

RESOLUTION NO. 2019-07



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 \$72,833.34, TO SUPPORT THE INCREASING ACCOUNTABILITY PROGRAM.

WHEREAS, the Commissioners Court of Comal County finds it in the best interest of the citizen's of Comal County, Texas, that the Increasing Accountability Program be operated for the 2020 Grant Year through the Office of the Adult Probation; 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 \$72,833.34, 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 14th 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: 3561502 **Start Date:** 9/1/2019 **End Date:** 10/31/2020

Project Title: Increasing Accountability for CCAC Participants

Status: Application Pending Submission

Eligibility Information

Your organization's Texas Payee/Taxpayer ID Number:
17460017753004

Application Eligibility Certify:

Created on: 2/5/2019 8:26:36 AM By: Michele Valadez

Profile Information

Applicant Agency Name: Comal County
Project Title: Increasing Accountability for CCAC Participants
Division or Unit to Administer the Project: Adult Probation
Address Line 1: 150 N. Seguin Ave.
Address Line 2: Suite 201

City/State/Zip: New Braunfels Texas 78130-5122

Start Date: 9/1/2019

End Date: 10/31/2020

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

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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: Eddie Lozoya

Email: eddie@comal.caldwellcscd.org

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City: New Braunfels, Texas 78130

Phone: 830-221-1160 Other Phone: 830-221-1160

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Title: Mr.

Salutation: Officer

Position: Deputy Director

Financial Official

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Title: Ms.
Salutation: Ms.
Position: Grants Administrator

Grant Writer

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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): 17460017753004
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 2009 with guidance and direction from the Honorable Randy Gray, the Comal County Accountability Court (CCAC) was established. A primary focus of the CCAC has always been to supervise the defendant with two convictions for driving while intoxicated with objectives being to teach the defendant how to discontinue the DWI behavior in order to protect the community and reduce the county jail and/or prison

population. Since its inception, the CCAC has targeted the misdemeanor offender with multiple Driving While Intoxicated (DWI) arrests through a non-adversarial approach with Judicial authority in a manner that encourages and facilitates effective teamwork while adhering to individual confidentiality. Offenders with issues other than the offense of DWI such as defendants with mental illness or assaultive behavior are not considered for supervision in the Court. Through training for all team members, the CCAC uses 10 Guiding Principles for DWI Courts as set out by National Center for DWI Courts. Judge Gray mentions often to the participants of the Court that persons with one conviction for DWI have a 25% chance of being convicted again for DWI, but those persons with two DWI convictions have a 75% chance of being arrested again for DWI, if they aren't involved with specialty Court supervision – or don't die in a fiery crash. Other than Judge Gray, the following personnel are members of the CCAC Team and their resources are used to positively impact the defendant who is most likely to reoffend: Assistant District Attorney, Court Bailiff, Community Supervision Officer, Community Supervision and Corrections Administrator, Court Coordinator, Defense Counsel, and Magistrate. Established procedures to determine who is appropriate for participation in the DWI 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. After staffing, if a defendant is identified as a good candidate for supervision in the CCAC environment, the defendant is accepted into the Court for specialized supervision. While under supervision of the Court, treatment needs are identified related to substance abuse and cognitive behavioral intervention. The Evidence Based Practices section of this proposal further details implementation and approach. Through accountability and positive reinforcement, the Court has facilitated 111 participants to graduate successfully from the CCAC. This has allowed the participants to stay with their families, maintain gainful employment, and remain productive citizens of their communities. The CCAC is accomplishing the objectives teaching the defendant to discontinue the DWI behavior and has had an impact on reduction of the jail and prison population. 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, more than 90% of the defendants who participate in the CCAC graduate successfully from the program. Because the Office of the Governor has available funds, this proposal seeks to fund a community supervision officer dedicated specifically to the CCAC. The funding of the specialized officer will allow the specialized supervision of a resource-heavy type of defendant, enhance public safety, reduce the number of traffic accidents, injuries, and deaths due to the offense of DWI, reduce the county jail and prison population, improve the general health and well-being of the participants of the Court, and most importantly secure adequate funding for the continued operation of the CCAC.

Problem Statement :

DWI Offenders engage in behavior that is dangerous and frequently causes serious injury or fatalities. Drinking alcohol is not illegal, is highly prevalent, and is even encouraged in many every day activities. Many alcoholics still get up every morning and go to work and take care of their children. Repeat DWI offenders are over represented in fatal crashes, and have a greater risk to kill another person. The purpose of the Comal County Accountability Court (CCAC) is to enhance public safety by providing a judicially supervised regimen of treatment to offenders convicted of DWI and have substance use disorder(s), specifically related to the abuse and misuse of alcohol. The goal is to assist the participant with not only abstinence and remission but recovery.

Supporting Data :

According to the National Highway Traffic Safety Administration (NHTSA), most recent statistics show that “every day, almost 29 people in the United States die in alcohol-impaired vehicle crashes—that’s one person every 50 minutes in 2016. Drunk-driving fatalities have fallen by a third in the last three decades; however, drunk-driving crashes claim more than 10,000 lives per year. In 2010, the most recent year for which cost data is available, these deaths and damages contributed to a cost of \$44B per year.” In 2016, Texas unfortunately led the nation in traffic fatalities (N = 3,776), drivers involved in fatal crashes (N = 5,257), and drivers involved in fatal crashes determined to have a blood alcohol content (BAC) in their system (N = 1,407). The percentage of drivers in Texas who were involved in fatal crashes with a BAC of .08 or above was 27%. (NHTSA, Traffic Safety Fact Sheet 2016) According to Shannon Carey, Ph.D. with NPC Research through her various research: The average reduction of recidivism for Drug Courts is 18% with some Courts having as high as a 70% reduction. When compared to Drug Courts, DWI Court participants are more likely to: be male, have a “white” ethnicity, have a college education, have a higher income, and less likely to score as high risk on a risk assessment. Additionally, multiple DWI offenders who participate in a DWI Court are 19 times less likely to be re-arrested on a DWI charge and three (3) times less likely to be arrested on any charge when compared to probationers supervised by traditional methods, result in a savings of \$4,814 per Participant (a Savings of \$1.8 Million over 5 Years), and are more efficient and more effective for treating DWI offenders than traditional probation. Between February 2008 and August 2010, 788 DWI or DUID cases were filed in Comal County Courts at Law (Comal County Community Plan 2014, p. 36). According to the Office of Court Administration court statistics, Comal County Courts at Law filed 490 new DWI cases in 2011, 385 cases in 2012, 426 cases in 2013, 378 cases in 2014, and 460 in 2015. According to the Texas

Department of State Health Services, only 131 people sought substance abuse treatment for their dependence on alcohol from 2008-2010 (Comal County Community Plan 2014, p. 36). By providing intensive treatment to those participants that are eligible for the CCAC program, the CCAC reduces the strain on the limited resources in Comal County while also keeping intoxicated drivers off the streets. The Comal County Community Plan lists Substance Abuse as its second Criminal Justice Issues priority. 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.) These drug courts also encompassed DWI Courts. 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 arrests for DWI has increased. To assist with reducing the DWI behavior, the Comal County Commissioners Court authorized the CCAC in 2010, and the Court is registered with the Office of the Governor as a Specialty Court. From a public safety perspective, implementation of this Specialty Court not only impacts those persons placed under the Court's supervision, it allows for further protection of all citizens of Comal County. Those persons who are participants in the Court receive assistance with the underlying issues that cause the DWI behavior, with the objectives being to eliminate the offender needs as they relate to substance abuse, stopping the DWI behavior, and permitting an opportunity for successful living in the community.

Project Approach & Activities:

The CCAC project approach follows Texas Government Code Subtitle K Section 123; and is defined by the 10 Key Components of a DWI Court as outlined by the National Center for DWI Courts. Specifically, by integrating alcohol and other drug treatment for misdemeanor DWI offenders with multiple arrests for DWI using a non-adversarial approach involving prosecutors and defense attorneys to promote public safety and protect due process rights. We strive for early identification and prompt placement of eligible defendants 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. Defendants appear before the magistrate, and a subsequent appointment with the CSCD. A substance abuse evaluation (SAE) completed by the counselor and/or the community supervision officer (CSO) to assist with determination of eligibility for acceptance into the Court and to assess the level of care needed for the defendant related to substance abuse. Upon the completion of a SAE, the team discusses the results as well as the circumstances of the arrest to determine if the defendant will be allowed into the program. The Court is specific to DWI and 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, all participants are required to pay costs and fines as they are post-adjudicated defendants serving terms of community supervision. Additionally, there is a DWI Court Program Fees 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, 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, 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 and Victim Impact Panels are always included as part of the treatment 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), ignition interlock devices as well as the first 90 days requiring a secure continuous remote alcohol monitor. Weekly Court appearances as follows: Phase I-Weekly; Phase II-Bi-monthly; Phase III-monthly. In addition to treatment, participants are connected and/or provided information regarding various community resources such as but not limited to budget and financial management programs, mutual support groups, sober living facilities, crisis centers, and parenting programs. Participants are rewarded with snacks, positive reinforcement; and reduced community service and fines or fees. Sanctions include written corrective action plans read aloud in Court, additional community service and jail time. Partnerships with various human service organizations have been created, such as the Public Health Departments, Hill Country MHDD Centers, Texas State University Counseling Practicum, Crisis Centers, Department of Assistive and Rehabilitative Services, County Extension Agents, McKenna Foundation

(parenting education), and Mid Coast Outreach Screening Assessment and Referral. The CCAC serves the County of Comal, but will collaborate and coordinate with other Counties when necessary. The approach as described herein was chosen by the CCAC because it contains evidence-based practices, is codified in Texas Statutes, and has areas where members of the team have training.

Capacity & Capabilities:

The CCAC is comprised of the following qualified team members. The Honorable Randy Gray 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. Ellen M. Salyers is the Magistrate of the CCAC. She refers defendants to the CCAC and participates as a team member. Robin Katz, Assistant District Attorney, reviews paperwork to determine eligibility of the defendant, participates in team meetings, and helps determine rewards, incentives, and sanctions. Wade Arledge and Mel Koehler are the criminal defense attorneys. They help the participants apply for occupational driver licenses, participate in team meetings, review legal paperwork for defendants, and explain the benefits and legal ramifications. Angela Winkenwerder is the Community Supervision Officer (CSO). She sees the participants regularly for testing for alcohol and illicit substances, conducts office visits, is present at Court proceedings, and participates in home/field visits. She also screens eligible defendants through utilization of a substance abuse evaluation and participates in the recommendation of the participant's acceptance in the CCAC. Judith Zamora is the Court Coordinator. She ensures the CCAC team functions in an efficient manner, provides administrative support to the Judge, and participates in the CCAC staff meetings. Salem Bautizta is an administrator with the Comal County Clerk's Office. She coordinates necessary paperwork between the Court and Community Supervision and Corrections Department (CSCD); and participates in the staffing of the participants of the Program. William Reed is the Deputy Sheriff. He maintains order in the courtroom, participates in team meetings, helps with the free financial basics class offered to interested participants, and accompanies the CSO on home/field visits. Michael Hartman is the Director of the CSCD serving Caldwell, Comal, and Hays Counties. He provides insight into mental health and substance abuse treatment, recommends programs for various participants, and participates as a team member in the staffing of the participants of the Program. When the CCAC team was initially formalized, the Team attended an extensive training by the National Center for DWI Courts sponsored by the Texas Center for the Judiciary; and without fail, has continued to annually attend continuing education sponsored by the Texas Center. During February 2015, the CCAC was awarded the Spotlight for Success by the Texas Center, which is a testament to the Programs usefulness and success. The curriculum with the Texas Center's annual event encompasses an array of presenters with backgrounds from multiple disciplines providing evidence-based practice information geared toward reducing DWI behavior. Additionally, members of the team receive ongoing training to maintain their licensure/certification respective to their career. It is the intent of the CCAC to treat all eligible defendants. Since its inception, the caseload has served approximately 40-50 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.

Performance Management :

Desired accomplishments of the CCAC include giving participants the tools to enable them to be sober, law abiding members of society while holding them accountable for their action. Specific goals of the CCAC are to promote public safety by reducing the recidivism rate of DWI offenders; reduce the number of traffic accidents, injuries, and deaths related to DWI offenders; and integrate substance abuse treatment and cognitive behavioral intervention with participant accountability and enhanced supervision with continued judicial monitoring. Annually, after attendance at the Texas Center for the Judiciary's Conference for DWI Court Teams, the CCAC examines the previous years' activities to determine if best practices are being followed and develops actions plans to remedy any areas needing improvement. Weekly at staff meetings, at a minimum is discussed: participants attendance at scheduled meetings with the community supervision officer (CSO), treatment providers and any other referral source. Results of testing for alcohol or illicit substances. Progress and/or lack of progress with treatment providers. Technical violations. New arrests. Recidivism is monitored through collaboration with the District Attorney's Office. When a participant of the DWI Court is rearrested for any offense, the District Attorney's Office notifies the presiding judge of the CCAC. A long- range goal of the CCAC is to utilize Community Justice Information Systems as monitored by the Texas Department of Criminal Justice to track recidivism. However, the Intermediate System/Community Supervision Tracking System presently only has the capability to provide information pertaining to Program Success Rates while a defendant is under supervision. Due to cost constraints, the CCAC has never had an independent evaluator examine the Court's adherence to best practices and participant outcomes, nor has the CCAC ever compared outcomes of participants with an equivalent comparison group. The CCAC has discussed contacting a local university to assist with evaluating the Program's efficacy. When the CCAC does have a university involved with assisting with evaluation of the Program, the CCAC will request the University to measure the following elements of all participants of the Program including those who were deemed ineligible: successful/unsuccessful outcomes of participation in the Program including successful termination from community supervision versus defendants with similar offense histories and their outcomes; and recidivism rates dating no less than three years from entry into the program. Other areas to be studied will be gender, race, underserved communities, educational skill level, employment, housing, marital issues, emotional issues, and other issues such

as mental health and developmentally disabilities. 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 CCAC 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:

Through the use of a Community Correction Software Supervision Package, the CCAC will track cases at the initial activation per the guidelines set out in the Texas Department of Criminal Justice - Community Justice Assistance Division Data Manual (published April 2017). These cases are specifically supervised by the designated officer for compliance. Through appropriate use of the instructions in the Data Manual, data driven decisions may be made concerning proper utilization of various interventions. A determination of the effectiveness of the program will include a review of the recidivism rate for graduates of the CCAC at various intervals after their graduation. Six months, twelve months, and eighteen months will be the markers. An increase in the number of participants who complete the program will also be an effective measure. To date, there have been 111 graduates of the Program.

Target Group :

A primary goal is to give the offender the opportunity to rewrite history without the repeat DWI behavior, and tell a new story about their life. Offenders with misdemeanor offenses of DWI-2nd and/or those offenders with a DWI-1st charge with a BAC of .15 or above, DWI-1st offenders with multiple other alcohol related arrests are eligible for the CCAC. After an appearance before a magistrate and prior to formal sentencing, eligible offenders are screened via a substance abuse evaluation (SAE). The findings of the evaluation are presented to the CCAC team. After reviewing the findings of the evaluation as well as discussion surrounding the offense, the CCAC team reaches a consensus whether or not to accept the defendant into the program. Because of Policy Statements promulgated by the Texas Department of Criminal Justice – Community Justice Assistance Division (TDCJ_CJAD) and Departmental procedures guiding the Community Supervision Officer assigned to the CCAC, the Texas Risk Assessment is conducted on all participants of the CCAC post-sentence. Prior to sentencing, in addition to the SAE, the following screening instrument is utilized: Substance Abuse Subtle Screening Inventory (SASSI). The SASSI, SAE, and TRAS are normed and validated to the offender population. As mentioned in the supporting data section of this proposal, research supports the fact that defendants who would benefit from DWI Court supervision are less likely to score high risk. Although the offense of DWI may not result in a High-Risk determination after the completion of a TRAS, the multiple DWI offender still needs treatment, DWI is considered a crime by Texas Statute, a significant amount of people become deceased because of intoxicated drivers, regardless of the results of a TRAS, it is the responsibility of the Courts and community corrections professionals to protect the community with evidence based practices as described in the Guiding Principles of DWI Courts, and comparing the Drug Court participant to the DWI Court participant is not an equitable comparison, according to research by well-renowned researchers. Without some sort of intervention, the multiple DWI offender is likely to continue to repeat the DWI behavior causing the requirement of unnecessary incarceration. States across the nation including Texas have realized over incarcerating persons is not fiscally sustainable, has little impact on public safety, and does not address underlying problems driving the behavior bring the person into the criminal justice system. Drinking alcohol isn't a crime and neither is driving a vehicle, but put the two together, then you have a problem, a public safety problem, and a need to intervene.

Evidence-Based Practices:

A committee formed by TDCJ at the direction of SB213 from the 83rd Texas Legislature included a charge for the committee to review funding for CSCDs; and provide recommendations pertaining to improved community supervision funding strategies to promote the best outcomes with regard to grantee performance, lowered recidivism rates and efficient use of state resources. Members of this committee included stakeholders from throughout the State as follows: three (3) District Judges, an Assistant District Attorney, a Defense Attorney, the Director and Assistant Director of TDCJ-CJAD, the Director of the TDCJ Reentry and Integration Division, and nine (9) Directors of CSCDS. There were several recommendations from this committee formulated in a Report to the House Committee on Corrections; and published during August 2016. Recommendations in the Report speaking specifically to this proposal are increased funding for resource intensive specialized populations such as DWI offenders and increased aftercare supervision and treatment funding. Funding for the CCAC would meet the recommendations from the committee. The Comal County Community Plan lists Substance Abuse as its second Criminal Justice Issues priority. Funding for the CCAC meets an objective of the said Plan to treat those with substance abuse issues; and provides protection for the public from intoxicated drivers. Evidence-based practices:

1. Judge / Participant Relationship: All participants, when they appear before the Court, the Judge spends at least three minutes with each of them. While spending time with the participant, the Judge listens to the defendant allowing for the seed of mutual trust to be planted and continue to grow throughout the defendant's program participation. Additionally, research has shown when a Judge spends more than three minutes with participants; recidivism is decreased by 153% (Carey, Shannon, DWI and Drug Court Best Practices PowerPoint presentation, Texas Association Specialty Courts, 2015).

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 lack of pro-social leisure family, lack of pro-social leisure activities, lack of education/employment, and substance abuse. Secondary risk factors are what are most common with participants of the Program, specifically 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. With the DWI offender and the TRAS, alcohol use is not a predictor of further criminal behavior, primarily because the use of alcohol is not an illegal activity. Although the continued use of alcohol by a DWI offender while they are serving a term of probation is considered to be a violation, it is not considered non-law abiding. Therefore, often the results of the TRAS for participants of any DWI Court are Low Risk. 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. In order to reduce the risk when speaking of DWI Offenders, external controls are applied, such as SCRAM, ignition interlock devices, frequent urinalysis, and breath test samples. If a multiple DWI offender receives treatment and complies with orders such as ignition interlock installation, the responsivity to the needed change in behavior usually results in a positive outcome. It is important to mention the following: the installation of an ignition interlock device will prevent an intoxicated driver from operating a vehicle with the device installed; but it won't stop them from operating a different vehicle without a device installed; the utilization of the SCRAM will let the Court know when a person uses alcohol but it doesn't stop the participant from drinking and doesn't stop the operation of a vehicle if the participant has been using alcohol; and the collection of urine specimens and the application of sweat patches provides an effective deterrent for the DWI Court participant to abstain from the use of alcohol and/or illicit substances, but doesn't stop an intoxicated person from operating a vehicle. Ignition Interlock Devices, SCRAM, and testing for illicit substances are effective external controls but utilization of these tools alone isn't sufficient to reduce recidivism for the multiple DWI Offender. Programs such as the CCAC are needed to apply evidence-based practices tailored to the participant's needs to eliminate the DWI behavior, provide incentives to succeed, and work toward permanent change in the non-law-abiding behavior. Treatment programs used by the CCAC 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 CCAC, 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 seldom for more than five days while a participant is engaged with Court supervision. 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	Dedicated and Specialized Probation Officer. The officer will administer the following: 1. Participate/collaborate in weekly staff meetings with DWI court team to discuss participant status; 2. Communicate/collaborate with Magistrate no less than one time per month concerning persons arrested for DWI; 3. Complete substance abuse evaluations no less than two times per month; 4. Utilize Texas Risk Assessment System (TRAS) tools for all participants; 5. Develop individualized case plans after determining risk level for all participants. 6. Conduct urine testing no less than one time per month to include other forms of testing including SCRAM, sweat patch, ignition interlock; 7. Conduct home and/or field visits no less than quarterly and with only law enforcement; 8. Refer participants of the program to cognitive, behavioral, social, vocational and other skill-based counseling in varying settings depending on need of participant (e.g., outpatient, residential); 9. Meet with counselors in person or by phone at least one time monthly during participants treatment; 10. Facilitate participant's use of available community resources; and 11. Maintain certification as a Community Supervision Officer and select skill based training specific to the offense of DWI and substance abuse.

CJD Purpose Areas

PERCENT DEDICATED	PURPOSE AREA	PURPOSE AREA DESCRIPTION
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Measures Information

Objective Output Measures

OUTPUT MEASURE	TARGET LEVEL
Number of carry-over	23

individuals participating.	
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
Contractual and Professional Services	Drug Analysis or Employee Drug Testing Services	Comal County will enter into a Letter of Agreement with Community Supervision & Corrections Department to contract the services of drug testing. Comal County DWI 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): \$1,143 (450 at \$2.54 per device); Sweat Patches: \$250 (10 at \$25 per confirmation); UA Lab Confirmations: \$832 (68 at \$12.24 for GC/MS	\$3,280.00	\$0.00	\$0.00	\$0.00	\$3,280.00

		Confirmations); UA Lab Confirmations: \$1,020 (68 at \$15 for EtG Confirmations); UA Lab Confirmations: \$35 (1 at \$35 for Synthetic Cannabinoids). TOTAL: \$3,280.						
Contractual and Professional Services	Probation Services	Comal County 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.. . The officer will be responsible for the following: . Participate/collaborate in weekly staff meetings with DWI Court team to discuss participants;. Communicate/Collaborate with Magistrate no less than one time per month concerning persons arrested for DWI;. Complete substance abuse evaluation no less than tow time per month; . Utilize a validated risk assessment tool for all participants;. Conduct urine testing no less than one time per month with other forms of drug testing to include SCRAM, sweat patch, ignition interlock; . Conduct field/home visits no less than quarterly and only with law enforcement;. Refer participants of the program to cognitive, behavioral, social, vocational & other	\$69,553.34	\$0.00	\$0.00	\$0.00	\$69,553.34	

		<p>skill-based counseling in varying settings depending on need of participant (e.g., outpatient, residential);. Meet with counselors (e.g., in person by phone, by e-mail) who provide counseling at least one time monthly during the participants of treatment;. Facilitate participant's utilization of available support systems and community resources; and. Attend training peer TDJC- CJAD Standards; and specific to the offense of DWI and substance abuse. . . Salary includes \$62,000.00 for salary;. FICA (0.0765) \$4,758.30;. Retirement (0.1229) \$7,644.38;. Insurance 621.9/mo for member only coverage – HealthSelect of TX PPO-+ current rates \$7,462.80 . Total amount \$82,065.48 - Grant Request of \$69,553.34.</p>					
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Source of Match Information

Detail Source of Match/GPI:

DESCRIPTION	MATCH TYPE	AMOUNT
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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	\$72,833.34	\$0.00	\$0.00	\$0.00	\$72,833.34

Budget Grand Total Information:

OOG	CASH MATCH	IN-KIND MATCH	GPI	TOTAL
\$72,833.34	\$0.00	\$0.00	\$0.00	\$72,833.34

Condition Of Fundings Information

Condition of Funding / Project Requirement	Date Created	Date Met	Hold Funds	Hold Line Item Funds
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You are logged in as **User Name:** valadm