



**Comprehensive Community Corrections Act
&
Pretrial Services Act**

***Local Community-based Probation and Pretrial Services
Grant Application Guide for
FY 2015–2016 Continuation Funding***

Virginia Department of Criminal Justice Services
1100 Bank Street, Richmond, VA 23219

February 2015

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INTRODUCTION

The Department of Criminal Justice Services (DCJS) administers general appropriation funds designated for the purpose of supporting the Comprehensive Community Corrections Act for Local-Responsible Offenders (CCCA) and the Pretrial Services Act (PSA) as grants to local units of government. Applications for continuation funding for Fiscal Year 2016 are currently being solicited.

Authority & Purpose

This grant is intended specifically to support local probation and pretrial services agencies established under the authority of the CCCA, as specified in §§[9.1-173](#) et seq. of the *Code of Virginia*, or the PSA as specified in §§[19.2-152.2](#) et seq. of the *Code of Virginia*. Sentencing to local community-based probation authorized by the CCCA is to be done in accordance with §[19.2-303.3](#) and statutes authorizing deferred proceedings of the *Code of Virginia*.

Funds are to be used for purposes of continuing, improving, and/or expanding existing agencies and services, and for the development of new and innovative ones, specifically those that are based in research or are appropriate Evidence-Based Practices.

Eligibility Requirements

Only county or city governments that currently receive CCCA and PSA funds are eligible to receive continuation funding. For multi-jurisdictional efforts, one of the participating localities must submit the grant application on behalf of all participating jurisdictions and must *assume responsibility for grant administrative and financial matters* by serving as the Administrative and Fiscal Agent. Private organizations may receive grant funds only through contracts with local governments for probation services.

The County Administrator, County Executive or County or City Manager must serve as the Project Administrator. For multi-jurisdictional efforts, the County Administrator or City Manager of the locality serving as the Administrative and Fiscal Agent must serve as the Project Administrator. It will be the responsibility of the applicant locality to ensure that funds are spent in accordance with grant requirements and local and state procurement regulations.

Each applicant is to have a Community Criminal Justice Board (CCJB) to serve as an advisory body to the local governing body on matters pertaining to local criminal justice issues. The composition and responsibilities of the CCJB are specified in §[9.1-178](#) of the *Code of Virginia*.

Funding

Restrictions: CCCA/PSA grant recipients *may not* use these grant funds to:

1. Supplant or replace local funds supporting functions that may be associated with the administration or operation of these agencies and/or the supervision of defendants and probationers.
2. Supplant or replace in whole or part other state funds supporting functions that may be associated with the administration or operation of these agencies and/or the supervision of defendants and probationers. This includes, but is not limited to, functions of the County or City Treasurer's office supported by the state and functions of the Clerk of the Court (i.e., collection of restitution).
3. Pay for Sheriff's deputies or jail operational staff not designated solely for CCCA or PSA programming.
4. Pay for capital construction, renovation, remodeling, or land acquisition.
5. Pay for any vehicles.
6. Pay for firearms, ammunition, or related equipment.
7. Pay for clothing and/or uniforms.

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8. Pay for lobbying, political contributions, honoraria, overtime or bonuses.
9. Pay for personal entertainment, personal calls, or alcohol.

Requirements and restrictions on the expenditure of grant funds, where given, must be adhered to by the applicant.

Matching Funds: There are no matching funds required for this grant; however, in-kind support and matching funds are encouraged and must be shown in the budget.

Supervision/Intervention Fees: Supervision/intervention fees are governed by the same terms, conditions, and assurances that apply to state funds. There are two (2) exceptions:

1. Fees collected may be used to supplant local funds contributing to the grant, and
2. Fees collected in one fiscal year may be rolled-over from year-to-year (and must be rolled over if not expended).

Indirect Costs: Indirect costs are defined as fees charged against the grant for the local government's administration of the funds. Included in this are any administrative personnel and operational costs incurred by the locality that cannot be attributed directly to a given project. If the locality determines that charging indirect costs against the grant program is necessary and the CCJB supports such a cost, the following conditions apply:

1. Indirect costs cannot exceed 1% of the total grant award.
2. Charging the grant for indirect costs cannot violate non-supplanting requirements.
3. Charging the grant for indirect costs will reduce the total amount available for defendant and probationer supervision, treatment, personnel, and other agency operating expenses.

Amount Available/Funding Limitations

The base appropriation for continuation funding that may be available is expected to be at level funding. **DO NOT APPLY FOR MORE THAN THIS AMOUNT.** Any significant sub-budget adjustments must be justified in the grant application.

If changes in state funding occur as a result of actions by the General Assembly or Governor, grantees will be notified. Agencies with staff to probationer ratios below 1:60 and staff to defendant under 1:40 are at risk of greater reductions in state general funds.

Grant Period

Applicants will be funded for the second year of the grant cycle that started on July 1, 2014 and ends on June 30, 2016 (Fiscal Year 2016). The application for the second year of this cycle requires a new itemized budget and budget narrative, a new project overview with the accompanying EBP implementation plan and reports on progress.

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HOW TO APPLY

Applicants must adhere to all of the following applicant specifications for funding consideration:

1. An original and three (3) copies (total of 4) of the completed DCJS Grant Application must be **received by 5:00 p.m. on April 23, 2015**. Applications received after the deadline will not be considered. Applications may be mailed or delivered to:

Department of Criminal Justice Services
Attn: Janice D. Waddy, Grants Administrator
1100 Bank Street, 12th Floor
Richmond, VA 23219

2. All parts of the application should a) be complete, b) comply with any page limitations, c) use the correct forms, and d) be submitted in the following order:
 - Application Face Sheet
 - Project Description
 - Itemized Budget
 - Budget Narrative
 - Staffing Information
3. The Project Administrator (or designee with signatory authorization on file with DCJS) must sign the grant application face sheet.
4. Only one grant application per applicant jurisdiction will be accepted for CCCA and PSA funding.
5. Faxed applications will *not* be accepted.
6. Do not submit bound grants. Copies should be either stapled or clipped.
7. Number all pages.
8. Label all budgets.
9. Use 8 ½" by 11" white paper only.

Review Process

DCJS will base its review on the quality and thoroughness of the applications. Current and past performance, EBP progress and implementation, adherence to grant guidelines and conditions, and whether all reporting requirements are current will be considered during grant review.

Applicants will be advised if significant reductions in their proposals have been recommended and will be given an opportunity to provide additional supporting information for consideration by the review committee or subcommittee of the CJSB.

In addition to a project's performance, and the availability of funds, a key factor in determining eligibility for continuation funding will be compliance with grant financial and progress reporting requirements. **No current recipient of funding through this grant will be considered for continuation funding if, as of the continuation application due date, any of the required Financial or Progress Reports for the current grant are more than 30 days overdue.** For good cause submitted in writing by the grant recipient, DCJS may waive this provision.

Technical Assistance

For general grant application assistance, please contact Paula Harpster at (804) 786-1140 or paula.harpster@dcjs.virginia.gov, Ken Rose at (804) 225-4329 or kenneth.rose@dcjs.virginia.gov or Donna Shiflett at (804) 225-4127 or donna.shiflett@dcjs.virginia.gov.

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INSTRUCTIONS FOR COMPLETING THE GRANT APPLICATION

Application Face Sheet

Grant Program – This is the grant program you are applying for—Comprehensive Community Corrections Act (CCCA) and Pretrial Services Act (PSA) Grant is prefilled.

Congressional Districts – Leave blank.

Applicant – Please provide the name of the City or County (Administrative and Fiscal Agent) applying for the grant. (Do not list the local agency.)

Faith Based Organization – Is the *applicant* a faith-based organization? “No” is pre-checked.

Applicant FIN – Please provide the Federal Identification Number for the Administrative and Fiscal Agent, not the jail or agency.

Best Practice – Leave blank.

Jurisdiction(s) Served - List all Localities (counties and cities) served.

Program Title – Check the appropriate category—Community Corrections, Pretrial Services or both.

Certified Crime Prevention Community – Is your locality a [certified crime prevention community](#) by DCJS (click link to see list)?

Grant Period – Provide the grant period—date is prefilled.

DUNS Number – Provide the Data Universal Numbering (DUNS) Number. If you do not have a number for the locality or organization, please go to the website <http://fedgov.dnb.com/webform>.

Type of Application – “Continuation” is pre-checked.

Rural, Urban or Suburban – Check all that apply to describe the applicant locality or localities.

Project Director, Project Administrator, and Finance Officer – Please provide the zip + four, e-mail address, fax number, and telephone number for each person.

Project Director – The daily contact for DCJS regarding the operations of the CCCA and PSA agencies. If there is more than one, please attach additional contact information on a separate page.

Project Administrator – This is the County Administrator or City Manager (Administrative and Fiscal Agent) who oversees the management of the grant.

Finance Officer – The person who will be responsible for fiscal management of funds at the local government level.

Brief Project Description – A short, 2 – 3 sentence description of the proposed project.

Project Budget Summary – Report the amount of state funds requested from the itemized budget forms by category (i.e. Personnel, Supplies and Other) and by funding category (i.e. Pretrial Services or Local Community-based Probation) on the application face sheet. Though separate budgets must be submitted for each component for which funding is requested, the totals from those budgets should be combined for purposes of the application face sheet. Total all category budgets in the last column. Include the total local funds and fees that support this project on the bottom line. All amounts must be rounded to the nearest dollar.

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Project Description

Address the following elements in the Project Description (3 page maximum):

1. Provide a brief abstract of the project, *summarizing* the project to include type of services, and activities including mandated services, actual operations, duties and responsibilities, all activities related to implementing and using evidence-based practices and optional services.
2. Provide a summary of the progress made in the project beginning July 1, 2014 to date which includes:
 - A report of specific EBP activities and progress including, but not limited to, a table with the risk distribution of placements, the total number of MOST and OST completed, MOST completion rate, OST completion rate if available, rate of compliance with time frames for completion of MOST and OST if available, and application of risk informed supervision and interventions. Include any relevant performance data or agency evaluation procedures used that demonstrates the agency's progress toward any of the above areas.
 - A report of risk distributions of defendants placed on supervision, and risk distribution by bond type.
 - A report on how probation activities align with the Probation Mission Statement, if applicable.
 - A report on how pretrial services activities align with the Pretrial Mission Statement, if applicable.
 - Discussion of any significant changes to the originally approved plan with a focus on activities conducted to incorporate evidence-based practices.

Community Criminal Justice Board (CCJB) Information

Email a current list of all CCJB members to your grant manager by the grant due date and include the following information:

- The name, professional title (if applicable), mailing address, e-mail address, phone and fax numbers of each member
- *The CCJB position each person holds, if not clear by professional title (for example, JDR judge, Police, or Jail positions)*
- Identification of the **chair** and, if appropriate, vice-chair of the CCJB
- The name, professional title, and email of staff to the CCJB

Project Budget Itemization and Narrative

The overall project budget is a vital part of the grant application. Separate itemized budget forms and narratives must be completed for each of the Local Community-based Probation and Pretrial Services components. The budget narrative should explain the reason for *each* requested budget item and provide the calculation basis for its cost. All requested items must be justified and related to the proposed project *or they may be deleted* from the budget and the total award reduced.

When completing the itemized budget forms and narrative budget, remember that:

- State funding portions of the budgets must match with totals given on the Application Face Sheet.
- Staff, services, office space, or supplies shared across the various project budgets should be appropriately split (i.e.: 60%: 40%), and identifiable on the narrative and itemized budget forms.
- All additional funds supporting this project must be included in the itemized budget in each line item, in Section 7 of the itemized budget form, and in the budget narrative. Additional funds include, but are not limited to, fees, local, federal, or other state funds supporting the project. Fees must be identified in Section 7 of the itemized budget form.
- All amounts must be rounded to the nearest dollar.

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- Any funding from DCJS for specific purposes (i.e., PTCC, training) must be identified in the itemized and narrative budget.

Provide clear, detailed information in the budget as follows:

1. Personnel/Employees

Except for agencies currently approved to operate differently, this applies to local government employees who will be supported by funds (state, federal, or local) associated with this project.

- a. Salaries: List each position by title on the itemized budget form (and name of employee, if available). Show the annual salary rate for the employee and the number of annual hours to be devoted to the project by the employee. (Job descriptions and qualifications of staff should be on file at the local agency.)

Using interns or volunteers for professional (investigation/case management/supervision) positions is not permitted. Professional positions may only be held by employees with the required training and credentials.

Explain the positions and their functions in the narrative and indicate if positions are split between local probation and pretrial or other projects. Identify all staff and/ or positions that are responsible for investigating or supervising probationers/defendants.

The workload must justify creating or maintaining full-time positions. State General Funds may be utilized for the provision of activities consistent with the Code of Virginia and any standards, guidelines and implementation or policy memorandums issued by DCJS. DCJS may not fund case management supervision staff (or functional equivalent)-to-probationer/defendant average ratios of less than 1:60 for local community-based probation, or **less than** 1:40 for pretrial services. This does not preclude smaller jurisdictions with lower populations from state funding. Staff requests should be in proportion to the population served. Management and support staff should be in direct proportion to probationer supervision staff and should be well justified. *As always, DCJS encourages administrative efficiencies with state funding.* Every effort should be made to coordinate supervision among the various system components so as to promote efficiencies at the local level.

- b. Employee Benefits: Indicate each type of benefit included and the total cost allowable to employees assigned to the project. If this is percentage based, indicate the percentage.

2. Consultants

- a. For individuals to be reimbursed for personal services on a fee basis: List each type of consultant or service (with numbers in each category and names of consultants when available), the proposed daily fee rate, and the amount of time to be devoted to such services.
- b. For organizations, including professional associations and educational institutions, performing professional services: State the type of services being performed and estimated contract prices. Requests for contracted services and consultants will be very carefully screened. Consultant and contracting fees will be approved only when it is justified that the use of outside contract agencies and consultants will significantly and permanently enhance project effectiveness.
- c. Consultant Travel and Subsistence: This is generally not allowable for this grant program unless it is necessary, reasonable, and justified. These must be reasonable and adhere to the grantee's established travel policy. High mileage should be explained and justified.
- d. Description of each service contracted for and the name of the service provider.

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- e. The **number of defendants and/or probationers** benefiting from each type of service.
- f. Total budgeted amount for each service and a per defendant/probationer/group cost.
- g. Description of what services the Community Services Board (CSB) provides and the cost (including services that are free of charge). If using services other than through the CSB, the decision should be explained.
- h. If services are contracted, include, as an *attachment*, a copy of a **current** Memorandum of Understanding (MOU) and/or contract (if a private provider is currently utilized and expected to continue) or a description of what the contract will include and a description of how the service provider will be or has been selected.

3. Travel

Itemize total travel expenses of project personnel by local mileage, non-local, and subsistence. Grantees must follow the state's travel policy *unless there is a written local travel policy*. The state allows reimbursement for actual reasonable expenses. Unless a local policy governs, mileage is reimbursed at the [federal rate](#) (currently \$0.56/mile). Transportation costs, such as air and rail fares, are at coach rates. Subsistence is paid according to a per diem rate. Justify travel by explaining its relevance to job duties.

4. Equipment

Equipment includes, but is not limited to, the purchase or lease of items such as office furniture, copiers, fax machines, telephones (but NOT line service), PTCC wiring, and cellular phones. Each major item to be purchased must be listed separately with unit cost. Each item to be leased or rented must be listed separately with the cost associated with the lease or rental. The budget narrative must explain the relevance of each item to the project. Items not justified may be deleted.

CCCA and PSA budgets must include a line item under equipment for the PTCC network equipment and hardware replacement and repair for no less than 1% of the total state funding. For any new positions established, funds must be budgeted for computer equipment, software, licensing, and networking. All computer equipment, software, and networking must meet DCJS specifications, including the mandatory secure, 24/7 site-to-site Virtual Private Network (VPN) tunnel between the DCJS offsite central servers and the local server and be compatible with the Pretrial/Local Community-based Probation (PTCC) case management system. All office moves and connectivity changes require additional expenses both at the local project level and for DCJS, so all moves or changes should be planned for and budgeted in advance, if possible. DCJS requests one (1) month notice for any physical moves or connectivity changes.

DCJS requires that ALL staff have email and internet access with valid virus protection that is updated regularly. Part of the PTCC 1% may be used for this purpose.

5. Supplies and Other Operating Expenses

All costs should be itemized within this category by major types with the basis for computation ("x" dollars per month, "y" dollars per person, etc.). Office rental costs must be reasonable and consistent with rents charged in the area. Supplies and Other Operating Expenses include, but are not limited to, the following:

- Rent
- Utilities
- Telephone services
- Internet access/internet provider contracts
- Cellular phone services
- Office supplies (including printing expenses - do not separate)
- Training
- Vendor maintenance contracts/agreements
- On-site drug testing and lab confirmations
- Postage
- Special printing projects

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6. Indirect Costs

Indirect costs are costs that cannot be assigned to a particular budget category but are necessary to the operation of the organization and the performance of the project. Indirect costs may include, but are not limited to: audits ordered by the locality as part of the local audit procedure, additional insurance required by the locality and not covered by the state, costs associated with personnel and funds management, or general services conducted as part of the local government (i.e.: facility maintenance). The following specifications apply to the indirect costs portion of the budget:

- Per the Code of Virginia ([§9.1-183](#)), indirect costs are limited to 1% of the total grant award.
- Localities may not charge the grant for indirect costs if it would violate non-supplanting rules.

7. Cash Funds from Sources Other than Grant Funds Supporting this Project

Funds from sources other than this award, including supervision/intervention fees, project income, local or federal funds supporting the project must be included in the budget summary (and on the itemized budget and the narrative budget). *With the exception of supervision/intervention fees*, funds shown in this item are not governed by the terms, conditions, and assurances which apply to the grant award. Local funds and fees should be included on the Grant Application Face Sheet under the appropriate column (“Local Probation” or “Pretrial Services”). The “Local Match” column should be left blank on the Application Face Sheet.

Project Guidance and Operating Requirements for Probation and Pretrial:

1. All agencies established and operated under the authority of the CCCA and/or PSA must follow statutes, standards, regulations, and guidelines as prescribed by DCJS. This includes, but is not limited to, the *Minimum Standards for Local Community Corrections and Pretrial Services*, all guidelines implemented by DCJS, and the Pretrial and Community Corrections (PTCC) agreement.
2. Standard Operating Procedures (SOPs). Each agency is required to develop written standard operating procedures (SOPs). At a minimum, each agency is required to:
 - Have SOPs which address and comply with all current statutes, regulations, standards, guidelines, protocols, and policies;
 - Have the SOPs approved in writing by the chief executive officer of the Administrative and Fiscal Agent; and
 - Review the SOPs biennially.
3. **CC** The length of supervision should not exceed the amount of time necessary for the probationer to complete all measurable standard and special conditions of supervision. For example, if a probationer is sentenced to complete 40 hours of community service work, the length of supervision shall not exceed the amount of time that probationer takes to complete the 40 hours. If no measurable conditions apply, the length of supervision should not exceed the established period of time set forth in supervision standards and guidelines. The generally accepted maximum time under supervision has been an average of six (6) months for misdemeanants and twelve (12) months for felons. *Long term supervision is not an appropriate use of these funds.* Completion of payment of restitution or supervision fees is not considered an appropriate measurable standard, as restitution collection is not a mandatory function or duty of local community-based probation agencies.
4. **CC** Substance abuse screenings and/or assessments pursuant to §§ [19.2-299.2](#) and [18.2-251](#) should be conducted in accordance with DCJS guidelines if applicable.
5. **CC** Substance abuse treatment should be recommended or provided based on the results of a validated substance abuse assessment. Most probationers should be referred to outpatient services such as education

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or counseling. Residential treatment is not a substitute for supervision and should be limited unless the need for such service is indicated and documented by the results of an appropriate assessment. Long-term residential substance abuse treatment (i.e., 28 days or more) is not an appropriate use of these state funds.

6. **CC** Some probationers may require assistance in establishing residences. Placement in halfway or transitional living houses is not a substitute for supervision and should be limited. Paying for long-term residential placements (i.e. 28 days or more) is not appropriate with state funds.
7. **CC** In accordance with § [9.1-182](#) of the *Code of Virginia*, a statewide system of supervision and intervention fees to be paid by probationers has been established in Guideline #1. No supervision or intervention fees are to be collected from probationers by agencies without *prior* DCJS approval. Any operating procedure developed or modified locally must be submitted to DCJS for review and approval *prior* to implementation. All operating procedures are subject to revision and must be in compliance with current standards, regulations, and guidelines. Assurances must be provided that these collected funds will be utilized for local community-based probation programming. Payment of these fees must be made directly to the locality serving as Administrative and Fiscal Agent, not in the name of the agency. All fees collected must be reported on a quarterly basis to DCJS on the *Subgrant Financial Report for Project Income* form (this form and the instructions to complete the form are available online at the DCJS website).

Fees include, but are not limited to, any payment for supervision, drug testing, or program service participation charged by the supervising agency.

8. **CC** The responsibility for the collection and reporting of fines, costs, and restitution lies with the clerks of circuit and district courts and the attorney for the Commonwealth, as outlined in §§[19.2-348](#), [19.2-349](#), [19.2-354](#), and [19.2-358](#) of the *Code of Virginia*. Agencies that monitor or facilitate the payment of restitution may not accept direct payment (in the name of the agency, agency staff, or directly related entity) for any such obligations.
9. Supervision may be transferred between local agencies established and operated under the authority of the CCCA or PSA only. For probation, this includes locally operated CCCA agencies and those contracted with by an authorized Administrative and Fiscal Agent. For pretrial services, this includes locally operated PSA agencies and those contracted by an authorized Administrative and Fiscal Agent.

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| <ol style="list-style-type: none">10. The PTCC case management system must be fully utilized. Full utilization includes the use of all modules and sub-modules AND all data elements as they apply to each defendant and probationer even if they are not underlined. PTCC must be the primary data source for defendant and probationer records management information and case management activities. If there are any questions or issues, send an email to the PTCC Help Desk ptcchelp@dcjs.virginia.gov. |
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11. **PT** Pretrial services agencies may assist adult specialty courts (e.g. drug courts) operating within their jurisdiction with the assessment and supervision of pretrial defendants.
12. **PT** All pretrial services agencies must conduct a risk assessment using the Virginia Pretrial Risk Assessment Instrument (VPRAI) as part of the pretrial investigation as identified in the VPRAI manual.
13. **CC** All local probation agencies must conduct a risk and needs screening using the Modified Offender Screening Tool (MOST) and, if indicated, an assessment using the Offender Screening Tool (OST) on all probation placements. The results of the assessment must be used to inform supervision services for probationers.
14. **PT** Except for the currently approved agencies, state funding shall not be used to contract for pretrial services with a private provider. Service providers must be a local unit of government *and* have criminal justice agency status as defined by §[9.1-101](#) of the *Code of Virginia*.

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15. **PT** The collection of intervention and/or supervision fees, including fees for drug testing and confirmation, from pretrial defendants for pretrial supervision is prohibited.
16. **PT** Pretrial services agencies funded with state funds shall not accept referrals specifically for:
- the purpose of evaluating a defendant's performance on supervision or treatment,
 - an extended period of time for an assessment, evaluation or community service hours,
 - a specified period of pretrial supervision established by court order,
 - any period of supervision following trial as a condition of any case taken under advisement, deferred judgment, or a deferred proceeding where the court does not make a finding of guilt (commonly referred to as "pretrial diversion"),
 - where there is an "accord and satisfaction" agreement, or
 - defendants appealing their conviction or sentence in circuit court
- Note:** This does not include the court extending the period of supervision for a defendant already under supervision through the pre-sentence investigation period in lieu of bail revocation.
17. **PT** Pretrial services agencies must not recommend defendants for supervised release with a secure bond.
18. **PT** Except for defendants charged with an offense that is punishable by death, defendants screened out in accordance with DCJS policies, and risk assessment requirements, no pretrial services agency shall withhold investigation of or recommendations for defendants based on the nature of the charge or deny supervision to any pretrial defendant placed by any judicial officer.
19. **CC** Probation agencies funded with state funds shall not accept placements specifically for:
- Cases with a deferred prosecution which are deferred prior to a trial/preliminary hearing or deferred dispositions that have not had a disposition hearing in court (sometimes referred to as "taken under advisement" or TUA) or
 - Cases solely for the collection of restitution, fines, and costs.
20. All agencies established and operated under the authority of the CCCA and/or PSA agree to participate in initiatives endorsed by DCJS that are designed to advance the field.