



District Attorney of  
New York County

November 10, 2016

The CUNY Institute for State and Local Governance (ISLG) appreciates your interest in the Request for Proposals (RFP) to for Early Diversion Programs for Young Adults and Adults.

This addendum includes answers to questions submitted to ISLG via the CJII Application Portal by October 21, 2016.

**ANSWERS TO APPLICANT QUESTIONS**  
**Early Diversion Programs for Young Adults and Adults**

**PROGRAM DESIGN**

**We received multiple questions about the number of participants to be served by funded early diversion programs. The following answer serves to address those questions.**

ANSWER: There is no minimum number of young adults or adults to be served annually or over the course of the initiative by an Early Diversion program funded under this RFP. DANY anticipates awarding up to six contracts for planning, where applicable, and implementing a diverse range of community-based early diversion programs. Collectively, funded applicants of early diversion programs are expected to serve more than 8,500 individuals over the three-year implementation period, ramping up over the years to serve 1,100 young adults and 3,300 adults annually by year three of implementation. In the Program Narrative, applicants should provide an estimate of how many clients the proposed early diversion program plans to serve in each year of the initiative. The estimated number of clients served may vary by applicant and also by year. Estimates may be based on various factors such as organizational and staff capacity, and the size of the focus population (i.e. early diversion eligible young adults and/or early diversion eligible adults, or a subgroup(s) (e.g. gender, offense type, risk/need profile) within the overarching eligible populations defined for this RFP).

**QUESTION: Regarding the immediacy of program implementation upon mandate: What is considered to be "immediate" implementation?**

ANSWER: Early diversion programs funded under this RFP will serve eligible young adults and/or adults who are issued a Desk Appearance Ticket (DAT) by the police. Proposed early diversion programming must take place after arrest and before arraignment. The arraignment date issued on a DAT typically allows for several weeks in-between arrest and arraignment. Specific protocols regarding the referral process and the timeliness of early diversion programming will be established with DANY, NYPD and funded providers.

**QUESTION: Regarding connecting program participants to other services, in what proportion to the Community Navigators would an organization be expected to connect participants with services? Would an organization be able to rely entirely on Community Navigators for this service?**

ANSWER: Applicants are encouraged to consider in their program design how the early diversion program may refer participants to additional voluntary supports or services, as needed. In their Program Narrative, applicants are asked to speak to established connections with other service providers in New York City to whom they may refer clients based on particular needs, and whether they plan to sub-contract any portion of the grant, if awarded. Funded early diversion programs may propose to work with

Community Navigators to support their clients' ancillary needs (See Appendix 5 for a description of the Community Navigator pilot). The degree to which a funded early diversion program will be able to rely on Community Navigators for this service will depend on the timing and scale of the Community Navigator pilot. Given that the Community Navigator initiative is beginning with a small-scale pilot, applicants may want to consider other mechanisms for connecting participants with services, as needed.

**QUESTION: Are there staffing recommendations, based upon number and need of participants?**

ANSWER: DANY does not provide staffing recommendations for early diversion programs. DANY anticipates that staffing will vary by proposed program depending on the anticipated numbers to be served, the type and duration of the proposed intervention, and other factors. Applicants should speak to the proposed staffing structure as appropriate in the Capacity and Experience sections of the application.

**POPULATIONS TO BE SERVED**

**QUESTION: For the Adult population (21+ group), is there an upper age limit? If there is not, can an organization propose a subgroup within the Adult age group?**

ANSWER: There is no upper age limit for the adult population. Yes, an organization may propose to serve a subgroup (including a subgroup based on age) within the overarching eligible populations defined for this RFP should the applicant demonstrate a particular need for this focus.

**QUESTION: On page 24 of the Early Diversion Programs RFP eligible diversion populations data is given, broken down by age range and number of defendants. Does DANY have data they can share that is broken down by gender for early diversion eligible individuals?**

ANSWER: Provided below are Exhibits 4 and 5 broken out by gender (See Appendix 4 for the original exhibits). Please also note that there was an error in exhibit 4 (see page 24) of the solicitation; the age breakdown presented in exhibit 4 is accurate but the total # of defendants is 6657 (not 7561). A revised appendix 4 is available as an addendum at <http://cjii.org/request-for-proposals-for-early-diversion-programs/>.

*Exhibit 4 (revised): Early Diversion Eligible Young Adults and Adults by Age and Gender, 2015*

Age Range	Female	Male	# of defendants
18-20	432	842	1274
21-24	498	939	1437
25-35	652	1440	2092
36+	724	1130	1854
<b>Total</b>	<b>2306</b>	<b>4351</b>	<b>6657</b>

*Exhibit 5 (revised): Early Diversion Eligible Young Adults and Adults by Arrest Location and Gender, 2015*

Neighborhoods	Precincts	#of young adult defendants (18-20)			# of adult defendants (21+)		
		Female	Male	Total	Female	Male	Total
Tribeca, Soho, Financial District	1st	24	48	72	175	238	413
Lower East Side, Nolita, Chinatown	5th, 7th	39	123	162	143	386	529
East Village	9th	16	58	74	59	197	256
Gramercy Park, Flatiron	13th	19	39	58	89	195	284
West Village, Greenwich Village	6th	17	34	51	77	162	239
Midtown West & Chelsea	10th	6	25	31	47	137	184
Midtown East	17th	2	4	6	26	62	88
Midtown South	Midtown Precinct South	151	106	257	522	461	983
Midtown North	Midtown Precinct North	17	47	64	105	248	353
Central Park	Central Park Precinct	1	4	5	2	16	18
Upper East Side	19th	14	5	19	62	62	124
Upper West Side	20th, 24th	17	42	59	106	163	269
Central & West Harlem	26th, 28th, 32nd	39	83	122	154	286	440
East Harlem	23rd, 25th	37	83	120	152	362	514
Washington Heights & Inwood	33rd, 34th	20	89	109	112	379	491

**QUESTION: Can an application focus on a particularly vulnerable sub-population of the RFP (e.g. mental health population)?**

ANSWER: Yes, DANY is open to funding programs that are tailored to specific subgroups (e.g., gender, offense type, risk/need profile) within the overarching eligible populations defined for this RFP should the applicant demonstrate a particular need for this focus.

**QUESTION: When the proposal states that the criteria is no criminal history, can you clarify, please. For example, no arrests vs. no convictions. Also, is it criminal history as an adult (16+) or any age (i.e. arrests under 16 will count and therefore exclude them)?**

ANSWER: This RFP seeks to fund early diversion programs for young adults (ages 18 to 20) and adults (ages 21+) with no prior adult arrest history arrested for select misdemeanor offenses in Manhattan and issued a DAT by the police. Eligibility and

exclusionary criteria will be finalized during the contract negotiations and may be subject to modification during the grant term, after discussion among DANY, contractors, and system and community partners, based on programmatic implementation, crime and arrest trends, research findings, and/or other relevant factors.

The reference to no criminal history throughout the RFP refers to the exclusionary criteria of “record of a prior arrest” (See Appendix 4). With some possible exceptions for serious crimes, juvenile arrests (i.e. arrests of a minor under the age of 16) do not count as a “record of a prior arrest.”

## **FUNDING**

**QUESTION: Please could you confirm what the funding structure and timeline looks like. Is this understanding correct? Total funding for the project is 6.5 million for up to 6 awards meaning that if 6 awards were made they would roughly be for 1 million for each award. 1 million for each project would mean an annual budget of +/-300,000 per annum - correct? Of that total yearly budget are you saying that 75,000 of it for 'phase 1 planning (1st 6 months)' will be released immediately? If this is the case, when will the rest be distributed?**

ANSWER: DANY anticipates total funding for the early diversion programs under this RFP to be up to \$6.5 million (to be spread across up to six awards for up to 3.5 years). Funding will be divided, where applicable, into planning (phase I, \$75,000 maximum), which will last up to six months and may include (but not be limited to) hiring and training additional staff, finalizing program plans, establishing and testing referral streams, and piloting the program with a small number of participants; and implementation (phase II), which will last up to three years and is intended to support full implementation of the program.

Funding is anticipated for six months for planning (phase I) (for those programs that warrant a planning period) and up to three years for implementation (phase II). However, DANY acknowledges the need for flexibility to account for the variety of factors that can influence the length of the planning and/or implementation phase(s).

Grant sizes may vary across awards depending on factors including, but not limited to, the number of proposed program sites and the estimated numbers of individuals to be served. Applicants should provide a budget and corresponding budget narrative outlining their proposed use of funds for the planning period (if applicable) and each year of implementation (funding may vary by year).

The anticipated contract date for this RFP is late spring 2017. Applicants awarded a grant through this RFP will receive planning funds (if applicable) upon completion of contract negotiations. In the case of applicants seeking funding for planning (phase I), funding for implementation (phase II) will be contingent upon approval of the implementation plans developed during the planning phase (I).

**QUESTION: Is there a cap on a single-grant award?**

ANSWER: Total available funding for early diversion programs under this RFP is \$6.5 million, so no single award could exceed that amount. However, DANY anticipates funding up to 6 contracts for early diversion programs under this RFP. To allow for tailored and flexible program proposals, grant sizes may vary across awards depending on factors including, but not limited to, the number of proposed program sites and the estimated numbers of individuals to be served.

**CONTRACTING**

**QUESTION: On page 39, is the 'work for hire' clause open to revisions? We are interested in clarifying what original research and writing could be done as part of this project and who would own that data and intellectual property.**

ANSWER: Questions regarding intellectual property and copyright rights will be addressed during contract negotiations with vendors selected to advance to the contracting phase.

**APPLICANT ELIGIBILITY**

**QUESTION: Could an agency apply for multiple grants within the Criminal Justice Investment Initiative (CJII)?**

ANSWER: Yes, an agency may apply for multiple grants within the Criminal Justice Investment Initiative (CJII). CJII funding opportunities are detailed here: <http://ciji.org/category/opportunities/>.

**QUESTION: Would an agency be considered if it's not able to achieve or work towards goal #4 on page #8 of the RFP? (Holding defendants accountable for their actions and restoring harm done to harmed parties)**

ANSWER: DANY is interested in funding evidence-based, promising, and/or innovative community-based diversion programs that are proportionate to the alleged crime and that are designed to hold individuals accountable for their actions while helping them to avoid prosecution and to address the challenges and circumstances that contributed to their arrest. DANY is particularly interested in programs that incorporate restorative justice approaches and collaboration with harmed parties, where applicable.

The five outcomes detailed in Section IV.B are provided as examples of anticipated and desired, but not required, outcomes for early diversion programs funded under this initiative. The list of “program elements” on pages 9 and 10 of the solicitation that includes “harm restoration, where applicable” is a list of program elements common to, but not required by, effective diversion programs.

**QUESTION: Would you consider a proposal to fund the provision of dedicated legal support to the early diversion programs receiving awards under the RFP?**

ANSWER: This RFP is seeking proposals from qualified applicants to plan and implement diversion programs after arrest and before arraignment (or, “early diversion” programs) to divert young adults and adults arrested for low-level offenses who do not have a criminal record from court processing to effective and tailored community-based responses. Applicants are encouraged to consider in their program design how the early diversion program may refer participants to additional supports or services, as needed. In their Program Narrative, applicants are asked to speak to established connections with other service providers in New York City to whom they may refer clients based on particular needs (e.g., substance abuse, mental health, education and/or employment services), and whether they plan to sub-contract any portion of the grant, if awarded.

We created the Criminal Justice Investment Initiative networking group on LinkedIn to help connect service providers who may be interested in working together to propose programs in response to [various CJII RFPs](#). You can share information about your organization and see what other service providers are offering and connect. Participation in the group is voluntary and will not be a factor in selecting the proposals to be funded.

**BUDGET**

**QUESTION: Will our organization's existing budget be taken into account? If so, what should the maximum proportion of requested funding be to the organization's overall operating budget?**

ANSWER: Applicants should provide a budget and corresponding Budget Narrative outlining their proposed use of funding to achieve the goals of the proposed early diversion program. The Budget and Budget Narrative should include only the funding requested through this RFP. In addition, applicants are asked to provide a copy of their latest audit report or certified financial statement, or a statement as to why no report or statement is available as part of the Organizational Capacity section of the application (*See Section VI.D*). The information in the audit report or certified financial statement may be taken into account by reviewers when evaluating the applicant’s capacity to plan (if applicable) and implement the proposed Early Diversion program. There are no requirements or guidance regarding the proportion of requested funding to the organization’s overall operating budget.

**APPLICATION SUBMISSION**

**QUESTION: Regarding the cover letter: Is there a maximum page limit?**

ANSWER: There is no length restriction for the Cover Letter. Length restrictions apply to the Program Narrative, Performance Measurement, Organization Capacity, and Experience sections of the application. Proposal formatting and length requirements are provided on page 16 of the RFP (*see Section VI.I*).