fit the criteria for the selected phase. (See section 2.3.1 of the RFP.)*
7. Q. If we apply for a grant to enhance our collaborative criminal courts, may we ask for funds to enhance more than one court (e.g., Veterans Court and Domestic Violence Court). If so, can we do so with one application?
- A. *Yes, the court may submit a single application since these are both collaborative criminal courts in the same grant category; however, the court may need to separately complete some elements of the proposal for each court since the two court programs may have separate budgets.*

8. Q. Regarding the Recidivism Reduction Fund Court Grant Notice of Intent to Apply, are Courts able to apply for more than one program category, or are they to apply for one category only?
- A. *Courts may apply for more than one grant category, but must submit a separate application for each category under which they are applying. (See section 2.3.1 of the RFP; and see answer to question 3 under “Application,” above.)*
9. Q. If a court seeks to fund a new program and enhance an existing program within the same grant category, should the court submit a single application or separate applications -- one for an implementation grant and one for an enhancement grant? An example is a court that seeks an enhancement grant for an existing veterans’ court and a planning/implementation grant for a new drug court.
- A. *Although courts must submit separate applications if seeking funding in more than one grant category, (i.e. collaborative court, pre-trial programs, or the use of risk and needs assessment at sentencing), courts should use only one application if seeking funding for more than one program within a category even if they are in different phases (planning/implementation or enhancement). In the application, courts should make clear what funding is sought for planning/implementation and what funding is sought for enhancement. In this instance, courts will receive priority in scoring related to the planning/implementation components of the program. Using the example included in this question, the court would submit one application for funding both the existing veterans court and the new drug court and should specify the amount of funding requested for each court program. (See section 2.5.1 of the RFP.)*
10. Q. Our collaborative drug court has been operational for over a year but is not running at an optimal level. Would the court be able to submit an application for a planning/implementation grant or only for an enhancement grant?
- A. *If there is a significant difference between the existing program and changes to the structure or process of the court proposed in the application, the court can seek funding under either category. However, in the grant application the court should clearly state why a planning/implementation grant is the appropriate phase under which funding is being sought. Judicial Council staff will evaluate the request for consideration of the proposed planning/implementation and may find the application more suitable for the enhancement phase and adjust the scoring accordingly.*
11. Q. In the Project Narrative, would charts and tables be included in the double-spaced, 15 page maximum limit?
- A. *Yes. Charts and tables must be included in the 15 page limit but do not need to be double-spaced.*
12. Q. Regarding the Project Time-Task Plan specified as part of the proposal, is there a particular goal structure or model that is required?
- A. *No specific model is required or sought. As shown in the template in Attachment B to the RFP, simply list your key project goals with your measurable objectives for achievement,*

along with a timeline for completion and indicate the agency that will be fulfilling the objective. (See section 6.3.2 of the RFP for additional information on the definition of goals, objectives, and activities.)

13. Q. What is the maximum number of proposals a court can submit under this grant program?
- A. *A court may submit up to three applications under this grant program, one for each of the three grant categories. While a court may seek funding for more than one court program within a single category (for example, more than one collaborative court), a court should only submit one application per grant category. (See question 9 in “Application” above.)*
14. Q. Can a court switch our application from an enhancement grant to a planning and implementation grant if, after we get more deeply into the planning process it is more appropriately a planning and implementation grant?
- A. *If a court has not yet submitted an application, it may change from an enhancement grant application to a planning and implementation grant application as long as appropriate notification is emailed to Criminal Justice Services. Note that enhancement grants are generally for programs that have been operational for more than one year, and planning and implementation grants are appropriate for court programs that have been operational for less than a year. (Also, see answer to questions 5 and 10 under “Application,” above.)*
15. Q. We are considering applying for funding to plan and implement a Veteran’s Treatment Court and also to enhance our existing Adult Drug Court Program. Do we do one grant application describing both projects or two separate applications? If we can do one application, can our justice partners provide one letter in support of both projects or do we need separate letters of support for each project?
- A. *Courts should use only one application if seeking funding for more than one program within a category even if they are in different phases (planning/implementation or enhancement). (See answer to question 9 under “Application” above.) All impacted justice system partners must provide letters of support and one letter of support from each is sufficient; however, the justice system partners should acknowledge their support of one or both of the projects.*
16. Q. Is Attachment B – Time Task Plan included in the 15 page limit for the narrative? Or is Attachment B separate from the narrative and, therefore, not included in the 15 page limit?
- A. *Attachments B (Time Task Plan) and C (Budget Detail Worksheets) are both separate from the narrative and, therefore, not included in the 15-page limit.*
17. Q. Our court is struggling a bit with conceptual overlap between the different grant categories. Procedurally much of what we’re looking to accomplish with funding from the RRF falls within the “Pretrial Programs” category. However, the changes that we will

be seeking to implement within that area involve the adoption of validated risk and needs assessments to screen the pretrial population. To further complicate matters, we fully expect that improved screening will result in more referrals to our adult criminal collaborative court.

Is there some way of providing a bright line to help us understand where exactly to divide up a proposal that might involve, say, reengineering our pretrial programs to use risk & needs assessments to identify more defendants who would benefit from our adult collaborative courts?

- A. *We agree that there is overlap between the use of a validated risk and needs assessment tool, an evidence-based practice, with the pretrial program and collaborative court program categories. Some form of risk assessment is typically used in pretrial programs; when a validated risk and needs assessment tool is used in a pretrial program, the appropriate grant category is a pretrial program. If the primary focus of a grant request is a collaborative court program, and one element of the collaborative court is the use of a validated risk and needs assessment tool, the appropriate grant category is a collaborative court program. When a validated risk and needs assessment tool is used by the court at sentencing, or in some other context that is not a pretrial program or a collaborative court program, then the appropriate grant category is use of risk and needs assessment.*

18. Q. I cannot find guidance on formatting other than 12pt font Times New Roman. Does the department have a requirement for margins, footers, headers, etc? We would not want to be disqualified or lose points because of margin size error.

- A. *The only formatting requirements are that the text font used for the project abstract and project narrative should be 12pt Times New Roman, and that text be double-spaced for readability.*

19. Q. Is it acceptable to submit a joint letter of support from three or more of our justice partners, signed by each agency department head?

- A. *Yes, this would be acceptable.*

20. Q. What date will you accept the proposal? The email copy or the hard copies? Mailing date stamp or arrival at your offices?

- A. *Applicants must submit one original and five hard copies of the proposal which must be received by the Judicial Council by Monday, December 15, 2014, no later than 5:00 p.m. An electronic version of the entire proposal must be delivered to crimjusticeoffice@jud.ca.gov by the same deadline. (See section 5.0 of the RFP.)*

Grant Funding

1. Q. Is there a funding cap based on the pool?

- A. *No. The typical grant range of \$300,000 to \$600,000 is applicable to all pools, categories, and phases. Applications outside of the range will be considered when the cost proposals demonstrate a need for funding outside of the range. Please note that courts may seek funding amounts that are lower or higher than the range and will be evaluated on the reasonableness of their cost proposal. (See sections 2.5.1 and 7.0 of the RFP.)*
2. Q. Are the grant awards, ex. \$300,000 over a 3 year period? Or is it \$300,000 each year for 3 years?
- A. *Grants are awarded for the 25-month period of April 1, 2015 through April 30, 2017. (See Cover Sheet to the RFP.)*
3. Q. \$91M is available in the RRF for FY 14-15. Is the \$15M designated for court programs a per year amount?
- A. *No. Funding specified in the Budget Act of 2014-15 comprises the entire amount of available funds for the 25-month period of April 1, 2015 through April 30, 2017. At this time, we do not anticipate any additional funding.*
4. Q. Are “typical grants” \$300,000 to \$600,000 per fiscal year or is that one-time during the grant period through 04/2017? Can individual courts apply for multiple grants covering different programs? For example, one \$600,000 proposal for collaborative courts, another \$600,000 proposal for pretrial.
- A. *The \$300,000 - \$600,000 typical grants are for the 25-month grant period, April 1, 2015 through April 30, 2017. Courts may apply for multiple grants covering different programs, however, a separate application must be submitted for each grant category.*
5. Q. Is funding priority given to new programs within each pool, or overall? Applications within each pool are scored against others in the same grant category, is this how funding is distributed?
- A. *The Judicial Council seeks to adequately fund as many qualified RRF court grant programs as possible, emphasizing a diversity of program types throughout the state. In order to make funds available to courts of various sizes, applications will be considered in one of four designated pools. Pool designation is based upon the number of offenders supervised in each county, as defined in section 2.5.1 of the RFP, as a percent of the statewide total number of supervised persons. Applications within the same pool will be scored against other applications of the same grant category (i.e., collaborative courts, pretrial programs, court use of validated risk and needs assessment information), and priority will be given to planning/implementation grants for new programs within that pool. (See section 2.5.1 of the RFP.)*
6. Q. Appendix A states that funds will not be equally allocated among the four pools. However, it is confusing if counties in the same pool will be competing with each other for a specified (fixed) amount of funding. Will Pools 1 & 2 receive the most funding because there are 39 counties represented? Yet, Pool 4 counties combine to represent

59% of the states supervised populations and could provide ample justification for the upper limit of \$600,000 each, or more, or multiple \$600,000 awards. Will this be factored into the decision making?

- A. *The Judicial Council will consider applications in one of four pools as described in question 5 under “Grant Funding.” There is no set amount of funding designated for any of the pools and the funds will not necessarily be allocated equally among the designated pools. Therefore, courts within the same pool will not be competing for a specified or fixed amount of grant funding. The Judicial Council seeks to adequately fund as many qualified RRF court grant programs as possible, emphasizing a diversity of program types throughout the state. We anticipate that grants will be awarded in each pool, and the size of the grant awards will depend on the number and quality of the applications. (See section 2.5.1 of the RFP.)*
7. Q. What is the range of funding that is available for an individual court in Pool 1 for an adult criminal collaborative court or for a pre-trial release program?
- A. *The typical grant range of \$300,000 to \$600,000 is applicable to all pools, categories, and phases. Applications outside of the range will be considered when the cost proposals demonstrate a need for funding outside of the range. Please note that courts may seek funding amounts that are lower or higher than the range and will be evaluated on the reasonableness of their cost proposal. (See section 2.5.1 and Section 7.0)*
8. Q. Is the level of funding increased if two courts apply jointly?
- A. *No. The typical grant range of \$300,000 to \$600,000 is still applicable to all pools, categories, and phases. However, applications outside of the range will be considered when the cost proposals demonstrate a need for funding outside of the range. (See section 2.5.1 of the RFP.)*
9. Q. Would courts that submit joint applications move into another pool and be evaluated with the new pool?
- A. *No. Joint applications will be considered in the designated pool of the lead or primary court. (See section 2.5.1 of the RFP.)*
10. Q. Should courts include costs for attending the Judicial Council trainings specified in Section 3.2 in their budget proposals?
- A. *Yes. Court grant program funds may be used for travel expenses for attendance at required meetings and should be included in budget proposals. (See section 2.6.2 of the RFP.)*
11. Q. When the court is in the reimbursement phase of funding, will budget modifications be allowed and is there flexibility for reallocating funds?
- A. *Yes. Budget modifications will be allowed with flexibility to reallocate funds from one category to another. Courts should submit revised budget detail worksheets for all*

affected years in advance for approval by Judicial Council project manager with a narrative explanation of the requested changes.

12. Q. Is there any expectation of continued funding for these programs beyond April 2017 or is this considered one-time funding?
- A. *The Recidivism Reduction Fund Court Grant Program is one-time funding.*
13. Q. Will standard budgetary forms be released to include in the proposal?
- A. *Yes, there are three budget forms that are required to be included in the application, for three different time frames within the grant period. The forms are posted at <http://www.courts.ca.gov/RecidivismReduction.htm> (See Attachment C to the RFP.)*
14. Q. Will there be standardized programmatic evaluation and fiscal forms issued that pertain to the required quarterly reporting requirements?
- A. *Yes, forms for these purposes are presently being developed and will be provided in advance of the reporting periods. We hope to create a web-based reporting template.*
15. Q. Is there a ceiling for the allowable amount of indirect administrative expenses?
- A. *Yes, 20% or the approved trial court indirect cost rate, whichever is lower. (See Section 6.4.1 of the RFP.)*
16. Q. After preparing my budget for the Pretrial grant category, I realized that I have exceeded the maximum award. Should I pair down my budget to balance or should I leave it as is and assume I will be responsible for the balance of funds?
- A. *The typical grant range of \$300,000 to \$600,000 is applicable to all pools, categories, and phases. Applications outside of the range will be considered when the cost proposals demonstrate a need for funding outside of the range. Please note that courts may seek funding amounts that are lower or higher than the range and will be evaluated on the reasonableness of their cost proposal. (See section 2.5.1 and Section 7.0) The Judicial Council may offer partial grant awards, and courts may be asked to submit modified project plans and revised budgets that reflect the award amounts offered. (See section 2.5.5 of the RFP.)*
- 17. Q. Can the court apply for this grant and, if awarded, have another entity handle the fiscal responsibilities and grant reporting?**
- A. ***This is a court program. The grant contract will be between the Judicial Council and the applicant court. The court may enter into a subcontract or other professional services agreement with an entity that can provide these services, however, the court will be responsible for ensuring that contractual obligations, trial court policies, and all reporting deadlines, etc. are met. A copy of the subcontract also must be provided to Judicial Council Grant Accounting before any reimbursement can be made.***

Data Reporting Requirements

1. Q. What types of “performance-based outcome measures” will be established with CDCR and CPOC? Are these fiscal measures, recidivism, risk-need assessment, programmatic, or something else?
 - A. *The Budget Bill Act of 2014-15 requires that the Judicial Council work with the California Department of Corrections and Rehabilitation (CDCR) and the Chief Probation Officers of California (CPOC) to identify the performance-based outcome measures. The performance-based outcome measures have not yet been identified but will focus primarily on the impact of these grant programs on recidivism reduction. (See section 3.5.2 of the RFP.)*

2. Q. How often will data quality conference calls be held? Is input welcome prior to the establishment of a data template?
 - A. *It is anticipated that the data quality conference calls will be held quarterly, but will be conducted as needed. These calls may be held more frequently at the beginning of the program period. Input on data elements will be welcome and solicited.*

3. Q. The RFP notes that individual level data collection may be required. When are awardees notified they will be required to do this level of data collection?
 - A. *All applicants who are awarded grants will be required to submit individual-level data. Required data elements will vary depending on program type, size, and data collection capacity. Specific data elements are being developed. Information will be provided to the courts prior to contract execution.*

4. Q. Due to the current ambiguities of the evaluation component, how are data collection/evaluation expenses to be reported, i.e., as a separate line-item or as part of the indirect expenses?
 - A. *Program data collection is a direct expense, so it is suggested that data collection time expenses be included in personnel or sub-contracting expenses. Courts will have the ability to submit budget modifications if their cost estimates need to be adjusted based on the data collected.*

Miscellaneous

1. Q. What does the presentation to the Judicial Council consist of? Who represents the applicant in this representation?
 - A. *Judicial Councils staff will evaluate proposals and present final grant funding recommendations to the Judicial Council for the Council’s consideration and approval.*

2. Q. How often are mid-term financial evaluations conducted? Does this occur once, or several times over the grant period (every fiscal year)?

- A. *For reallocation purposes, financial evaluations may be conducted no more than twice over the grant period. See section 2.5.4 of the RFP.)*
3. Q. Does the Project Management Team require an MOU? How will courts be required to prove they have a Project Management Team?
- A. *The Project Management Team (PMT) does not require an MOU. Courts may demonstrate that a PMT has been established through the required letters of support, which must indicate whether the entity/agency submitting the letter of support is a member of the PMT. The Quarterly Grant Reports also must summarize collaboration with justice system and other local partners. (See section 3.4.1 of the RFP.)*
4. Q. “...the accounting systems of award recipients must ensure that funds from the RRF court grant program are not commingled with funds from any other source.” Does Phoenix/SAP comply with the fiscal tracking requirements?
- A. *Yes, Phoenix will be able to meet the courts’ fiscal tracking requirements for the grant program. Award recipients must also agree to maintain supporting documentation (e.g., timesheets, invoices, contracts, etc.) used to compile reports and to provide copies to the Judicial Council upon request. (See sections 3.4.2 and 3.4.3 of the RFP.)*
5. Q. What is the approximate length of time from the court’s submission of a reimbursement request to the Judicial Council until the court receives payment?
- A. *The Judicial Council’s Grants Accounting staff will process properly submitted claims within 7 days of receipt and then forward the claims to the State Controller’s Office for payment. It is anticipated that this process will take approximately 6-8 weeks.*
6. Q. The grant limits participation to felony offenders for programs funded by this grant. Would the passage of Proposition 47 change this requirement?
- A. *The grant program is limited to felony offenders in the categories of collaborative courts and use of risk and needs assessment information. The specific grant requirements related to the felony offenders will not change even if the definition of “felony” under California law changes. Courts are encouraged to discuss the potential implications of Proposition 47 to the extent it may relate to the development of their applications.*
7. Q. What is the definition of “recidivism” being used for this program?
- A. *The budget bill language that allocates the Recidivism Reduction Fund does not include a specific definition of recidivism. As stated in Section 3.5.3 of the RFP outcome measures will vary based on program category and may include arrests, convictions, jail and prison stays, and failures to appear at court hearings. As required in the budget bill language, the Judicial Council is working with CDCR and CPOC to identify performance-based outcome measures (See Data Reporting Requirements FAQ #1).*
8. Q. When is the cut-off to submit questions for this RFP?

- A. *Questions will be accepted until Monday, December 8, 2014 in order to allow time to post the responses.*
9. Q. Regarding the Time Task Outline, are courts required to have three objectives for each goal? Or may we have more objectives, or less than three objectives for each outlined goal?
- A. *Courts are not required to have a specific number of goals or objectives and should determine the number of goals and objectives appropriate for their projects.*

PROGRAM QUESTIONS

Collaborative Courts

1. Q: The Judicial Council's collaborative court principles (page 6 of the RFP) do not spell out required agencies that must staff collaborative courts. Is it left up to courts to determine the specific member agencies of their collaborative court teams?
- A. *While the collaborative court principles listed in the RFP do not dictate the specific member agencies of the collaborative court team, please note the following relevant sections of the RFP:*

Section 2.2.1, "...eligible adult criminal collaborative courts are generally led by a judge and include an interdisciplinary team consisting of a defense attorney, a prosecutor, a representative from probation or parole, and treatment staff and/or case managers or other representatives specific to the particular court."

Section 3.1, "Each court will be required to establish a project management team (PMT) chaired by a judge, and include, as appropriate, a court manager and a representative of: the sheriff, probation chief, district attorney, criminal defense, pretrial services, parole, treatment provide, etc."

Section 6.3.3, "Provide overall management/staffing plan for the project, including information on the establishment and role of the required PMT outlined in Section 3.1. Include a brief description of proposed key program staff, their roles and responsibilities, and their training and qualifications. List justice system partners who may be involved in the project but not included as part of the overall management/staff plan, and their roles, responsibilities, and qualifications..."

2. Q. Page 3 of the RFP document states that all collaborative court programs funded under this grant program must target moderate and high-risk felony offenders using a validated risk assessment tool. How is "felony offender" defined in the context of this program? Some defendants are arrested and charged on felony offenses but their case is reduced to a

misdemeanor. Would this defendant still be considered a “felony offender” for the purposes of this program?

- A. *For the most part, a defendant must be convicted of a felony offense to be considered a “felony offender” for purposes of this grant program. However, pre-plea model collaborative courts may be funded through this grant if the defendant’s pending charge +is a felony. Additionally, please see the answer to question 3 below related to violations of felony supervision.*
3. Q. Similarly, we might have a defendant who has felony convictions on his or her record but is picked up on new misdemeanor charge, which results in him/her being placed in a collaborative court program. Would you consider this defendant to be a “felony offender?”
- A. *No, a prior felony conviction does not make someone a felony offender for the purposes of this program. However, if an individual is on supervision (parole, probation, post release community supervision, or mandatory supervision) for a felony offense and violates a condition of supervision (including committing a new misdemeanor) the individual may be referred to a collaborative court program funded under this grant program as a response to the violation.*
4. Q: Can a Subordinate Judicial Officer (SJO) chair the Project Management Team (PMT) and preside over the collaborative court? If the answer is yes, can funds from the grant be used to pay the SJO’s salary and benefits?
- A: *A commissioner may preside over the type of collaborative court the grant program is intended to support if: 1) the commissioner is appointed as a hearing officer, and/or 2) the commissioner is sworn in as a temporary judge and stipulated to by the parties. If an SJO is presiding over a collaborative court, the SJO may chair the PMT and funds from the grant can be used to pay the SJO’s salary and benefits.*
5. Q. Collaborative courts must serve moderate to high-risk offenders. Are these offenders screened as “high-risk” to recidivate? Or high risk of something else?
- A. *The offenders who participate in a collaborative court must have been assessed as moderate to high-risk to recidivate using a validated risk assessment tool. (See section 2.2.1 of the RFP.)*
6. Q. Can the collaborative court funding be used to support a program that has both misdemeanor and felony participants?
- A. *The collaborative court funding can be used for felony offenders only. If a jurisdiction has a program that serves both misdemeanants and felons, the grant application budget should reflect a prorated amount based on the number of felony offenders in the program.*
7. Q. Our county uses COMPAS as a risk-needs tool for collaborative court clients on probation. For clients who are not on probation, our court is interested in pursuing a risk-needs tool. On the top of page 6 under 2.2.3, the risk/needs section references working

with probation in choosing a tool. Is the request to pursue a tool for non-probationers an appropriate use of funds?

- A. *Yes, as the question is stated, this would be an appropriate use of funds. Note that courts funded under this grant must avoid duplication of services that may be provided by a system partner and will need to explain how the services funded through this grant differ from those already offered by other local justice system partners. (See section 6.3.3 of the RFP.)*
8. Q. Are all members of the PMT required to attend the Collaborative Court Programs meeting (that has yet to be scheduled) or can a representative and a select few representatives attend?
- A. *The court and other members of the PMT should plan to attend the meeting.*
9. Q. Our court is interested in applying for a grant for our Adult Criminal Collaborative Court. We have checked with the County Probation Office who performs the criminogenic assessments. The Probation Office has been using the Strong Assessment tool for several years. At the time this assessment tool was purchased they researched the tool with the State of Washington where the Strong Assessment is used throughout the state. In addition, this tool had been reviewed and recommended by the Washington State Institute for Public Policy prior to implementation in the state of Washington. Does the Strong Assessment meet with the Judicial Council's approval?
- A. *To be considered 'validated' a tool has been demonstrated empirically to predict criminal recidivism or failure on community supervision and is equivalently predictive for women and men, and for racial or ethnic minority groups that are represented in the local arrestee population. The Strong has been validated for adult men and women and racial and ethnic minority groups on both community supervision and incarcerated populations and would be considered an appropriate tool unless your program targets a significantly different population.*
10. Q. We are hoping to use some of the funding to assist participants with housing, but we are confused by pages 11-12 of the RFP. Under acceptable uses of funds (Section 2.6.2) it says funds can be used for transitional/temporary housing but rent would be considered an ineligible use of funds (Section 2.6.3). Please clarify if it would be acceptable to use funds to help a participant get into permanent housing by helping with the upfront move-in costs, e.g., first month's rent, last month's rent, and/or deposit only, but not covering monthly rental payments. Also, if we apply for funds to enhance our existing Adult Drug Court program, can funds be used for residential treatment and other services such as bus vouchers, incentives, etc.?
- A. *Funds may be used for move-in costs associated with housing including first month's rent. Funds may not be used for on-going rent, deposits, or similar types of expenditures. Residential or outpatient treatment for mental health or substance abuse/dependence treatment is an acceptable use of funds. The costs of incentives given to program participants are also acceptable. Incentives may include gift cards, food*

coupons, bus and other transportation passes, field trip passes, movie tickets, etc. Funds must not be distributed as cash, and the maximum amount of incentive reimbursements per program is \$1,500 per year and \$50 per participant. The Judicial Council will provide a form for reporting incentive distributions. Funds are reimbursed only upon submission of both proof of purchase and proof of distribution to program participants within the grant contract period. Court employees, subcontractors, or anyone other than a program participant are not allowed to receive incentives. (See Section 2.6.2 of the RFP.)

11. Q. May we use funds for sober transitional living for program participants?
- A. *Funds may be used for services including but not limited to electronic monitoring and ongoing supervision, assessment, job/educational training, residential or outpatient treatment for mental health or substance abuse/dependence treatment, health screening, transitional/temporary housing. (See Section 2.6.2 of the RFP.)*
12. Q. I have an additional question regarding the Recidivism Reduction Fund regarding section 2.6.2 Acceptable uses of funds include: Salary and benefits for court employees necessary to meet operational requirements for the program. Is there a definition of “operational requirements for the program”? We are looking at staffing a collaborative court coordinator whose duties would include those listed below and we want to ensure that these duties are considered as necessary to meet operational requirements for the program.
- Facilitates group or team meetings and acts as liaison/representative for the Court with various service providers, community agencies and/or other related parties;
 - Writes and disseminates correspondence including program bulletins, newsletters and other court related materials;
 - May assist judicial officers in composing correspondence, talking points and/or presentations;
 - May make presentations to the community through outreach and education programs;
 - Facilitates the development and documentation of standards and policies related to the Collaborative Court Teams; develops, communicates, and implements recommended improvements when necessary;
 - Maintains program data, compiles data from Justice Partners and services provided and prepares monthly reports; assist with compiling budget status and statistical information for grant reporting;
 - Reviews case eligibility following established criteria;
 - Monitors case loads and program participant progress;
 - May attend hearings and prepare minute orders;
 - Coordinates graduation ceremonies; invitations, guest speakers and graduation certificates; arranges for photographic coverage of events;
 - Develops agreements and MOUs with Justice Partners;
 - Assists in the development and execution of contracts with services providers;
 - Prepares reports that summarize grant-related activities; and

- Coordinates the collection of timesheets, invoices, and supporting documentation to support grant.
- A. *As long as the work described above is conducted for the collaborative court program, funding this Collaborative Court Coordinator position would be an acceptable use of Recidivism Reduction Funds.*
- 13. The RFP prohibits expenses for housing, on-going living costs, utilities, and the like. However, based on the FAQs, one-time housing expenses, such as move-in costs, are allowable.**
- (a) **Q. Using the same reasoning, would an emergency fund for one-time expenses, such as emergency appliance repair or replacement for safety or habitability issues, hygiene supplies, socks/underwear/warm clothing/work-appropriate shoes, be allowable? Would it be necessary to limit each offender to a one-time use of the fund? We are proposing a Veterans Court and many of our veterans are homeless or in substandard housing. Employability typically requires cleanliness and clean, appropriate clothing.**
- A. *The above expenses would all be considered living expenses and would not be acceptable under this grant program. However, if the court were to use socks, for example, as an incentive for participants, those expenses would be acceptable up to a maximum incentive reimbursement per program of \$1,500 per year and \$50 per participant. (See RFP Section 2.6.2 and FAQ #10 under Collaborative Courts.)*
- (b) **Q. Could we create an employability fund for tools, boots, books, etc., but excluding tuition for vocational education or other education?**
- A. *Books could be considered educational and training materials and as such would be an acceptable expense as described in RFP Section 2.6.2.*
- (c) **Q. It appears that GED testing fees are permissible. Please confirm.**
- A. *Yes, GED testing fees would be an acceptable use of funds.*
- (d) **Q. The RFP also prohibits costs such as “licenses” arising from violations. Does this prohibition apply to the expense of obtaining a current California Drivers’ License if the reason the offender does not have a license is not connected to the current felony, conviction or charge?**
- A. *Funds from this grant program may not be utilized to cover the cost to reinstate a participant’s driving privileges. This cost could be considered living expenses and also may consist of fine/fees resulting from violations by program participants. (See RFP Section 2.6.3)*
- (e) **Q. If the license was suspended or revoked due to a prior offense and could be recovered, is it possible for the collaborative court program to cover those expenses? Individuals in rural areas typically must have drivers’ licenses to get to work, vocational education, or other services. There are either no buses or the buses require 4+ hours to make one trip and/or shut down in the early evening.**
- A. *Please see response to above question 13(d).*

14. Q. May funds be used for a vehicle?

A. *No, purchase of a vehicle is not an acceptable use of funds for the RRF Court Grant Program.*

Pretrial Programs

1. Q. Can a pretrial program encompass misdemeanor charges as well?

A: *Yes. Because pretrial programs may interact with detainees prior to the identification of the charge, a pretrial program funded under this court grant program may serve pretrial detainees charged with misdemeanors. Section 2.2.2 of the RFP describes pretrial programs and sets forth the components that must be included in pretrial programs funded under this court grant program. Section 2.2.2 does not restrict pretrial programs to assessing and serving solely those charged with felonies; programs may assess all pretrial detainees, recommend for release or continuing detention and, if appropriate, supervise on release.*

2. Q. Is a Pretrial Program funded under the Recidivism Reduction Fund Court Grant Program limited to conducting risk assessments for pretrial offenders *who are in-custody* at the time of the assessment? Pursuant to the RFP, a primary function of a pretrial program is to “collect and analyze information about pretrial *detainees*” (Section 2.2.2, page 4); however, it is possible that the Sheriff’s Department may make a release decision prior to a judicial officer making a determination as to whether or not to release the pretrial offender. We believe we could meet such a requirement, but we would like to know if an agency could also conduct risk assessments for pretrial offenders once they are released by the Sheriff’s Department.

A. *The RRF grant program is designed to encourage coordination among justice system partners. We anticipate that courts will work closely with sheriffs and other partners to ensure that assessments generally are conducted early in the detention process, and that custody and release decisions are informed by those assessments. However, we recognize that there may be times when an initial release from custody will occur before the defendant has appeared before the court, and that an assessment may be useful in informing the court’s decision on custody, release and terms of supervision at arraignment or a subsequent hearing; such an assessment would be a permissible usage of RRF funds.*

3. Q. I am trying to finalize the budget portion of the grant and I need additional information regarding the Pretrial Summit on February 17 and 18 so I can properly account for lodging, meals and other travel costs. Do we have info on where the summit will be held in San Francisco? Will the Judicial Council be getting a block of rooms? We need information on when the program starts/ends and which meals are provided during the summit so we can properly calculate expenditures.

- A. *The 2015 Pretrial Summit will be held in the Milton Marks Conference Center at the Judicial Council's San Francisco office at 455 Golden Gate Avenue on February 17 and February 18, 2015. The Judicial Council has contracted for a block of sleeping rooms for the evening of February 17. The contracted rate is \$140 per night plus \$2.24 surcharges (total \$142.24 per night). Day one of the program (February 17) is scheduled for 10:00 a.m. to 5:00 p.m. Day two of the program (February 18) is scheduled for 8:00 a.m. to 2:00 p.m. Current Judicial Council daily meal allowance is \$8 for breakfast and \$20 for dinner. Lunch will be provided on day one; breakfast and lunch will be provided on day two.*
4. Q. **The Court also intends to pay for all the justice partners costs to attend the Pretrial Summit as much as possible (e.g., lodging) and seek reimbursement from the Judicial Council. Mileage and meals will be reimbursed by the Court to the agencies and then the court will seek reimbursement from the Judicial Council. Is this the appropriate way to handle this? Or, should the agencies make their claims directly to the Judicial Council for all costs (lodging, meals and travel.)**
- A. *Applicant courts that are awarded a pretrial program grant may use RRF grant funding for expenses associated with attendance. In this case, your court would process reimbursement of your justice partners from your RRF grant funds. Because courts will not receive the notice of intent to award until after the Summit, applicants that are not awarded a pretrial program grant will be reimbursed by the Judicial Council for the expenses associated with attendance at the Pretrial Summit. In this case, your court and your justice partners should send Judicial Council travel claim forms to Criminal Justice Services for reimbursement. (See section 3.2 of the RFP.)*

Risk and Needs Assessments

1. Q. **Is there a list of recommended risk and needs assessments?**
- A. *The RFP does not include recommendations for any specific risk and needs assessment instruments, however, the assessment tool must be validated on the offender population that is the target of the program or on a similar offender population.*
2. Q. **Are all members of the PMT required to attend the Risk and Needs Assessment Information meeting on April 2 or can a representative and a select few representatives attend?**
- A. *The court and other members of the PMT should plan to attend the meeting.*
3. Q. **Can our court apply for a grant for a program that will facilitate the incorporation of risk assessment information at sentencing for the purpose of determining length of offender sentences?**
- A. *The primary expected use of reliable risk/needs assessment information at sentencing is to determine appropriate conditions of supervision and effective treatment programming, thereby promoting effective local supervision practices to reduce recidivism. It is not*

expected that risk/needs assessment information will be used to determine the length of any custody term imposed if supervision is denied.

- 4. Q Please provide any information you have on the April 2 Risk and Needs Assessment meeting in order to incorporate those costs into the grant, e.g., start/end times, meals included, etc.**
- A. *The anticipated schedule for the Risk and Needs Assessment meeting on April 2, 2015, is 9:00 a.m. to 4:30 p.m. The Judicial Council will provide breakfast and lunch. Dinner may be reimbursed at \$20 provided a traveler is unable to reach their home or office, whichever is closer, within one hour after their normal commute. Due to the early start time, the council has contracted for a block of sleeping rooms for the evening of April 1. The contracted rate is \$140 per night plus \$2.24 surcharges (total \$142.24 per night).***

Recidivism Reduction Fund Court Grant Program Peer Review Process

Grant Program Summary

The Budget Act of 2014 appropriated \$15 million from the Recidivism Reduction Fund (RRF) for a competitive grant program designated to support the administration and operation of trial court programs and practices known to reduce adult offender recidivism and enhance public safety, including the use of validated risk and needs assessments, other evidence-based practices, and programs that specifically address the needs of mentally ill and drug addicted offenders. Because these funds are specifically designated for court programs, judicial leadership is critical for all funded programs.

Funds were available to the Superior Courts of California for the establishment (planning and implementation) or ongoing operations and staffing (enhancement) of three categories of programs:

- Adult criminal collaborative courts that serve moderate and high-risk offenders,
- Pretrial programs, and
- Court use of validated risk and needs assessment information.

Development of the Grant Program RFP

In developing the request for proposals (RFP) for the grant program, Criminal Justice Services (CJS) consulted with experts in the areas of collaborative courts, pretrial programs, and risk and needs assessments. CJS sought assistance in the review and development of the RFP from appellate court justices, retired judges, out-of-state judges, and representatives of national organizations with relevant experience. These impartial individuals provided valuable input to the RFP development process.

In addition, to benefit from the subject-matter expertise of individual judges and court executive officers, CJS developed a brief survey of general questions designed to elicit substantive feedback on elements that should be included in the RFP—both subject-matter feedback and feedback that would assist courts in the administration of the grant program. These questions were provided to all of the presiding judges, court executive officers, and members of the Judicial Council’s Criminal Law Advisory Committee and Collaborative Justice Courts Advisory Committee. Their comments were received, reviewed, and incorporated into the RFP, as appropriate.

CJS also sought input from the Department of Finance, the Governor’s Office, legislative staff, and representatives of the Chief Probation Officers of California and the California State Association of Counties to ensure that the program accurately reflected the objectives of the RRF. These entities were asked to review the RFP in its draft form. CJS specifically requested feedback on the emphasis on funding many courts of various sizes across the state. These

stakeholders were supportive of this approach, which encouraged courts of all sizes to apply because they had an equal chance of receiving a grant award. Funding priority was given to planning and implementation grants for new programs.

The RFP was issued on September 15, 2014 with a submission deadline of December 15, 2014, potential applicant calls were held on October 7 and 16, and interested courts submitted notices of intent to apply on October 8.

Peer Review Process

A review panel of five members was formed for each of the three RRF grant category areas: collaborative courts, pretrial programs, and court use of risk and needs assessments. Review panels were made up of multidisciplinary teams of Judicial Council staff. Each panel had a team lead. To address confidentiality issues, each reviewer was assigned an ID number to use instead of his or her name on all review documents. Reviewers were instructed to regard the court proposals as proprietary information, and to not share any information contained in the proposals with outside parties. They also signed “Conflict of Interest” and “Confidentiality” agreements.

The reviewers attended a mandatory training/presentation on December 16, 2014 where they received their panels’ proposals and the following related reviewer documents:

- Original Recidivism Reduction Fund Court Grant Program RFP
- Final version of the Frequently Asked Questions from December 10, 2014
- Reviewer’s Checklist
- Peer Reviewer Assessment Form
- Strength/weakness Statement Examples
- Step-by-Step Review Instructions

The reviewer training focused on reviewing the proposals against the RFP, not against each other. The reviewers were instructed to read all planning and implementation proposals together and all enhancement proposals together. The RFP directed that each proposal be divided into five sections (problem statement; project plan; capabilities, role, and competencies; local collaboration; and cost proposal). Each section had a maximum number of possible points that could be awarded (per RFP section 7.0). The reviewers scored each proposal based on its responsiveness to the RFP criteria, the quality of responses to each section, and the level of detail provided. Points were deducted if elements of a particular section were not addressed or if responses were presented in incorrect sections. Each section was reviewed and scored separately. Reviewers were also directed to provide comments (strengths and weaknesses) that supported their evaluation of the proposals, providing details about the ways in which the proposal did or did not satisfy the selection criteria. Reviewers were given two weeks to score the proposals in their assigned category.

After all the proposals were scored by the reviewers individually, category panel meetings were held on January 5 and 6, 2015. The panel leads facilitated group discussion of the strengths and weaknesses of each proposal to enable the panel to resolve any areas of misunderstanding or

disagreement regarding proposal evaluation and funding recommendations. The category panels were responsible for reaching a score on each proposal in their category based on the strengths and weaknesses of the proposal, with comments supporting the scores.

The panel leads met with the Criminal Justice Services head on January 8, 2015, to review and evaluate the group scores and comments for all the proposals, consider the statewide geographic representation, and reach consensus on final scores.

The panel leads then drafted proposed grant allocation recommendations for consideration and approval first by the Executive and Planning Committee and then by the Judicial Council at its February 19, 2015, meeting. As noted in the RFP, recommended grant awards typically ranged from \$300,000 to \$600,000. Proposals for grant awards outside that range were considered only if/when the cost proposals clearly demonstrated a need for an increased or reduced level of funding.

The following policies were developed and recommended during the proposal review process to ensure funding for the maximum number of programs meeting the RFP criteria:

- Per the RFP (Section 2.5.1), fund only those programs that meet the minimum score requirement of 65 points.
- Fund all courts that submitted a proposal that scored at least 65 points.
- Limit each court to funding in only one program category (i.e., collaborative courts for adult offenders, pretrial programs, or court use of risk and needs assessments), even if a court received a score of 65 points in more than one program category. Courts that qualified in more than one program category were asked to choose the preferred category in which to receive funding.
- Limit grant awards to a maximum of \$600,000.

Grant funds were intended to be awarded to as many courts as possible with the condition that each grant would provide beneficial services and satisfy the overall goals of the RRF Court Grant Program as outlined by the legislation. Funding was also designated to represent statewide geographical and program diversity, and funding priority was given to planning and implementation proposals for new programs (RFP Section 2.5.1).

From the 38 grant proposals received, 27 court programs are recommended for funding, representing a total of \$13.654 million in grant awards. Approximately \$600,000 to \$650,000 will remain unallocated after adjustments are made to submitted program budgets for computation errors, elimination of nonallowable costs, and the like.

CJS recommends that the Judicial Council allow the six courts that did not meet the minimum 65-point requirement for funding per RFP Section 2.5.1 to submit revised proposals for review and rescoring by Judicial Council staff and for possible funding from the unallocated balance of the RRF Court Grant Program.

Key Dates and Deadlines

September 15, 2014	RFP Issue Date
October 7	Applicant Call
October 8	Submission by courts of notices of intent to apply
October 16	Applicant Call
December 15	Deadline for proposals
December 16	Mandatory reviewer training
December 17	Start of review of proposals
January 5, 2015	Category meeting—Risk and Needs Assessment
January 5	Category meeting—Pretrial
January 6	Category meeting—Collaborative Courts
January 8	Overall category meeting
February 9	E&P meeting
February 19	Presentation to Judicial Council
February 23	Notice of Intent to Award posting
February 23	Negotiation and execution of contracts (through April 1)