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To: Project Directors and Financial Officers – County/Tribal Treatment Court Programs
Project Directors and Financial Officers – County/Tribal Diversion Programs
County Human Service, Judicial and Law Enforcement representatives
Tribal Human Service, Judicial and Law Enforcement representatives
WATCP Members
Other Treatment Alternatives and Diversion Stakeholders

From: Lara Kenny, Director, Bureau of Justice Programs, Wisconsin Department of Justice

Pre-Application Form Guidelines for 2023 TAD Grant Awards

Document Summary

The Department of Justice (DOJ), Division of Law Enforcement Services (DLES), has received \$9,688,900 in Treatment Alternatives and Diversion (TAD) grant funds to award for CY 2023. This is a \$2.5 million increase over the amount of TAD funds awarded for 2022. Given this significant increase and various types of programmatic needs that counties and tribes have recently identified, DLES is modifying the 2023 TAD grant application process to provide applicants the option of applying under one or more of five Priority Categories. This memo provides details on the five Priority Categories.

Furthermore, this memo describes a new Grant Pre-Application stage for interested TAD grant applicants to complete. Attached along with this memo is the **Pre-Application Form**, which interested applicants must complete to identify which Priority Categories they plan to apply under when submitting their final TAD Grant Application materials later this year. Note that the information being requested in the Pre-Application Form does not constitute the final, full application. Instead, this information will guide DOJ staff in determining the number of TAD grant applications and amount of grant funds that counties and tribes will seek under each Priority Category. Each of the five priorities are further described on pp. 2-4.

Priority Categories

Current 2022 TAD grantees seeking to apply for 2023 TAD grant awards will have the option of choosing to apply under Priority #1 and up to a maximum of two additional Priority Categories. Applicants under Priority Category #1 will generally receive the same “baseline” amount of TAD funds received for 2022, provided they demonstrate that their current programs are

providing services and activities consistent with their 2022 TAD grant application and are taking effective steps to meet their primary goals and objectives, including numbers of participants served. Consequently, final applications subsequently submitted under Priority #1 will be less comprehensive and more streamlined than in previous years, focusing on project activities, accomplishments, and challenges and barriers during 2022 and on proposed project changes and refinements to occur during 2023.

Similarly, final applications submitted under Priority Category #2 and #5 will be less comprehensive; however, those applications may be reviewed and scored competitively, depending on the cumulative amount of TAD funds being requested. Final applications submitted under Priority Category #3 and #4 are expected to be more comprehensive and to be reviewed and scored competitively, as DOJ anticipates receive more in cumulative grant requests under those categories than amounts of TAD funds that are available.

Please note: (1) Agencies applying under Priority #1 have the option to also apply under Priority Categories 2-5, up to a maximum of two additional categories. However, all agencies seeking a 2023 TAD grant under Priority Category #2, #4 OR #5 MUST ALSO APPLY UNDER PRIORITY #1.

(2) Agencies that do not have a current 2022 TAD grant award must apply under Priority #3 only; they may not apply under Priority #1 or any additional priority categories. Conversely, agencies with a current 2022 TAD grant award that wish to also fund a new treatment court or diversion program must apply under both Priority #1 and #3.

Priority Category #1 - Baseline Funding for 2022 TAD Grantees – In 2022 DOJ awarded \$7,188,900 to 53 counties and 3 tribes for the CY 2022 period. These 56 grant awards cover many various types of treatment court programs and diversion programs. One TAD program consideration over the years has been to continue supporting existing treatment court and diversion programs in order to promote capacity building and sustainability. As such, applications under Priority Category #1 will draw from the “baseline amount” of \$7,188,900 in TAD funds to **continue supporting currently-funded treatment court and diversion programs at their current levels of TAD funding and capacities**. Under this priority, agencies must demonstrate that their treatment court and/or diversion program services and activities are consistent with their 2022 application project designs and methodologies, describe program accomplishments, and show that they have met or are on track to achieving their program goals and objectives. For example, agencies may demonstrate program fidelity and success by referencing their quarterly program and fiscal reports, summarizing performance indicators and outcomes from their CORE data, or sharing findings from evaluations or studies of their treatment court or diversion programs.

Several current TAD subgrantees may be considered for receiving a modified ‘baseline funding’ amount under Priority #1. DOJ staff will contact project directors of those subgrantees to consult and discuss scenarios for an agency receiving an amount higher or lower than their 2022 TAD award and help determine a feasible amount that the agency should apply for. Factors to be considered will include: *whether the agency received a planning grant in 2022 and will be fully*

operational throughout 2023; level of TAD expenditures during previous years; numbers of participants served during previous years; and historical restrictions that kept an agency's 2022 award amount below allowed program ceiling amounts for previous years (i.e., \$125,000 for diversion programs and \$150,000 for treatment court programs).

Priority Category #2 – Rising Costs for 2022 TAD Grantees – Many treatment court and diversion program staff have recently communicated that their programs are facing rising costs in order to simply provide the same level or quantity of treatment and other services to their participants. In particular, contract treatment vendors have increased their fees or per-service-unit charges in order to continue providing services at the same level. Staff salaries, wages and fringe benefits for both grant recipient agencies and contract vendors are rising annually to keep up with higher inflation and increased health care costs. Priority Category #2 is created to assist current TAD grantees with covering rising costs. DOJ tentatively projects allocating up to \$400,000 in TAD funds to cover rising service, personnel and other costs of current programs, with a maximum amount of \$10,000 per applicant. As an example, 40 existing programs could each receive an average of \$10,000 to cover rising costs. Priority Category # 2 applications must be submitted jointly with a Priority #1 “Baseline Funding” application in order to be considered for additional funding.

Priority Category #3 – New Treatment Court & Diversion Programs -- During the 2022 grant competition, many counties and tribes proposed implementing new treatment court or diversion programs that could not be funded due to lack of available funds. Since then, DOJ has become aware that several counties and tribes are interested in implementing new treatment court or diversion programs. For some, this would be their first TAD-funded program. Given this large level of interest, Priority Category # 3 is created to support the planning and initial operation of new diversion and treatment court programs.

Agencies that are ready to immediately implement and operate their program as of January 2023 will be eligible to receive up to \$125,000 for a new diversion program and up to \$150,000 for a new treatment court program. Award amounts will be lower for agencies seeking funds to initially complete program planning before commencing program operation later during 2023. DOJ staff will contact leaders of agencies applying under Priority #3 to consult and discuss the nature of their new programs (i.e., whether the agency should consider including planning activities during 2023) and help determine a feasible amount that the agency should apply for. DOJ tentatively projects allocating up to \$1 million in TAD funds to support multiple new treatment court and diversion programs.

Note: Counties and tribes with existing TAD grant awards interested in applying under Priority #3 must also apply under Priority #1.

Priority Category #4 – Enhancement and Expansion of Existing Programs -- Throughout the history of the TAD program, one of the primary objectives has been to support the enhancement and expansion of current drug treatment court and diversion programs in order to provide additional types of services or increase program capacities that highlights the latest in evidence-based practice research. In particular, DOJ has sought to promote specific best practices and

services that are shown to increase program effectiveness and improve participant outcomes including increasing sobriety rates and lowering criminal recidivism rates. Despite this primary objective, DOJ was unable to support the enhancement and expansion of existing programs for 2022 due to lack of TAD grant funds. Fortunately, additional grant funds are available for 2023. Consequently, DOJ has created Priority Category #4 to support the enhancement and expansion of existing programs. DOJ tentatively projects allocating up to \$800,000 under this category, sufficient to support multiple enhancement/expansion projects. The maximum amount to be awarded under this category is \$100,000 per applicant. Examples of research-based enhancements and expansions include the use of clinical social worker services to address mental health needs for participants with co-occurring disorders, and provision of recovery support services post-treatment, including certified peer specialists, peer mentoring and coaching, and sober living or transitional housing.

Note: Counties and tribes with existing TAD grant awards should only consider applying on Priority #4 if they can demonstrate that they are consistently meeting their program goals and objectives and have been approaching their program capacities with numbers of referrals, admissions and participants.

Priority Category #5 – One-Year Program Evaluation Projects -- During the past few years, TAD grantees have increasingly reached out to DOJ seeking assistance and support with evaluating both the effectiveness of program implementation and outcomes achieved from program services and activities. During 2020-21, several counties and tribes did not fully expend their grant awards due to a sharp decrease in number of participants and services. Some of those agencies planned ahead and received approval to use unspent funds to contract with private evaluators and outside evaluators from local universities to conduct more comprehensive analyses of their treatment court and diversion programs. One TAD program goal has been to assist grant recipients with effectively evaluating program implementation and outcomes in order to identify necessary program improvements and generate data that would be used to illustrate program success and promote long-term sustainability. To that end, DOJ is creating Priority Category #5 to support evaluation services **for existing TAD-funded treatment court and diversion programs**, as one-year, one-time projects. DOJ tentatively projects allocating up to \$300,000 under this category. DOJ further tentatively projects that this amount would support evaluation projects for 6-8 programs, with a maximum award of \$50,000 per applicant. In issuing awards under this Priority, DOJ will require recipient counties or tribes to utilize one common methodology so that the separate evaluations are all analyzing similar program features and outcomes.

Eligibility for Funding and Pre-Application Process

All counties and tribes across Wisconsin, including those who did not receive a 2022 TAD grant award, are eligible to apply for TAD grant awards covering the period January 1, 2023 through December 31, 2023. (See *2022 TAD Grant Awards and Programs Table*, accompanying this memo, for a list of 2022 TAD grant award recipient counties and tribes, and the treatment court and diversion programs that the current 2022 TAD awards cover.) TAD grant funds are available to support treatment court and diversion programs that meet the requirements listed under § 165.95, Wis. Stats., including (but not limited to) the following:

- TAD award funds will be used to supplement, not supplant, planned or allocated funds.
- All TAD-funded programs must comply with evolving state and national standards pertaining to the operation of treatment courts or diversion programs as those standards are finalized and released statewide or nationally.
- TAD grantees must comply with all reporting, data collection, evaluation requirements, and necessary CORE and data training, as determined by the Bureau of Justice Programs and the Bureau of Justice Information Analysis.
- All counties and tribes receiving a TAD grant shall create an oversight committee to advise their agency in administering and evaluating its treatment court or diversion programs.
- TAD-funded programs cannot prohibit a participant from beginning or continuing participation in medication assisted treatment that is approved by the federal food and drug administration for the treatment of their substance use disorder.

Pre-Application Process: To apply for funding, an authorized county or tribal representative must communicate its agency's intentions as to which Priority Categories the agency will apply under to receive 2023 TAD grant funds, as requested in the Pre-Application Form below. All completed Pre-Application Forms must be submitted to the Wisconsin Department of Justice by **no later than August 19, 2022**. All counties and tribes wishing to receive 2023 TAD grant awards must submit the Pre-Application Form within the deadline.

Please note: It is extremely important that all counties and tribes submit their Pre-Application Form, as the submitted information will help DOJ staff to better project the number of programs and amount of grant funding being applied for under each category. Final allocation decisions regarding the amount of TAD grant funds allocated within each Priority Category will be based on the levels of interest expressed by counties and tribes in applying under each specific category. Furthermore, this information will help inform our final decisions regarding the final application forms, nature of the application process, and application scoring criteria.

Once we have received your Pre-Application Form, your county or tribal agency is eligible to apply for 2023 TAD funding by completing the final application form, tables and providing the other requested information as requested in the 2023 TAD Grant Announcement. We will inform you of the Grant Announcement and post the information and application materials on our DOJ website in September. Final applications will require letters of support or memoranda signed by all required and key stakeholders indicating full levels of local support for the treatment court and diversion programs. Consequently, DOJ strongly encourages applicant agencies to consult with and seek program support from your oversight committee members during the pre-application stage.

Virtual Webinar: DOJ will conduct a virtual webinar on **Tuesday, July 19th from 1:00 to 2:30 p.m.**, to highlight this Pre-Application Memo, the five TAD Priority Categories, and further describe the steps for completing and submitting the requested Pre-Application Form. Further information and details will be shared with all counties and tribes shortly.