



JUDICIAL COUNCIL OF CALIFORNIA

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REPORT TO THE JUDICIAL COUNCIL

For business meeting on: October 27, 2014

Title	Agenda Item Type
Trial Courts: Recidivism Reduction Fund Court Grant Program	Information Only
Submitted by	Date of Report
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Executive Summary

The Budget Act of 2014 (Sen. Bill 852; Stats. 2014, ch. 25) appropriated \$15 million from the Recidivism Reduction Fund (RRF) for a competitive grant program designated to support the administration and operation of trial court programs and practices known to reduce adult offender recidivism and enhance public safety. The grant program must be developed and administered by the Judicial Council, and the designated court programs and practices include collaborative courts for adult offenders, pretrial programs, and court use of risk and needs assessments. This report provides information on the establishment of the RRF, the RRF request for proposals, and the next steps in the process of awarding grants.

Previous Council Action

At its August 19, 2014, meeting, the Judicial Council's Executive and Planning Committee approved a timeline and procedures for staff of the council's Criminal Justice Services (CJS) office to administer the Recidivism Reduction Fund Court Grant Program, including the development and scoring of the responses submitted to the request for proposals (RFP), and recommendations to the Executive and Planning Committee and the Judicial Council for awarding of grants.

Methodology and Process

For over two decades, California's prison system faced many challenges with overcrowding and lawsuits related to the provision of health and mental health services in prison. The population increased from approximately 60,000 inmates in 1986 to an all-time high of 173,479 in 2006. In 2011, the U.S. Supreme Court upheld a lower court ruling requiring the California Department of Corrections and Rehabilitation (CDCR) to reduce the population in its institutions to 137.5 percent of the system's design capacity by June 30, 2013. Subsequent orders extended the deadline, and on February 10, 2014, the lower court issued a final order granting the state a two-year extension to meet the cap by February 28, 2016. As of September 10, 2014, the state's prison population is approximately 140.6 percent of design capacity.

SB 105, passed in 2013, provided \$315 million to CDCR to house inmates in contracted facilities to avoid early release and comply with the court-imposed population cap. It specified that if a sufficient time extension were granted by the court and all of the funding was not used for increased prison capacity, the first \$75 million of any savings would be transferred into the Recidivism Reduction Fund (RRF) created by SB 105. Savings beyond \$75 million are shared between the RRF and the General Fund. As a result, \$91 million is available in the RRF in fiscal year 2014–2015 with \$15 million of the \$91 million designated for grants to court programs known to reduce adult offender recidivism. The Judicial Council is charged with developing and administering this \$15 million competitive grant program.

In developing the RFP for the grant program, CJS consulted with experts in the areas of collaborative courts, pretrial programs, and risk and needs assessments. CJS sought assistance in the review and development of the RFP from appellate court justices, retired judges, out-of-state judges, and representatives of national organizations with relevant experience. These individuals reviewed various drafts of the RFP and provided valuable input.

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

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

Concerns of Stakeholders

CJS sought input from the Department of Finance, Governor's Office, and legislative staff in order to ensure that the program accurately reflected the objectives of the RRF. These entities were asked to review the RFP in its draft form. CJS specifically requested feedback on the

emphasis on funding many courts of various sizes. These stakeholders were supportive of this approach.

Because these court programs will rely heavily upon the support of local criminal justice system partners, CJS sought input from representatives of the Chief Probation Officers and the California State Association of Counties. Their comments focused primarily on the role of stakeholders in the application process and operation of the program, and their feedback was incorporated into the RFP.

Implementation Efforts

Proposals responding to the RFP are due on December 15, 2014. CJS staff will score the proposals based on specific criteria included in the RFP. An effort will be made to adequately fund as many grants as possible, emphasizing a diversity of program types throughout the state. Total grant awards will typically range from \$300,000 to \$600,000. Applications outside of that range will be considered when the cost proposals clearly demonstrate a need for an increased or reduced level of funding.

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

Funding priority will be given to planning grants for initial program development and implementation grants for new programs. CJS will submit recommendations for funding proposals to the Executive and Planning Committee and the Judicial Council for consideration and approval on February 20, 2015.

Next Steps

- December 15, 2014, at 5 p.m. — Latest date and time proposals may be submitted
- February 20, 2015 — Presentation to Judicial Council
- February 23, 2015 — Notices of Intent to Award sent to courts
- February 23–April 1, 2015 — Negotiation and execution of contracts
- April 1, 2015 — Contract start date
- April 30, 2017 — Contract end date
- May 5, 2017 — Final reimbursement submissions due to the Judicial Council

Attachments

1. Attachment A: Senate Bill 852, Budget Bill Language
2. Attachment B: Request for Proposals, Recidivism Reduction Fund Court Grant Program

Senate Bill 852 BUDGET ACT OF 2014

0250-101-3259—

For local assistance, Judicial Branch, payable from the Recidivism Reduction Fund.....15,000,000

Schedule:

(1) Program 45.10-Support for Operation of the Trial Courts15,000,000

Provisions:

1. Funds appropriated in this item shall be used for the establishment or ongoing operation and staffing of programs known to reduce recidivism and enhance public safety, including collaborative courts that serve moderate and high-risk adult criminal offenders, pretrial programs, and the use of risk and needs assessment instruments at sentencing of felony offenders subject to local supervision.
2. Funds shall be designated for a competitive grant program developed and administered by the Judicial Council and shall be used to support the administration and operation of programs and practices known to reduce offender recidivism including the use of risk and needs assessments, evidence-based practices, and programs that specifically address the needs of mentally ill and drug addicted offenders.
3. Participating courts shall submit a joint application on behalf of the court, county, and other local justice system partners that clearly details the initiative for which funding is sought; the associated staffing activities, programs, and services to be delivered by the partner organizations; and how the grant program will cover those costs.
4. In consultation with the California Department of Corrections and Rehabilitation and the Chief Probation Officers of California, the Judicial Council shall establish performance based outcome measures appropriate for each program including, but not limited to, the number of offenders participating in these programs who fail to appear, are revoked to county jail or state prison, or commit new crimes and are sentenced to county jail or state prison. Participating courts shall provide the required data, including individual offender level data, on a quarterly basis to the Judicial Council.
5. Annually, the Judicial Council shall report aggregate level data related to these programs to the Department of Finance and the Joint Legislative Budget Committee. The first report shall include information related to the establishment and operation of the grantee programs. The Judicial Council shall provide a report to the Joint Legislative Budget Committee and the Department of Finance that addresses the effectiveness of the programs based on the reports of the established outcome measures described in Provision 4 and the impact of the moneys appropriated pursuant to this act to enhance public safety and improve offender outcomes four years after the grants are awarded. Five percent of the funds shall be designated to the Judicial Council for the administration of the program, including the collection and analysis of data from the grantee courts, the California Department of Corrections and Rehabilitation, and local justice system partners; the provision of technical and legal assistance to the courts; and evaluation of the program. Funds appropriated in this item may be expended until June 30, 2017, after which any unexpended funds shall revert to the General Fund.

REQUEST FOR PROPOSALS

**JUDICIAL COUNCIL OF CALIFORNIA
CRIMINAL JUSTICE SERVICES**

Recidivism Reduction Fund Court Grant Program

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

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

ELIGIBLE APPLICANTS: Superior Courts of California

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

NOTICE OF INTENT TO APPLY:

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

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1.0 BACKGROUND INFORMATION

1.1 Organizational Background

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

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

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

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

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

2.0 RECIDIVISM REDUCTION FUND COURT GRANT PROGRAM

2.1 Program Overview and Purpose

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

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

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

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

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

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

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

2.2 Grant Category Descriptions

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

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

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

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

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

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

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

2.2.2 Pretrial Programs

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

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

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

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

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

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

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

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

2.2.3 Court use of validated risk and needs assessment information

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

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

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

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

2.3 Eligibility and Application

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

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

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

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

2.4 Phases of the Recidivism Reduction Fund Court Grant Program

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

2.4.1 Planning/Implementation Phase for Initial Program Development

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

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

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

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

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

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

2.4.2 Enhancement Phase for Ongoing Program Support and Expansion

Enhancement grants are available to courts with fully operational programs.

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

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

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

2.5 Recidivism Reduction Fund Court Grant Awards and Funding

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

3.0 COURT GRANT PROGRAM REQUIREMENTS

3.1 Project Management

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

3.2 Program Training

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

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

3.3 Process for Funding Courts

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

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

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

3.4 Grant Administration Reporting and Tracking

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

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

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

3.5 Program Evaluation and Data Collection

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

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

Program Data

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

Individual Level Data

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

4.0 TIMELINE FOR THIS RFP

4.1 Grant Applicants' Teleconference

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

The applicant teleconferences are scheduled for:

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

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

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

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

4.2 List of key events related to this RFP.

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

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

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

5.0 SUBMISSIONS OF PROPOSALS

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

6.0 PROPOSAL CONTENTS

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

6.1 Court Contact Information

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

6.2 Project Abstract

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

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

6.3 Project Narrative

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

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

6.3.1 Problem statement

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

6.3.2 Project plan

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

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

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

6.3.3 Capabilities, Roles, and Competencies

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

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

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

6.3.4 Local Collaboration

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

6.4 Cost Proposal

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

6.4.1 Proposed Costs

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

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

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

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

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

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

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

7.0 EVALUATION OF PROPOSALS

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

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

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

APPENDIX A: COURT POOLS

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

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

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

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

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

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

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

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

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