

RESOLUTION NO. 2019-__



STATE OF TEXAS

§

IN THE COMMISSIONERS COURT

COUNTY OF COMAL

§

A RESOLUTION BY THE COMMISSIONERS COURT OF COMAL COUNTY, TEXAS AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION UNDER THE SPECIALTY COURTS GRANT PROGRAM THROUGH THE OFFICE OF THE GOVERNOR IN THE AMOUNT OF \$55,087.50, TO SUPPORT THE CHALLENGE FELONY DRUG COURT PROGRAM.

WHEREAS, the Commissioners Court of Comal County finds it in the best interest of the citizen's of Comal County, Texas, that the Challenge Felony Drug Court Program be operated for the 2020 Grant Year through the Office of the District Court; and

WHEREAS, the Commissioners Court of Comal County understands that if awarded, the project period of performance will be from September 1, 2019 to August 31, 2020; and

WHEREAS, the Commissioners Court of Comal County understands that of the total project cost of \$55,087.50, 100 percent will be reimbursed with no match requirement; and

WHEREAS, the Commissioners Court of Comal County agrees that in the event of loss or misuse of the Office of the Governor funds, the Commissioners Court of Comal County assures that the funds will be returned to the Office of the Governor in full; and

WHEREAS, the Commissioners Court of Comal County designates the County Judge, as the grantee's authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency.

NOW THEREFORE BE IT RESOLVED that the Commissioners Court of Comal County approves submission of the grant application for the FY20 Specialty Court Grant Program to the Office of the Governor.

ADOPTED BY THE UNANIMOUS VOTE OF THE COMAL COUNTY COMMISSIONERS COURT on this the 21st of February, 2019.

SHERMAN KRAUSE, COUNTY JUDGE

DONNA ECCLESTON
COUNTY COMMISSIONER, PCT. 1

SCOTT HAAG
COUNTY COMMISSIONER, PCT. 2

KEVIN WEBB
COUNTY COMMISSIONER, PCT. 3

JEN CROWNOVER
COUNTY COMMISSIONER, PCT. 4

ATTEST: _____
BOBBIE KOEPP, COUNTY CLERK

Agency Name: Comal County

Grant/App: 3805201 **Start Date:** 9/1/2019 **End Date:** 8/31/2020

Project Title: Challenge Felony Drug Court

Status: Application Pending Submission

Eligibility Information

Your organization's Texas Payee/Taxpayer ID Number:
17460017753019

Application Eligibility Certify:

Created on: 2/5/2019 10:49:15 AM By: Michele Valadez

Profile Information

Applicant Agency Name: Comal County

Project Title: Challenge Felony Drug Court

Division or Unit to Administer the Project: Comal County 433rd Judicial District Court

Address Line 1: 150 N. Seguin Ave.

Address Line 2: #317

City/State/Zip: New Braunfels Texas 78130

Start Date: 9/1/2019

End Date: 8/31/2020

Regional Council of Governments(COG) within the Project's Impact Area: Alamo Area Council of Governments

Headquarter County: Comal

Counties within Project's Impact Area: Comal

Grant Officials:

Authorized Official

Name: Sherman Krause

Email: krause@co.comal.tx.us

Address 1: 150 N. Seguin

Address 1:

City: New Braunfels, Texas 78130

Phone: 830-221-1100 Other Phone:

Fax:

Title: The Honorable

Salutation: Judge

Position: County Judge

Project Director

Name: Stephen Thomas

Email: dcasmt@co.comal.tx.us

Address 1: 150 N. Seguin

Address 1: #317

City: New Braunfels, Texas 78233

Phone: 830-221-1270 Other Phone: 830-221-1270

Fax: 830-608-2030

Title: Mr.

Salutation: Mr.

Position: Court Coordinator

Financial Official

Name: Michele Valadez
Email: valadm@co.comal.tx.us
Address 1: 150 N. Seguin
Address 1: Suite 201
City: New Braunfels, Texas 78130
Phone: 830-221-1212 Other Phone:
Fax: 830-620-5592
Title: Ms.
Salutation: Ms.
Position: Grants Administrator

Grant Writer

Name: Michele Valadez
Email: valadm@co.comal.tx.us
Address 1: 150 N. Seguin
Address 1: Suite 201
City: New Braunfels, Texas 78130
Phone: 830-221-1212 Other Phone:
Fax: 830-620-5592
Title: Ms.
Salutation: Ms.
Position: Grants Administrator

Grant Vendor Information

Organization Type: County
Organization Option: applying to provide services to all others
Applicant Agency's State Payee Identification Number (e.g., Federal Employer's Identification (FEI) Number or Vendor ID): 17460017753019
Data Universal Numbering System (DUNS): 098824758

Narrative Information

Introduction

The purpose of this funding is to support specialty court programs as defined in Chapter 121 and Chapter 129 of the Texas Government Code.

Please read the funding announcement for program rules and application guides, available on the [eGrants Calendar](#) page. Additionally, you should review the Guide to Grants available at [CJD's resources webpage](#) for information and guidance related to the management and use of grant funds.

Use the space provided below to describe your project. For help with your narrative, see CJD's [Developing a Good Project Narrative Guide](#). NOTE: Do not upload attachments with further information unless specifically instructed to do so.

Program-Specific Questions

Specialty Courts

If applicant applying to fund a specialty court operating under Ch. 121 through CH. 129 of the Texas Government Code, enter the **CJD ID for the court**. If the application is for multiple courts, enter "999". If applicant is not registered, enter "0":

0

Participant Fees

Does this specialty court collect participant fees pursuant to Sec. 123.004 of the Texas Government Code?

- Yes
- No

If yes, what is the current dollar amount charged to participants?

0

In the last fiscal year, how many participants were charged a fee?

0

Of those participants charged, how many paid the fee?

0

Certifications

In addition to the requirements found in existing statute, regulation, and the funding announcement, this program requires applicant organizations to certify compliance with the following:

Constitutional Compliance

Applicant assures that it will not engage in any activity that violates Constitutional law including profiling based upon race.

Information Systems

Applicant assures that any new criminal justice information systems will comply with data sharing standards for the Global Justice XML Data Model and the National Information Exchange Model.

Uniform Crime Reports

Eligible applicants operating a law enforcement agency must be current on reporting Part I violent crime data to the Texas Department of Public Safety (DPS) for inclusion in the annual Uniform Crime Report (UCR). To be considered eligible for funding, applicants must have submitted a full twelve months of accurate data to DPS for the most recent calendar year.

Conversion to National Incident-Based Reporting System (NIBRS)

The Texas Department of Public Safety (DPS) has established a goal set by the Texas Legislature for all local law enforcement agencies to implement and report crime statistics data by using the requirements of the National Incident-Based Reporting System (NIBRS) no later than September 1, 2019. Additionally, the Federal Bureau of Investigations (FBI) will collect required crime statistics solely through the NIBRS starting January 1, 2021. Due to these upcoming state and federal deadlines, grantees are advised that eligibility for future grant funding may be tied to compliance with NIBRS. Financial grant assistance for transitioning to NIBRS may be available for your jurisdiction from the Criminal Justice Division (CJD).

Criminal History Reporting

Entities receiving funds from CJD must be located in a county that has an average of 90% or above on both adult and juvenile dispositions entered into the computerized criminal history database maintained by the Texas Department of Public Safety (DPS) as directed in the Texas Code of Criminal Procedure, Chapter 60. The disposition completeness percentage is defined as the percentage of arrest charges a county reports to DPS for which a disposition has been subsequently reported and entered into the computerized criminal history system.

Twelve-Step Programs

Grant funds may not be used to support or directly fund programs such as the Twelve Step Program which courts have ruled are inherently religious. OOG grant funds cannot be used to support these programs, conduct meetings, or purchase related materials.

Specialty Court Certifications

If the applicant is a specialty court operated under Ch. 121 of the Texas Government Code, the following certifications apply:

1. The specialty court will develop and maintain written policies and procedures for the operation of the program.
2. The applicant will submit a copy of any project evaluations, evaluation plans, recidivism studies, or related reports that are completed during the grant period to CJD.

Adoption of Adult Drug Court Best Practice Standards

Applicants operating an adult drug court certify that they are working towards full compliance with and adoption of Vol. I & II of the Adult Drug Court Best Practice Standards by the deadline of August 31, 2019 set by the Texas Judicial Council.

Generated Program Income

Unless specifically and explicitly authorized to do otherwise by OOG, at OOG's sole discretion, the applicant will report Generated Program Income (GPI), which includes any portion of fees collected from program participants and retained by the grantee. GPI will be applied to the grant through a grant adjustment. GPI must be used to offset project costs and must be expended prior to seeking payment from OOG.

Compliance with State and Federal Laws, Programs and Procedures

Local units of government, including cities, counties and other general purpose political subdivisions, as appropriate, and institutions of higher education that operate a law enforcement agency, must comply with all aspects of the programs and procedures utilized by the U.S. Department of Homeland Security ("DHS") to: (1) notify DHS of all information requested by DHS related to illegal aliens in Agency's custody; and (2) detain such illegal aliens in accordance with requests by DHS. Additionally, counties and municipalities may NOT have in effect, purport to have in effect, or make themselves subject to or bound by, any law, rule, policy, or practice (written or unwritten) that would: (1) require or authorize the public disclosure of federal law enforcement information in order to conceal, harbor, or shield from detection fugitives from justice or aliens illegally in the United States; or (2) impede federal officers from exercising authority under 8 U.S.C. § 1226(a), § 1226(c), § 1231(a), § 1357(a), § 1366(1), or § 1366(3). Lastly, eligible applicants must comply with all provisions, policies, and penalties found in Chapter 752, Subchapter C of the Texas Government Code.

Each local unit of government, and institution of higher education that operates a law enforcement agency, must download, complete and then upload into eGrants the [CEO/Law Enforcement Certifications and Assurances Form](#) certifying compliance with federal and state immigration enforcement requirements. This Form is required for each application submitted to OOG and is active until August 31, 2021 or the end of the grant period, whichever is later.

Civil Rights Liaison

A civil rights liaison who will serve as the grantee's civil rights point of contact and who will be responsible for ensuring that the grantee meets all applicable civil rights requirements must be designated. The designee will act as the grantee's liaison in civil rights matters with CJD and with the federal Office of Justice Programs.

Enter the Name of the Civil Rights Liaison:

Jennifer Tharp

Enter the Address for the Civil Rights Liaison:

150 N. Seguin Ave., Suite 307, New Braunfels TX 78130

Enter the Phone Number for the Civil Rights Liaison [(999) 999-9999 x9999]:

(830) 221-1300

Overall Certification

Each applicant agency must certify to the specific requirements detailed above as well as to comply with all requirements within the CJD Funding Announcement, the *Guide to Grants*, the *Grantee Conditions and Responsibilities*, any authorizing or applicable state and federal statutes and regulations to be eligible for this program.

I certify to all of the application content & requirements.

Project Abstract :

During Calendar Year 2007 with guidance and direction from the Honorable Dib Waldrip, the Challenge Court was established. A primary focus of the Court has always been to reduce the prison population through the supervision of the 3rd Degree and/or State Jail Felony offender with criminogenic needs related to substance abuse; and teach the defendant how to correct the behavior bringing them to the criminal justice system preventing them from

returning. The Challenge Court does not accept manufacturing or delivery of drugs offenses. The Court utilizes a non-adversarial approach encouraging teamwork among multiple criminal justice disciplines. Offenders with issues outside of the scope of the abilities of the Court are referred to other human service organizations better equipped to supervise those defendants. As the foundation for the Program, the Court uses 10 Essential Components for Drug Courts as set out by National Association for Drug Court Professionals and codified in Chapter 123 of the Texas Government Code. Judge Waldrip mentions often to the participants of the Court as well as team members that "time is the enemy" and swift identification of criminogenic needs; and treatment for the same is necessary for appropriate supervision and reduction of recidivism. Other than Judge Waldrip, the following personnel are members of the Team and their resources are used to positively impact the defendant: District Attorney, Law Enforcement, Community Supervision Officer, Counseling Professionals, Court Coordinator, Defense Counsel, Magistrate, and interested members of the community. Additionally, other representatives from the law enforcement community, family of the participants, and former graduates will attend hearings and events such as graduation. Established procedures to determine who is appropriate for participation in the Court include a staffing process with all team members; and the utilization of evidence-based practices such as screening instruments, evaluations, and risk assessments designed to determine the level of care pertaining to substance use and the risk level of the defendant to commit further crimes. While under supervision of the Court, treatment needs are identified related to substance abuse and cognitive behavioral intervention. Each participant is also required to complete a self-directed Goal Achievement Plan. Since its inception, more than 300 defendants have participated in the Court, improving public safety in Comal County and having a direct effect on the reduction in the population of the prison system. According to records kept by the Comal Division of the Caldwell Community Supervision and Corrections Department and reported to the Texas Department of Criminal Justice – Community Justice Assistance Division, 77% of those who participated in the Challenge Court during FY2017 graduated successfully. This proposal seeks to continue funding from the Office of the Governor for a dedicated community supervision officer dedicated to the Court. The funding of the specialized officer will enhance public safety, reduce the prison population, improve the general health and well-being of the participants of the Court, and secure adequate funding for the continued operation of the Court. In addition to funding for the officer, the proposal requests funding for the cost of testing for illicit substance use and interdisciplinary training for all team members.

Problem Statement :

There is over representation of offenders sentenced to the Correctional Institutions Division (CID), who have criminogenic needs related to substance abuse. According to the Office of Court Administration, in Comal County, 57% of all felony offenders are sentenced to the CID; 9% are sentenced to state jail facilities; and 35% are sentenced to a term of probation. A majority of the offenders sentenced to CID or State Jail were never offered treatment for the underlying causes contributing to the criminal behavior. Additionally, the same offenders were processed through the system by an adversarial approach. The Drug Court model allows for substance abuse treatment through a non-adversarial approach allowing for an interdisciplinary approach to supervision and treatment of the drug offender causing positive outcomes for all those involved.

Supporting Data :

In order to serve the population served by the criminal justice systems in Texas with substance use disorders impacting public safety, the Texas Legislature first created drug courts for counties with populations over 550,000 in 2001. (Tex. Gov't Code § 123.) The Comal County Community Plan lists Substance Abuse as its second Criminal Justice Issues priority. The Comal County Commissioners Court is supportive of the Challenge Court, and the Court is registered with the Office of the Governor as a Specialty Court. The largest city in Comal County is New Braunfels. The population is increasing with over 30,000 additional residents now in Comal County from years 2000 to 2010. The United States Census showed the total population of Comal County at 108,472 as of April 2010. According to the Texas Association of Counties using statistics provided by the U.S. Bureau of Economic Analysis, in Comal County 10% of the population is identified as living at the poverty level, there is a 6.1% unemployment rate, and 89% have a high school diploma or higher (25 years of age or older). According to the United States Census Bureau Comal County is in the top 15% of the most populous County in Texas (number 31 of 254). As of April 2010, the total population of Comal County was 108,472, with 30,000 additional residents moving to the area between the years 2000 to 2010. As a result of continued growth in population, the number of 3rd Degree and State Jail Felony arrests for has increased. Despite the influx of population growth, another reason for the sharp increase could be increased drug interdiction by law enforcement agencies. The Comal County Sheriff's Office has a special patrol unit created for Drug/Alcohol interdiction in high crime areas within Comal County. Within this special unit four K9 officer positions were created to assist with the growing drug problem especially in the area of Canyon Lake. Both the Comal County Sheriff's Office and the New Braunfels Police Department now have specially trained officers to prioritize felony drug/alcohol related arrests. More attention from both the major law enforcement agencies within the county is now given to this area of crime. Although persons placed on Adult Probation have the availability of resources within the Probation Department, the percentage of persons identified as entering State Funded Treatment Programs involved in the Criminal Justice System averages only 21% for the range of primary

drugs identified by DSHS. Presently, treatment services are provided through referral to surrounding areas. Intervention services are available, and some providers provide mental health services, which include co-occurring disorder services for those who suffer from mental illness and substance abuse issues. If granted the opportunity for future funding, the Challenge Court team intends to compile as many statistics and evidence-based practices as possible for 2018. According to the Office of Court Administration's most recent annual statistical report for the Texas Judiciary felony drug cases increased 267 percent over the last three decades. However, the number of cases filed in 2014 was 22 percent less than the peak number filed in 2007 (77,207 cases). The trends in felony drug case filings were mostly driven by possession cases. While drug sale and manufacture cases declined every year since 2007, possession cases dropped until 2010 then generally increased until 2014. DWI/DUID Cases — The number of Felony DWI cases filed in 2016 was 74 and the number of felony DWI cases filed in 2014 was 263 percent higher than the number filed three decades ago; however, it was nine percent lower than the number filed in 2013 (12,662 cases)—which was the largest number ever filed. In 2014 there were 76,052 DWI cases filed, the lowest number of DWI cases reported over the last 30 years in the state of Texas. The most current data indicates that out of 500,619 felony cases, 165,214 were drug/alcohol related in 2014. This would reveal that state-wide drug/alcohol related cases rose (+3%) making 35% of all cases in Texas drug/alcohol related. The Drug Court Team has been monitoring the felony indictments in Comal County since 2011. By reviewing the indictment list of Comal County, it is possible to reveal an accurate picture of the substance abuse problem specific to Comal County. The Comal County statistical data has closely paralleled the state of Texas since monitoring began. In 2012 reporting that out of 422 total felony cases, 131 of those cases were drug and alcohol related. This accounted for a 31% rate of drug/alcohol related offenses within the county, which had also reduced 4% from calendar year 2011. In 2013 the District Attorney's Office presented 424 cases with 180 being drug and alcohol related putting the rate at 42% percent for Drug Court related offenses. In 2014 the District Attorney's Office presented 484 felony cases, with 194 of these cases being drug/alcohol related putting the rate at 41% for Drug Court related offenses. In 2015 the District Attorney's Office presented 525 felony cases, with 205 of these cases being drug/alcohol related. To be specific in 2015 there were 150 drug arrests (29%) and 55 felony DWI (10%). This data concludes that the current rate of drug/alcohol related offenses specific to Comal County is 39% of total felony arrests. This analysis shows the rate of drug/alcohol related crime actually has decreased from peak levels in 2013 from 42% to current levels of 39% in Comal County. Despite this decrease Comal County still has a drug/alcohol arrest rate 4% higher than current state levels. The 2012 – 2013 period would account for the sharpest increase in drug/alcohol related cases since the Comal County Drug Court was established in 2007, and although the percentage of drug/alcohol arrest in Comal County decreased since peak levels, the actual number of drug/alcohol arrest has increased by seventy-four more case filings since data tracking levels began in 2011. As Comal County experiences an explosion of population growth, it can be seen that the level of felony arrest has increased drastically, and with this increase the number of felony drug/alcohol related arrest has dramatically increased. This does not include offenses motivated by substance abuse. Studies have been conducted using the Comal County Court disposition tracking software Odyssey. It is possible to distinguish the Court dispositions for felony possession cases by the penalty group. In 2015 the most prevalent felony drug case in Comal County was controlled substances included within penalty group number one. This penalty group includes both methamphetamines and cocaine. The number of drug/alcohol related case filings in the Comal County continues to increase every year. Because the Challenge Court target population is felony drug/alcohol offenders, these statistics are closely monitored. The level of felony case filings for drug/alcohol related arrest in Comal County has increased drastically from 2009-2017. The statistics for the Challenge Court population are as follows: 2009 - 31 Felony DWI, 56 Felony Drug - total amount (87) ; 2010 - 46 Felony DWI , 53 Felony Drug - total amount (99) ; 2011 - 61 Felony DWI, 78 Felony Drug - total amount (139) ; 2012 - 44 Felony DWI, 86 Felony Drug - total amount (130); 2013 - 77 Felony DWI, 103 Felony Drug - total amount (180); 2014 – 45 Felony DWI, 149 Felony Drug – total amount (194); 2015 – 55 Felony DWI, 150 Felony Drug – total amount (205). 2016-Felony DWI-81; FelonyDrugs-314. 2017- Felony DWI-64; Felony Drug- 506. Reviewing this information allows us to see the alarming trend in Comal County that drug/alcohol arrests are trending upward since 2009. The current data in 2017 suggest an alarming trend in Comal County illustrating that felony Drug/Alcohol arrest have more than doubled since 2009. In 2017 Challenge Court participants provided a total of 379 urine specimens (27% increase from FY2016). Only ten (10) of the specimens collected resulted in a positive result and those results were for cannabinoids (N=3), Amphetamine (N=1), Methamphetamine (N=-3), Alcohol (N=3). By detecting positive results, treatment can be streamlined to meet the individual needs of the participant. The 2017 Comal County Challenge Court's basic demographic data is as follows: Number of graduates: 16; 7 were discharged due to violations; Number of participants 58; 63% Male: 37% Female; Age Range: 21-60 with the average of participant being 35.4; Ethnicity/Race: 66% White; 31% Hispanic; and 1% African-American. According to the Strategic Plan completed by the CSCD and filed with TDCJ-CJAD, the Court had a 77% success rate in FY2017.

Project Approach & Activities:

The Challenge project approach follows Texas Government Code Subtitle K Section 123; and is defined by the 10 Key Components of a Drug Court as outlined by the National Association of Drug Court Professionals. Specifically, by integrating alcohol and other drug treatment using a non-adversarial approach involving prosecutors and defense attorneys to promote public safety and protect due process rights. Early identification and prompt placement of eligible defendants is an objective with access to a continuum of alcohol and drug treatment, as

outlined in the CSCD's Progressive Sanction Model, which is approved by the Board of Judges and is filed with the TDCJ-CJAD. The Court is specific to 3rd Degree and State Jail Felony offenders with criminogenic needs related to substance abuse. Defendants who are found to have other underlying issues or co-occurring disorders are referred to agencies with appropriate resources to treat those needs. Unless determined indigent, the majority of participants are required to pay costs and fines. Additionally, there is Program Fee assessed to all participants. Supervision includes clear verbal instructions through admonishments from the Court and written instructions as outlined in conditions of community supervision. Included (but not limited to) in the conditions: avoidance of places where alcohol or illicit substances are present such as alcohol outlets and bars, instructions when to report to the CSO, home/workplace visits, no use of alcohol or illicit substance, the requirement of monitoring for the use of alcohol and/or illicit substances, the requirement of an ignition interlock device, if a DWI offender, and the requirement of attendance of mutual support groups. Treatment planning for the participants of the Court includes determination of what stage of change the participant is in and an appropriate intervention to match the assessed stage. Treatment options available through the CSCD include Intensive Outpatient Program, the Day Treatment Program in lieu of residential treatment or residential treatment through the Treatment Alternatives to Incarceration Program utilizing contract vendors, Community Corrections Facilities with length of placement determined by a case plan formulated by the staff at the facility, placement in a State Contracted Intermediate Sanction Facility with a substance abuse track, placement in a Substance Abuse Felony Punishment Facility, and supportive aftercare with focus on relapse prevention for a period determined on defendant need for a three (3) to 12 month period. Offender Education Programs are often included as part of the case plan. Defendants who attend treatment also receive cognitive behavioral education. Attendance of mutual support groups is strongly encouraged by all staff who represent the Court. The CSO monitors the abstinence of alcohol and illicit substances through testing (e.g., urinalysis, sweat patches, hair follicle). Participants are rewarded with positive reinforcement. The Court serves the County of Comal, but will collaborate and coordinate with other Counties when necessary. The approach as described herein was chosen by the Court because it contains evidence-based practices, is codified in Texas Statutes, and has areas where members of the team have training. The Comal County Challenge Court complies with all ten essential characteristics. Integration of Services - The Comal County Challenge Court meets Essential Characteristic #1 by including all members of the criminal justice community including citizen input. The Court has written policies and procedures both for the team members and the participants. The Court encourages participant compliance with program requirements by both rewards and sanctions for their behavior. Treatment professionals regularly attend court staffing and share timely information concerning participant treatment progress. Contact through text messaging and or email with participants are used if and when members are not available. This process is used to ensure input and timely responses. Non-Adversarial Approach - In order to meet Essential Characteristic #2, the Challenge Court uses the services of defense counsel and an Assistant Criminal District Attorney. The District Attorney provides all legal screening of potential participants, which includes reviewing the case, participant eligibility requirements and ensuring due process and public safety concerns are met. The defense council also ensures that the participants due process rights are preserved, gives advice on legal matters and provides a "check and balance" system to maintain transparency for the program. Access-Essential Characteristic #4 is accomplished through the use of a variety of treatment modules. This would include the use of the Day Treatment Program (CSCD Implemented), numerous mutual support groups throughout the community, access to numerous offender education and cognitive behavioral intervention programs such

Capacity & Capabilities:

The Honorable Dib Waldrip provides judicial oversight, is the face of the Court proceedings, chairs team meetings, discusses participant progress, and informs the participants of rewards, incentives, and sanctions. Other qualified members of the Team include a Magistrate, the District Attorney, defense counsel, Community Supervision Officer (CSO), Qualified Credentialed Counselors from the community and/or employed by the CSCD, various personnel from the Sheriff's Office and Police Department, and there is citizen involvement as well. Members of the Team routinely attend training offered by the Texas Association of Specialty Courts, have attended training sponsored by the Texas Center for the Judiciary, and National training provided by the National Association of Drug Court Professionals. The curriculum at all of these trainings include an array of presenters with backgrounds from multiple disciplines providing evidence-based practice information geared toward changing the criminal behavior of the drug offender. Additionally, members of the team receive ongoing training to maintain their licensure/certification respective to their career. It is the intent of the Court to treat all eligible defendants. Since its inception, the caseload has served approximately 30-50 participants per year. With a caseload this size, the officer is able to monitor participant performance, apply effective behavioral consequences, report pertinent compliance information, and complete other supervisory duties as assigned. If presented the opportunity for continued support from the Governor's Office, the Challenge Court will surely continue to incrementally improve its operations to become more successful year after year.

Performance Management :

Desired accomplishments of the Court include giving participants the tools to enable them to be drug-free, sober, law abiding members of society while holding them accountable for their action. Specific goals of the Court are to promote public safety by reducing the recidivism rate of the target population, and integrate substance abuse

treatment and cognitive behavioral intervention with participant accountability and enhanced supervision with continued judicial monitoring. The process of determining the Challenge Court project's effectiveness is consistent with the Texas A&M Public Policy Research Institute (PPRI) reporting requirements. For example, descriptive statistical data such as (1) Number of people assessed to participate in the program (2) Number of new participants in the program (3) Number of participants successfully completing the program (4) Number of participants employed at the time of graduation (5) Recidivism rate of past Challenge Court Clients (6) Continuation of participation by Challenge Court clients that have graduated, but choose to speak and help current program participants. A specific analysis was conducted as promised and results were listed in the supporting data, capacity/capabilities and evidence-based practices section of grant application 2005810. Annually, and as directed by the presiding Judge, the Court examines existing procedures, and develops actions plans to remedy any areas needing improvement. An example of an improvement to the Court's operation was the implementation of an additional phase in which the participant is monitored for an additional six to twelve months after the treatment plan has concluded. During this phase the participant is not closely monitored as in the preceding phases, but is required to report intermittently to verify that treatment prescription has been effective. The supervision officer timely enters all data pertaining to the defendant that is required to be entered by the Texas Department of Criminal Justice – Community Justice Assistance Division into a community corrections software system. The software system is depended upon and utilized to determine reliable information such as success rates all eligible participants who entered the Court regardless of whether they graduated, withdrew, or were terminated from the program, how often testing for alcohol and illicit substances has occurred, completion of various orders of the Court including participation in treatment and cognitive behavioral intervention.

Data Management:

Target Group :

Offenders charged with 3rd Degree and/or State Jail Felony offenses are eligible for the Challenge Court. The goal of the Challenge Court is to provide the opportunity and the tools necessary for eligible offenders to participate in a judicially supervised treatment program in the effort to treat their substance use disorder; and eradicate the non-law-abiding behavior. In conjunction with this goal, the Challenge Court seeks to ensure the safety of Comal County by reducing the effects of substance abuse and its associated negative behavior. Thus, as stated in the Challenge Court application for participation, the mission of the Challenge Court: "strives to improve the quality of life of all citizens of Comal County-specifically including those impacted by and victimized by substance abuse. Public safety for all will be increased by reducing the amount and frequency of substance abuse-related crime. Challenge Court participants will be encouraged to lead clean, sober and productive lives through goal-driven personal responsibility, treatment and supervision". The Challenge Court also complies with all ten key characteristics which many apply to the Target group. Specifically, component #3 - Prompt Placement - Essential Characteristic #3 is accomplished by using the Comal County Magistrate to identify eligible participants for the Challenge Court. Identification of possible participants are reflected on the magistrate warning and the offender is also given a form describing the Challenge Court Program. Component #10 - Partnerships is achieved by continuously striving to maintain relationships with public agencies and community organizations, and seek to build new relationships as the program progresses. The Challenge Court educates civic organizations by scheduling speaking engagements with the Lions Club, Rotary Club, and Kiwanis Club. With the inclusion of Comal County citizens on the Challenge Court Team we have received wonderful feedback from the community. The Challenge Court has developed good working relationships with the New Braunfels Police Department, Comal County Sheriff's Office, Comal County Community Supervision and Corrections Department, Comal County District Attorney's Office, The Criminal District Courts, and the Comal County Bar Association. Because the Challenge Court has a good relationship with the magistrates' office, the District Attorney's Office, and the defense attorneys BAR the target group of offenders is presented to the Court on a monthly basis. The defense attorney assists in helping the defendant apply to the Challenge Court through the District Attorney's Office. The DA's Office then reviews the application and sends said application to the appropriate court. The District Attorney also screens incoming cases pre/post indictment and if the defendant is qualified to be admitted into the Challenge Court a suggestion is made to the defense attorney so that they may look into the possibility of placing the defendant into said court. The magistrate also reviews potential cases that could be appropriate for the Challenge Court at time of magistration. The Court will also keep open lines of communication with other agencies/partnerships in regards to an incoming participant. So, the target group of incoming participants is achieved through community education, transparency, and open lines of communication with various entities in the County.

Evidence-Based Practices:

The Challenge Court has been able to effectively address violations, and non-compliance through sanctions and treatment options. 1. Judge / Participant Relationship: Open communication between the Judge, and the participant. The Judge is on a first name basis with all participants in the program, and spends considerable time with each participant addressing problems, needs, and accomplishments individually. The Judge has impressive motivational skills, and consistently offers praise to clients who have achieved a level of success. 2. Substance Abuse Evaluation (SAE): The utilization of a validated and reliable substance abuse evaluation by personnel with specific training, relevant experience, and appropriate credentials as defined in TDCJ-CJAD Standards to determine the level of care needed for the participant (i.e., detoxification, residential treatment, intensive outpatient treatment, and/or substance abuse education). Appropriate collateral information is included in the SAE including police reports, prior offense history, previous or current probation information, and information from significant others whenever possible. The SAE also provides a basis to assess for statuses such as employment / financial status, medical / mental health, extent of social support systems, motivation to change, and other criminogenic risks and needs allowing for the evaluator to determine strengths and weaknesses of the participant causing the creation of a well-reasoned and individualized treatment plan. 3. Texas Risk Assessment System (TRAS): The utilization of the TRAS to predict criminogenic needs and the assessment of actuarial risk of a defendant to commit further crimes. The TRAS looks at primary and secondary risk factors. Primary risk factors are antisocial attitudes, antisocial peers, antisocial personality, and history of antisocial behavior. Secondary risk factors are family, pro-social leisure activities, lack of education and lack of employment, and substance abuse. A brief description of the results of a TRAS would be: High Risk = Likely to commit further crimes. Low Risk = Not Likely to commit further crimes. Effective use of an instrument like the TRAS should include Risk, Need, and Responsivity. In order to meet the need related to an alcohol use disorder, treatment is needed to stop the behavior. If the Challenge Court participant receives treatment and complies with orders of the Court, the responsivity to the needed change in behavior usually results in a positive outcome. Programs such as the Challenge Court are needed to apply evidence-based practices tailored to the participant's needs to eliminate the criminal behavior, provide incentives to succeed, and work toward permanent change in the non-law-abiding behavior. Treatment programs used by the Court use curriculum such as but not limited to the following: Gorski CENAPS for Relapse Prevention and Nutritional Foundations; Stephanie Covington and the Center for Justice's Healing Trauma: Strategies, Helping Women Recover, and Helping Men Recover; Stanton Samenow for cognitive restructuring; the Change Companies for Responsible Thinking, Family Ties, Peer Relationships, Mental Health Disorders, Responsible Thinking, Family Ties, and Peer Relationships; FMS Productions Resource for Change Series for Marijuana Education, Shame and Addiction; and Better Relationships; Robert Perkinson's books about addiction treatment planning; and the Diagnostic and Statistical Manual of Mental Disorders, Fifth Edition for clinicians to use to diagnose substance use and or co-occurring disorders. 4. Motivational Interviewing (MI): The community supervision officer (CSO) has been trained in the skill of MI. This practice is used by the officer to engage in a conversation with participants with an intent being to assist the participant to intrinsically realize what needed changes there are for a successful outcome in areas of their life where changes are needed. MI is considered a participant-centered approach to reduce resistance and elicit the participant to commit to positive or pro-social behavior instead of the opposite. Open-ended questions, affirmations, reflective listening and summaries of conversations are used. When participants are discussing changing their behavior, the same is recognized, responded to, and reinforced. Instead of telling participants how to change, they are provided the opportunity to conclude intrinsically why and how to change those areas of their life needing improvement. 5. Incentives/Rewards/Praise/Encouragement: Incentives, rewards, praise, and encouragement are used to increase positive behavior, and foster the learning experience. They are applied at a minimum, at the rate of 4-1, 4 positive statements for every 1 discussion about non-compliant behavior and/or sanction. Evidence based incentives are applied by the Court after consultation with the Team to respond to participant conduct as soon as practicable after it occurs. Upon completion of the Court, participants participate in a graduation where all participants of the Court are required to attend. Through observation of the graduation, participants who are not eligible to graduate observe what they have to look forward to; and this has a direct effect on future positive behavior. 6. Sanctions: Resistance and non-compliance is expected by the Team from the participants. Sanctions are used to decrease negative behavior by participants, and to foster recovery. Participants are notified by the Judge and the CSO verbally and in writing of the varying sanctions available to the Court. When evidence-based sanctions are applied to participants, they are applied by the Court after consultation with the Team to respond to participant conduct as soon as practicable after it occurs and in correlation with the issue related to non-compliance. 7. Jail Time: Jail time is used sparingly and prosocial activity such as employment is considered when assessing jail time. When jail time is applied, the reason for the jail time is explained to the participant with clear instructions concerning what assignment will be expected from the participant upon their release from custody. 8. Staffing: Staffing with the presence of all staff members occurs at a minimum weekly, where all team members are apprised of the participant's behavior, whether that behavior is positive or negative.

Project Activities Information

Reserved

This section left intentionally blank.

Selected Project Activities:

ACTIVITY	PERCENTAGE:	DESCRIPTION
Specialty Court - Adult	100.00	The funds dedicated to this project will be used to support the areas targeted in the problem statement. 100% of all funds will directly support The 433rd Comal County Challenge Court, presided over by The Honorable Dib Waldrip. The Community Supervision Officers dedicates 100% of his time to the project and his caseload consist of strictly Challenge Court participants. Funds dedicated to this project will also be used to support the areas targeted in the problem statement. All funds will support the 433rd Comal County Challenge Court, presided over by the Honorable Dib Waldrip. The LCDC will evaluate all participants with a drug and alcohol assessment to determine an accurate treatment picture. The drug and alcohol testing measures will effectively monitor participant drug and alcohol usage. Finally, interdisciplinary training will help members understand and effectively deal with participant issues. In addition, the LCDC will Provide individual alcohol and drug counseling services as needed. Facilitate Cognitive Programming at the Day Treatment Program as needed and connect offenders who gain sobriety while attending Department programs, groups, and courses to appropriate aftercare programs within this Department as well as within offender's community of residence.

CJD Purpose Areas

PERCENT DEDICATED	PURPOSE AREA	PURPOSE AREA DESCRIPTION
-------------------	--------------	--------------------------

Measures Information

Objective Output Measures

OUTPUT MEASURE	TARGET LEVEL
Number of carry-over individuals participating.	23
Number of individuals NEWLY participating.	24

Objective Outcome Measures

OUTCOME MEASURE	TARGET LEVEL
Number of individuals who will successfully complete the program.	19

Custom Output Measures

CUSTOM OUTPUT MEASURE	TARGET LEVEL
-----------------------	--------------

Custom Outcome Measures

CUSTOM OUTCOME MEASURE	TARGET LEVEL
------------------------	--------------

Resolution from Governing Body

Applications from nonprofit corporations, local units of governments, and other political subdivisions must include a [resolution](#) that contains the following:

1. Authorization by your governing body for the submission of the application to CJD that clearly identifies the name of the project for which funding is requested;
2. A commitment to provide all applicable matching funds;
3. A designation of the name and/or title of an authorized official who is given the authority to apply for, accept, reject, alter, or terminate a grant (Note: If a name is provided, you must update CJD should the official change during the grant period.); and
4. A written assurance that, in the event of loss or misuse of grant funds, the governing body will return all funds to CJD.

Upon approval from your agency's governing body, upload the approved resolution to eGrants by clicking on the **Upload Files** sub-tab located in the **Summary** tab.

Contract Compliance

Will CJD grant funds be used to support any contracts for professional services?

- Yes
- No

For applicant agencies that selected **Yes** above, describe how you will monitor the activities of the sub-contractor(s) for compliance with the contract provisions (including equipment purchases), deliverables, and all applicable statutes, rules, regulations, and guidelines governing this project.

Through a Letter of Agreement, the Community Supervision and Corrections Department (CSCD) Administration Office handles all purchases for the three Jurisdictional Counties: Caldwell, Comal and Hays County. CSCD utilizes State Term Vendors or Cooperative Alliances for these expenses, so vendor contracts are competitively bid. The professional services contracted include the full-time work of a CSO III and drug testing kits to include UA supplies, sweat patches, and UA lab confirmations. Regular monitor of these services will take place through the Adult Probation Court and the Auditor's Office.

Lobbying

For applicant agencies requesting grant funds in excess of \$100,000, have any federally appropriated funds been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant loan, or cooperative agreement?

- Yes
- No
- N/A

For applicant agencies that selected either **No** or **N/A** above, have any non-federal funds been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress in connection with this federal contract, loan, or cooperative agreement?

- Yes
- No
- N/A

Fiscal Year

Provide the begin and end date for the applicant agency's fiscal year (e.g., 09/01/20xx to 08/31/20xx).

Enter the Begin Date [mm/dd/yyyy]:

1/1/2019

Enter the End Date [mm/dd/yyyy]:

12/31/2019

Sources of Financial Support

Each applicant must provide the amount of grant funds expended during the most recently completed fiscal year for the following sources:

Enter the amount (\$) of Federal Grant Funds:

190159

Enter the amount (\$) of State Grant Funds:

1349836

Single Audit

Applicants who expend less than \$750,000 in federal grant funding or less than \$750,000 in state grant funding are exempt from the Single Audit Act and cannot charge audit costs to a CJD grant. However, CJD may require a limited scope audit as defined in 2 CFR Part 200, Subpart F - Audit Requirements.

Has the applicant agency expended federal grant funding of \$750,000 or more, or state grant funding of \$750,000 or more during the most recently completed fiscal year?

Yes

No

Applicant agencies that selected **Yes** above, provide the date of your organization's last annual single audit, performed by an independent auditor in accordance with the State of Texas Single Audit Circular; or CFR Part 200, Subpart F - Audit Requirements.

Enter the date of your last annual single audit:

Debarment

Each applicant agency will certify that it and its principals (as defined in 2 CFR Part 180.995):

- Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of Federal benefits by a State or Federal Court, or voluntarily excluded from participation in this transaction by any federal department or agency;
- Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state, or local) transaction or contract under a public transaction; violation of federal or state antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property; or
- Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state, or local) with commission of any of the offenses enumerated in the above bullet; and have not within a three-year period preceding this application had one or more public transactions (federal, state, or local) terminated for cause or default.

Select the appropriate response:

I Certify

Unable to Certify

If you selected **Unable to Certify** above, please provide an explanation as to why the applicant agency cannot certify the statements.

Fiscal Capability Information

Section 1: Organizational Information

Enter the Year in which the Corporation was Founded:

Enter the Date that the IRS Letter Granted 501(c)(3) Tax Exemption Status:

Enter the Employer Identification Number Assigned by the IRS:

Enter the Charter Number assigned by the Texas Secretary of State:

Section 2: Accounting System

The grantee organization must incorporate an accounting system that will track direct and indirect costs for the organization (general ledger) as well as direct and indirect costs by project (project ledger). The grantee must establish a time and effort system to track personnel costs by project. This should be reported on an hourly basis, or in increments of an hour.

Is there a list of your organization's accounts identified by a specific number (i.e., a general ledger of accounts).

Select the appropriate response:

- Yes
- No

Does the accounting system include a project ledger to record expenditures for each Program by required budget cost categories?

Select the appropriate response:

- Yes
- No

Is there a timekeeping system that allows for grant personnel to identify activity and requires signatures by the employee and his or her supervisor?

Select the appropriate response:

- Yes
- No

If you answered 'No' to any question above in the Accounting System section, in the space provided below explain what action will be taken to ensure accountability.

Enter your explanation:

Section 3: Financial Capability

Grant agencies should prepare annual financial statements. At a minimum, current internal balance sheet and income statements are required. A balance sheet is a statement of financial position for a grant agency disclosing assets, liabilities, and retained earnings at a given point in time. An income statement is a summary of revenue and expenses for a grant agency during a fiscal year.

Has the grant agency undergone an independent audit?

Select the appropriate response:

- Yes
- No

Does the organization prepare financial statements at least annually?

Select the appropriate response:

- Yes
- No

According to the organization's most recent Audit or Balance Sheet, are the current total assets greater than the liabilities?

Select the appropriate response:

- Yes
- No

If you selected 'No' to any question above under the Financial Capability section, in the space provided below explain what action will be taken to ensure accountability.

Enter your explanation:

Section 4: Budgetary Controls

Grant agencies should establish a system to track expenditures against budget and / or funded amounts.

Are there budgetary controls in effect (e.g., comparison of budget with actual expenditures on a monthly basis) to include drawing down grant funds in excess of:

a) Total funds authorized on the Statement of Grant Award?

- Yes
- No

b) Total funds available for any budget category as stipulated on the Statement of Grant Award?

- Yes
- No

If you selected 'No' to any question above under the Budgetary Controls section, in the space provided below please explain what action will be taken to ensure accountability.

Enter your explanation:

Section 5: Internal Controls

Grant agencies must safeguard cash receipts, disbursements, and ensure a segregation of duties exist. For example, one person should not have authorization to sign checks and make deposits.

Are accounting entries supported by appropriate documentation (e.g., purchase orders, vouchers, receipts, invoices)?

Select the appropriate response:

- Yes
- No

Is there separation of responsibility in the receipt, payment, and recording of costs?

Select the appropriate response:

- Yes
- No

If you selected 'No' to any question above under the Internal Controls section, in the space provided below please explain what action will be taken to ensure accountability.

Enter your explanation:

Budget Details Information

Budget Information by Budget Line Item:

CATEGORY	SUB CATEGORY	DESCRIPTION	OOG	CASH MATCH	IN-KIND MATCH	GPI	TOTAL	UNIT
Contractual and Professional Services	Drug Analysis or Employee Drug Testing Services	The Comal County Challenge Court will enter into a Letter of Agreement with Community Supervision & Corrections Department to contract the services of drug testing. Comal County Drug Court administered over 400 drug tests during the previous funding period. The requested funds are to purchase drug testing kits, and provide for laboratory expenses related to confirmation of drug test results. UA supplies (test sets): \$1,700 (670 at \$2.54 per device); Sweat Patches: \$250 (10	\$3,320.00	\$0.00	\$0.00	\$0.00	\$3,320.00	

		<p>at \$25 per confirmation); UA Lab Confirmations: \$600 (49 at \$12.24 for GC/MS Confirmations); UA Lab Confirmations: \$735 (49 at \$15 for EtG Confirmations); UA Lab Confirmations: \$35 (1 at \$35 for Synthetic Cannabinoids). TOTAL: 3,320.</p>						
Contractual and Professional Services	Probation Services	<p>The Comal County Challenge Court will enter into a Letter of Agreement to contract the services of a full time Community Supervision Officer (CSO) for the effective supervision of participants in the program. This CSO supervises between 25 to 35 participants and conducts regular office visits and many as five times per week per client and attends all court dockets, and team staffing sessions. Additionally,</p>	\$51,767.50	\$0.00	\$0.00	\$0.00	\$51,767.50	

		<p>he/she conducts home/work/field visits during normal working hours and after normal working hours, including light night and weekend home visits. The CSO also drafts presentence investigation reports for screening possible challenge court candidates. The CSO works a regular 40 hour work week and is paid bi-weekly. The requested amount includes salary and fringe benefits of the full time CSO. Salary: \$53,000; Fringe: \$16,706.20 total: \$69,706.20.</p>						
--	--	---	--	--	--	--	--	--

Source of Match Information

Detail Source of Match/GPI:

DESCRIPTION	MATCH TYPE	AMOUNT
-------------	------------	--------

Summary Source of Match/GPI :

Total Report	Cash Match	In Kind	GPI Federal Share	GPI State Share
\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

Budget Summary Information

Budget Summary Information by Budget Category:

CATEGORY	OOG	CASH MATCH	IN-KIND MATCH	GPI	TOTAL
Contractual and Professional Services	\$55,087.50	\$0.00	\$0.00	\$0.00	\$55,087.50

Budget Grand Total Information:

OOG	CASH MATCH	IN-KIND MATCH	GPI	TOTAL
\$55,087.50	\$0.00	\$0.00	\$0.00	\$55,087.50

Condition Of Fundings Information

Condition of Funding / Project Requirement	Date Created	Date Met	Hold Funds	Hold Line Item Funds
--	--------------	----------	------------	----------------------

You are logged in as **User Name:** valadm