BUREAU OF JUSTICE ASSISTANCE

## The FY 2019 BJA Adult Drug Court Grant: Funding Opportunity for Tribes



Tribal Law and Policy Institute www.Home.TLPI.org www.WellnessCourts.org





#### **Presenters**

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#### BJA Adult Drug Court Grant Overview

#### **Grant Components**

- Noteworthy Considerations
- Abstract
- Problem Statement
- Program Design
- Capabilities and Competencies
- Data and Performance Measures

**Grant Writing Tips** 

**Other Funding Opportunities** 



#### Finding the BJA Drug Court RFP

#### **BJA.gov**



#### WellnessCourts.org



#### BJA Adult Drug Court RFP





- Implementation
   maximum of \$500,000 for
   48 months
- Enhancement
   maximum of \$500,000 for
   36 months

Due April 16, 2019



## **Effective Drug Courts**

- Reduce <u>Recidivism</u> and <u>Substance Abuse</u> among High Risk Participants through
- 1. Referrals based on validated assessments
- 2. Early, continuous, and intense treatment
- 3. Close judicial supervision and involvement
- 4. Mandatory and random drug testing
- 5. Community supervision
- 6. Equitable, consistent, and appropriate incentives and sanctions
- 7. Community reintegration and recovery support



# What is a Drug Court?

Court program,

managed by a multidisciplinary team

that responds to the <u>offenses</u> and <u>treatment</u> <u>needs</u>

of participants who are <u>diagnosed with</u> <u>substance abuse</u>.

Explicit exclusion against drug offenders who have committed acts of violence.





Utilize evidence-based practices and principles (NADCP standards)



**Build capacity** 





Expand targeted, evidence-based services



Enhance recovery support services, including transitional clean and sober housing



Reduce obstacles to successful recovery, including civil legal assistance



Support data collection and analysis to inform system improvement and fidelity



#### **Eligible Drug Court Types**

Adult Drug Courts	
Driving While Intoxicated (DWI)/Driving Under the Influence (DUI) Courts	
Co-Occurring Courts	
Veterans Treatment Courts	
Tribal Healing to Wellness Courts	



#### \$500,000 48 months

- Substantial amount of planning
- Ready to implement
- Funding for
  - Court operations and services
  - Participant services, management, and services
  - Provision and coordination of recovery support services (Appendix II) (25%)
    - Education
    - Civil legal assistance
    - Job training and placement
    - Housing placement assistance
    - Primary and behavioral health care
    - Child care

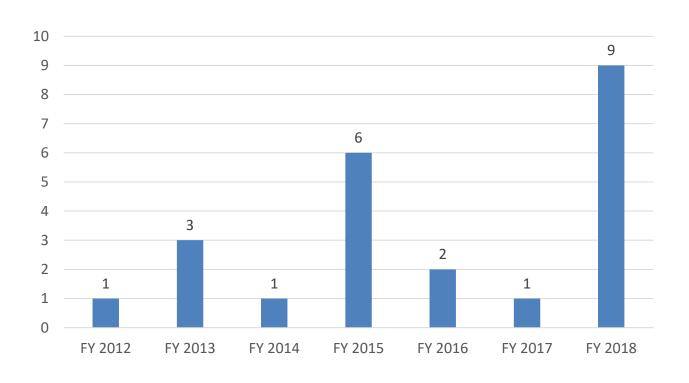


#### \$500,000 36 months

- Fully operational adult drug courts (at least one year)
- Funding to
  - Scale up the capacity
  - Enhance court operations
  - Expand or enhance court services
  - Improve the quality and/or intensity of services

#### **Tribal Awards**









Implementation: Adult Drug Court Planning Initiative





Identify specific NADCP standards that will be implemented



Rural and tribal jurisdiction

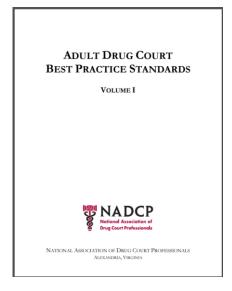


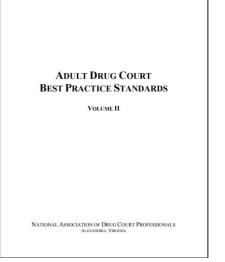
*Note*: Must demonstrate there will be treatment and services to address opioid abuse reduction.

#### NADCP Adult Drug Court Standards



nadcp.org/standards





#### **NADCP Drug Court Standards**



#### Volume I

- Target Population
- Historically Disadvantaged Groups
- Roles and Responsibilities of the Judge
- Incentives, Sanctions, and Therapeutic Adjustments
- Substance Abuse Treatment

#### Volume II

- Complementary Treatment and Social Services
- Drug and Alcohol Testing
- Multidisciplinary Team
- Census and Caseload
- Monitoring and Evaluation

#### **Unallowable Use of Funds**



Violent offenders (except Veterans, Type B)

MAT injection sites

Prizes, rewards, entertainment, trinkets

Client stipends, gift cards, any monetary incentive

Vehicles (Bus passes okay)

Food and beverage



#### All Applicants

- Must show that eligible candidates promptly enter the drug court
  - No initial period of incarceration
- Must show proposed program will include treatment and services to address opioid abuse reduction
- Must show no one is denied because of MAT



#### **Match Requirement – 25%**



Cash or in-kind

 Self-determination contract/compact funds may be eligible for "non-federal" match



#### Violent Offender Prohibition

- May not use grant funding to serve violent offenders, as defined by 34 U.S.C. § 10613.
  - Note: Consider tribal court jurisdiction.
  - Consider CTAS Purpose Area 3

Exception: Veterans Treatment Courts (Type B)



## **Application Components**

- Program Abstract 800 words, single-spaced
- Program Narrative 20 pages, double-spaced
  - Statement of the Problem 20%
  - Program Design and Implementation 40%
  - Capabilities and Competencies 20%
  - Data Plan for Performance Measures 15%
- Budget 5%
  - Budget Detail Worksheet (Excel)
  - Budget Narrative
- Time Task Plan tracing objectives to be met over grant period
  - Must indicate the # of participants served each quarter
- MOU b/ween key Team Members (Towards Capabilities and Competencies points)
- Policies and Procedures Manual (Towards narrative points)



#### **Project Abstract**

- 800 words
- Describe Court:
  - Category: Implementation or Enhancement
  - Urban, Suburban, or Rural
  - Pre- or Post-adjudication
  - Tribal Healing to Wellness
     Court
- Name, location, and address of Court; name and contact info of Judge and Coordinator
- Date court began operations
- Amount of requested funding

- Total # expected participants to receive services over life of the grant (describe admission protocol)
- Target population, screening and assessment, MAT access
- Treatment for opioids
- Data collection mechanism
- Other federal funding sources
- Prior Drug Court grant history
- Program Administrator contact information



#### **Program Narrative**

#### 20 pages

- 1. Statement of the Problem (20%)
- 2. Program Design and Implementation (40%)
- 3. Capabilities and Competencies (20%)
- 4. Data Collection for Performance Measures (15%)
- 5. Budget Detail Worksheet and Narrative (5%)



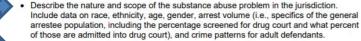
#### STRUCTURING THE NARRATIVE

The Peer Reviewer Checklist



For each category, the applicant must provide verified sources for the data that support the statement of the problem (i.e., census data, federal, state, and local databases).





- Explain the problems with the current court response to cases involving substance abuse; identify how and to what extent the proposed program will address the current arrest volume; and describe how the current number of treatment slots meets the needs of anticipated referrals.
- Describe the proposed target population, including criminogenic risk level (high, medium, low), substance abuse treatment need, and the average jail or prison sentence that potential participants face, if any.
- Provide the target number of people to whom services will be provided under this program during the grant award period (48 months).

#### Category 2: Enhancement Applicants (20 percent)

- Describe the immediate issues that the enhancement grant seeks to address. The applicant is encouraged to incorporate the evidence-based program principles included in the NADCP Adult Drug Court Best Practice Standards, and to specify which standard(s) will be addressed and how the standard(s) will be implemented. The applicant should also refer to the allowable uses of funds on page 6. In addition, the proposed enhancements should include criminal justice-related needs and can also include enhancements related to enhancing treatment and relapse prevention support services.
- Describe the current operation of the adult drug court, addressing:
- Referral, screening, and assessment process
- Eligibility requirements
- Target population
- Current capacity
- Length and phases of the program
- Case management process
- Community supervision
- Recovery support services delivery plan to include vocational and/or educational and transitional housing services
- Judicial supervision
- Process for randomized drug testing
- Incentives and sanctions













#### **Statement of the Problem: Implementation**

- Nature and scope of the substance abuse problem (stats)
- Problems with current response
- Target Population
- Capacity Goal



## Statement of the Problem: Enhancement: Describe Current Operations

- Referral, screening, and assessment process
- Eligibility requirements
- Target population
- Current capacity
- Length and phases of program
- Case management process
- Community supervision

- Recovery support services
- Judicial supervision
- Process for random drug testing
- Incentives and sanctions
- Graduation requirements
- Restitution costs and fees





- In addition to describing court, include:
  - How court will target high risk/high need
  - Identify treatment
  - How interventions were selected (evidence-based?)
- Describe immediate issues the grant seeks to address



#### **Program Design and Implementation**

- Must demonstrate prompt entrance
  - No initial periods of incarceration (unless statutorily mandated)
- No fees that would prevent graduation
- Must permit access to MAT
- Describe commitment to provide for opioid and/or other substance abuse



## Project Design: Implementation: Describe the Drug Court

- Screening, and assessment process
- Eligibility requirements
- Pre- or Post-Plea
- Length and phases of program
- Case management process
- Community supervision
- Evidence-based Treatment

- Recovery support services
- Judicial supervision
- Process for random drug testing
- Incentives and sanctions (relapse is a part of recovery)
- Graduation requirements
- Restitution costs and fees



## Project Design: Implementation: Describe:

- What NADCP Standards will be implemented
- How will treatment providers be selected/monitored
- Range of treatment to be used
- High risk/high need assessment tool
- How will the court be "early intervention"
- Community engagement
- How will treatment be funded
- For VTCs Type B availability of anger management and domestic violent treatment



## Project Design: Enhancement Describe:

- Proposed enhancements
- What, if any, Drug Court Standards will be implemented
- High risk/high need assessment tool
- Target capacity #
- Also describe:
  - Drug testing process
  - Frequency of judicial status hearings
  - Perception of procedural fairness
  - Evidence-base for treatment interventions
  - If applicable, recovery support services
  - For VTCs Type B availability of anger management and domestic violent treatment



#### Capabilities and Competencies: Implementation

- BJA Drug Court Planning Initiative?
- Identify each team member and their role
  - Attach MOU
- Describe communication and coordination strategies
- Indicate whether team includes: law enforcement and probation
- Describe treatment



#### **Capabilities and Competencies: Enhancement**

- Identify each drug court team member who will have a role in the proposed enhancement
- Identify other critical personnel
- Proposed treatment partners
- MOU signed by each team member



#### **Data Collection - Implementation**

- Performance management and evaluation plan
- Process for quarterly review of # of participants (Time Task Plan)
- Client community reintegration or continued care strategy
- Sustainability plan



#### **Data Collection - Enhancement**

- How court performance of court operations will be evaluated
- Quarterly review of participants served vs. projected number
- Sustainability Plan
- Client communication reintegration or continued care strategy



#### **Performance Measures**

 Awardees required to submit quarterly reports at <a href="https://bjapmt.ojp.gov/">https://bjapmt.ojp.gov/</a>

- Performance Measure Tools:
  - Category 1: Implementation
  - Category 2: Enhancement



#### **Performance Measure Tool**

#### **GENERAL AWARD INFORMATION**

1.	Was there <b>grant activity</b> in the reporting period? <i>Grant activity is defined as any proposed activity in the BJA-approved grant application that is implemented or executed with BJA program funds.</i> A. Yes  B. No (Please explain below)
2.	Which one of the following type of areas best describes where your Drug Court program is located? (Please select only one area type.)  A. Urban (a large city with 50,000 or more people)  B. Suburban (territory outside of a large city with a population of 2,500 to 50,000 people or more)  C. Rural (territory that encompasses all people and housing not included within a suburban, urban, or tribal area)  D. Tribal (territory that contains a concentration of people who identify with a federally recognized American Indian tribe)
3.	What is the <b>expected number of participants</b> the Drug Court program plans to serve with BJA program funds over the life of this award? <i>The value should correspond to what was reported in the grant application.</i> A. Enter the expected number of participants
4.	Is this the last time the grantee is reporting in the PMT before <b>closing out</b> this award? If "yes," the grantee must complete the Court and Criminal Involvement section. This question will appear and go into effect starting with the January to March 2013 reporting period.  A. Yes  B. No



## Performance Measure Tool Categories

- General Award Information
- Program Characteristics
- Program-Level Measures
  - Amount of Services Added
  - Amount of Services Delivered

- Participant Level Measures
  - Screening and Program Intake
  - Risk Assessment
  - Number of Drug Court
     Participants Receiving Services
  - Program Completion and Judicial Interaction
  - Alcohol and Substance Involvement
- Court and Criminal Involvement
- Narrative Questions



## **Performance Measures**

Objective	Performance Measure	Data Grantees Provide
Improve, enhance, and/or expand drug court services to reduce substance use and recidivism of drug court participants.	Percentage of participants admitted to the program	During this reporting period: A. Number of drug court participants that were admitted B. Total number of eligible drug court participants
	Percentage of participants who successfully completed the program	A. Number of participants enrolled in the program B. Number of participants who successfully completed program requirements C. Total number of successful and unsuccessful completions



Objective	Performance Measure	Data Grantees Provide
Improve, enhance, and/or expand drug court services to reduce substance use and recidivism of drug court participants.	Percentage of participants who tested positive for illegal substance	A. Number of drug court participants in the program for 90 days who tested positive for the presence of an illegal substance during this reporting period  B. Number of drug court participants in the program for 90 days who were tested for the presence of illegal drugs during this reporting period
	Percentage of program participants who recidivate while enrolled in the program  Percentage of arrest  Percentage of program participants who recidivate within one year after completion of the program	A. Number of drug court participants B. Number of drug court participants who recidivate while enrolled in the program C. Number of drug court participants who were arrested for drug offenses D. Number of drug court participants who were arrested for non-drug offenses E. Number of drug court participants who were arrested for non-drug and drug offense one year after program completions

#### **BJA Adult Drug Court RFPs PROs and CONs**



Pros	Cons
<ul> <li>Drug court specific RFP/funding source</li> </ul>	Not tribal specific RFP
<ul> <li>Specific reference to Tribal Healing to Wellness Courts</li> </ul>	<ul> <li>Tribes have to compete with state drug courts</li> </ul>
<ul> <li>Peer reviewers will have substantial drug court specific knowledge</li> </ul>	<ul> <li>No guarantee that any Tribal Healing to Wellness Courts will be funded under these RFPs</li> </ul>
<ul> <li>In recent years, at least 2-3 tribes per year have received funding under the general BJA Adult Drug Court RFP</li> </ul>	Violent Offender Prohibition
<ul> <li>More grant awards under general BJA Adult Drug Court RFP than under any other drug court specific RFP (such as OJJDP and SAHMSA RFPs)</li> </ul>	25% match requirement

## Resources: www.ndcrc.org







#### **Additional Evidenced-Based Program Principles**

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



## **Common Mistakes**

- Not responding to all of the requested information
- Failed to draw connection between statement of the problem and the program design
- Not providing the requested information in relevant section where peer reviewers could easily locate it
- Failed to draw the connection between the proposed budget and the programmatic activities
- Inconsistencies within proposal different writers by section
- Did not provide specific measurable targets for performance measures



## **TIPS**

- 1. Check all of the resources linked in the RFP
- 2. Use scoring criteria as a general guide for how many pages to devote to each section
- 3. Don't wait until the deadline to apply
- 4. Go back and review the budget after completing the narrative.
- 5. Focus on attachments (Time Task Plan!)
- 6. PDF everything!



## If unsuccessful

- Always ask Agency to provide comments
- Keep prior proposals and comments
   (although different review panel each time)
- Ask Agency what other services can be provided such as:
  - Training and Technical Assistance (T/TA)
  - Capacity Building
  - Scholarships for Conferences/Trainings
- Ask Agency for copies of successful applications
- Serve as peer reviewer



#### OTHER FUNDING OPPORTUNITIES



# **Comprehensive Opioid Abuse Program (COAP)**

- Diversion and alternatives to incarceration programs that expand outreach, treatment, and recovery efforts to individuals impacted by the opioid epidemic who come into contact with justice system.
- Category 1: First Responder Partnerships
- Category 3: System-Level Diversion Projects
- Category 6: Public Safety, Behavioral Health, and Public Health Information-Sharing Partnerships





## CTAS - www.justice.gov/tribal

#### Included:

- Tribal-Specific grants within the
  - Office of Community
     Oriented Policing Services
     (COPS)
  - Bureau of Justice Assistance (BJA)
  - Office on Violenzce Against
     Women (OVW)
  - Office for Victims of Crime (OVC)
  - Office of Juvenile Justice and Delinquency Prevention (OJJDP)

#### **Not Included:**

- OVW Tribal Coalitions
- OVW Tribal Sexual Assault Services Program
- T/TA Programs
- BJA Tribal Civil and Criminal Legal Assistance
- Non-Tribal Government-specific grants



### CTAS Pros

- Tribal specific RFP/funding source
- Specific references to Healing to Wellness Courts in Purpose Areas #3, and #8
- Peer reviewers will have tribal court specific knowledge
- Peer reviewers will have some drug court knowledge (Purpose Area #8)
- More flexibility to design Wellness Court in PA #3
- No match requirement
- Healing to Wellness Court objectives can be better incorporated into an overall tribal plan through CTAS
- Most tribes are already planning to submit CTAS proposal



## **CTAS Cons**

- PA # 3 has large scope and lots of competition
- PA #3 is not Wellness Courtspecific
- PA #8 is narrow and limited
- Complex CTAS application process with many moving parts requiring substantial intra-tribal coordination
- Limited page and formatting requirements



#### **FY 2019 CTAS PURPOSE AREAS**



- 1. Public Safety and Community Policing (COPS Office Tribal Resources Grant Program—Hiring and Equipment/Technology)
- 2. Comprehensive Tribal Justice System Strategic Planning (BJA, COPS, OJJDP, OVW, and OVC)
- 3. Justice Systems, and Alcohol and Substance Abuse (BJA Tribal Courts Assistance Program and Indian Alcohol and Substance Abuse Prevention Program)
- 4. Corrections and Correctional Alternatives (BJA Tribal Justice Systems Infrastructure Program)
- 5. Violence Against Women Tribal Governments Program (OVW)
- 6. Children's Justice Act Partnerships for Indian Communities (OVC)
- 7. Comprehensive Tribal Victim Assistance Program (OVC)
- 8. Juvenile Healing to Wellness Courts (OJJDP)
- 9. Tribal Youth Program (OJJDP)
- 10. Addressing Violent Crime in Tribal Communities (BJA)



## Wellness Court Purpose Areas

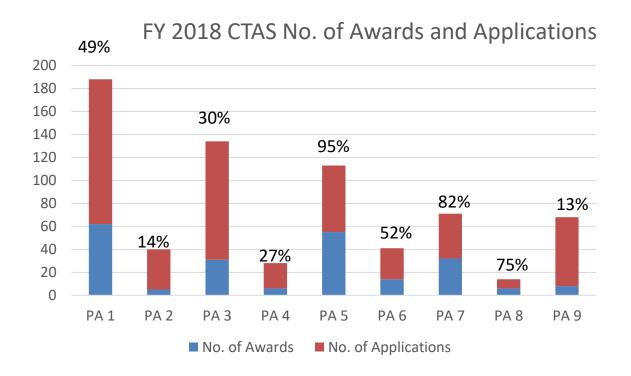
#### PA 3

- \$16.8 million estimated
- 20-30 awards
- \$250,000 \$750,000 each
- 3 years

#### PA 8

- \$1.75 million
- 5 awards
- \$350,000 each
- 3 years





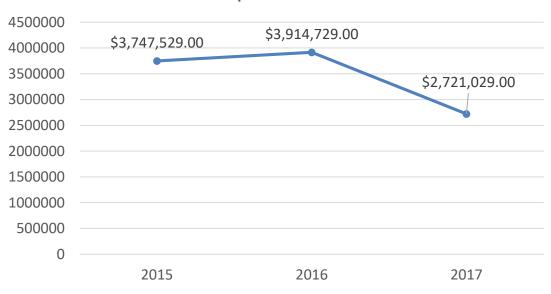








#### Purpose Area 8





Juvenile Drug Court Family Drug Courts

# OFFICE OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION



# OJJDP – FY 2018, released May 7, 2018

- Juvenile Drug Court Enhancement (operational for at least 1 year)
  - Juvenile Drug Court Guidelines
  - \$400,000/48 months
- Family Drug Court Enhancement (operational for at least 1 year)
  - \$900,000/48 months
- Family Drug Court Implementation
  - \$600,000/48 months
- 25% match
- Logic Model



## **Tribes Funded in the Past**

- FY 2016 Family Drug Court
  - Lummi Nation
  - Red Lake Band of Chippewa Indians
  - Grand Traverse Band of Ottawa and Chippewa Indians



# SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION (SAMHSA)



# **Expand Treatment in Family Treatment Courts and in Adult Treatment Court**

- Was due Jan. 4, 2019
- Allowable uses of funds
  - Service expansion larger number of clients
  - Substance abuse and/or co-occurring treatment and recovery services
    - Needs and assessments
    - Outpatient, intensive outpatient, or residential treatment programs
    - Recovery Services, e.g.:
      - Transportation
      - Employment services/job training
      - Case management
      - Child care
      - Peer support
      - Parent education
      - Recovery housing



## **Tribes Funded in the Past**

#### • FY 2018

- Saginaw Chippewa Indian Tribe of Michigan Adult Tribal Healing to Wellness Court Expansion
- Penobscot Nation Healing to Wellness Court Expansion

WELLNESS COURT RESOURCES







September 10-12, 2019 | Palm Springs, CA

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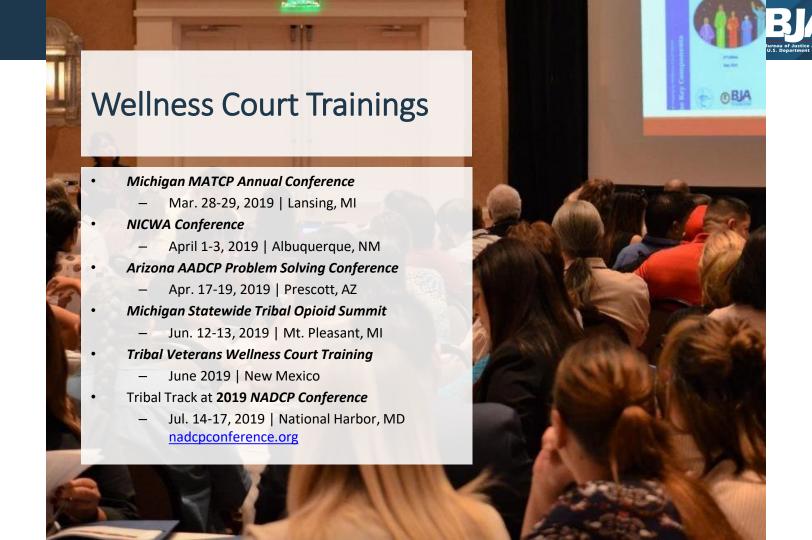
#### THE TRAINING

SEPTEMBER 2019 Palm Springs, CA

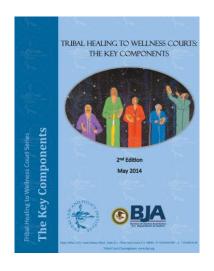
U.S. Department of Justice approval is pending.

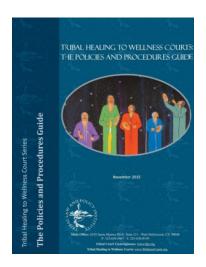
The Tribal Healing to Wellness Court Enhancement Training ("Enhancement Training,") is a tribal-specific national training for tribal problem-solving courts. The Enhancement Training features Wellness Court best practices and innovative strategies.











#### **Wellness Court Publications**



The Tribal Key Components, 2nd. ed. (2014)

Treatment Guidelines, 2nd ed. (2017)

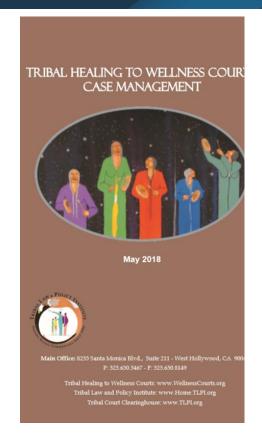
Case Management (2018)

The Judicial Bench Book (2016)

The Policies and Procedures Guide (2015)

Overview of Tribal Healing to Wellness Court (2014)

**Needs Assessment Report (2010)** 









## **Tribal Veterans Wellness Courts**

- Technical Assistance
- Funding
- Veterans Treatment Court Planning Initiative
- Visit a Veterans
   Treatment Court
- Regional Conference



#### WellnessCourts.org







# The Tribal Law and Policy Institute

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