**BUREAU OF JUSTICE ASSISTANCE**

CAPITAL CASE LITIGATION INITIATIVE

**PERFORMANCE MEASURE QUESTIONNAIRE**

## GRANT ACTIVITY

1. Was there **grant activity** during the reporting period? *There is grant activity when the grantee has obligated, expended, or drawn down grant funds to implement objectives proposed in the Bureau of Justice Assistance (BJA)-approved grant application. If yes, the program becomes operational and should remain so until the grant closes out.*
   A. Yes.
   B. No. (If no, select from the following responses and answer the Semiannual Narrative Questions).

| Reason(s) for No Grant Activity During the Reporting Period | Select All That Apply |
|---|---|
| In procurement. | ☐ |
| Project or budget not approved by agency, county, city, or state governing agency. | ☐ |
| Seeking subcontractors (Request for Proposal stage only). | ☐ |
| Waiting to hire project manager, additional staff, or coordinating staff. | ☐ |
| Paying for the program activities using outside funds. | ☐ |
| Administrative hold (e.g., court case pending). | ☐ |
| Still seeking budget approval from BJA. | ☐ |
| Waiting for partners or collaborators to complete agreements. | ☐ |
| Other. | ☐ |
| If other, please explain: | |

## CAPITAL PROSECUTION

This section asks about your program's activities in support of enhancing prosecutors' ability to effectively represent the public in state capital cases.

### Prosecution Improvement Strategies

2. Which strategies is your program using to enhance prosecutors' ability to effectively represent the public in state capital cases? *Select all that apply.*
   A. Specialized training.
   B. Standards and qualifications.
   C. Performance assessments.
   D. Legal reforms.
   E. Assistance to families of murder victims.
   F. Systemic reviews of capital cases where post-conviction DNA testing may be appropriate.

### Specialized Training

3. As of the last day of the reporting period, how many prosecutors in your state are qualified to handle state capital cases? _____
4. How many prosecutors attended grant-funded capital case training during the reporting period? _____
5. What is the total number of prosecutors who have attended grant-funded training since the grant began? _____

### Case Outcomes

6. During this reporting period, how many defendants in capital cases were prosecuted by prosecutors who received grant-funded training? _____
7. Of those defendants, how many received the following outcomes during the reporting period:
   A. Death sentence _____
   B. Life sentence _____
   C. Other sentence (lesser/non-capital conviction) _____
   D. Acquittal _____
8. As of the last day of the reporting period, how many active (pending) capital cases involve prosecutors who received grant funded training? _____

## CAPITAL DEFENSE REPRESENTATION

This section asks about your program's activities in support of improving the quality of legal representation provided to indigent defendants in state capital cases.

### Qualifications

9. Which of the following systems are in place or being put in place for capital defense representation in your state? *Select all that apply.*
   A. Qualification system for capital defense attorneys (based on experience, training, or performance standards).
   B. Appointment system for identifying and assigning qualified counsel.
   C. Monitoring/oversight system for performance of appointed counsel.
   D. None of the above. (Skip to question 12).
10. What is the overall status of capital defense qualification systems in your state?
    A. All selected systems are fully operational. (Skip to question 12).
    B. At least one system is not fully operational.
11. For any system that is not fully operational, please identify which system(s), their status, and any implementation challenges: _____
12. During this reporting period, how many new attorneys became qualified to represent defendants in capital appeals or post-conviction proceedings due to training provide by this grant? _____
13. As of the last day of the reporting period, how many defense attorneys are qualified and available to represent defendants in state capital cases? _____
14. How has the number of qualified and available defense attorney changed since start of the grant?
    A. Unknown.

B. Increased.
C. Decreased.
D. Stayed the same.

15. How is the performance of attorneys who are appointed to capital cases monitored?
    A. Formal monitoring system.
    B. Monitor informally.
    C. Not monitored.

### Specialized Training

16. Does this grant sponsor, approve, or provide training for capital defense attorneys?
    A. Yes.
    B. No. (Skip to next section).

17. How many trainings for capital defense attorneys did this grant sponsor or approve during the reporting period? _____

18. How many attorneys attended these trainings during the reporting period? _____

19. What were the primary training topics? _____

### Case Outcomes

20. During this reporting period, how many defendants in capital cases were represented by defense attorneys who received grant-funded training? _____

21. Of those defendants, how many received the following outcomes during the reporting period?
    A. Death sentence _____
    B. Life sentence _____
    C. Other sentence (lesser/non-capital convictions) _____
    D. Acquittal _____

22. As of the last day of the reporting period, how many active (pending) capital cases involve defense attorneys who received grant funded training? _____

23. For other sentences (lesser/non-capital convictions), what was the length (in months) of the defendants' sentences? _____/months.

24. Have you observed any improvement in the quality of defense when cases are handled by attorneys who either participated in grant-funded training or became qualified through the grant-supported qualification system?
    A. Yes. If yes, please describe (e.g., more thorough investigations, better expert witness utilization, improved mitigation presentations): _____
    B. No.

## POST-CONVICTION DNA CASE REVIEW

This section asks about review of cases in which a death sentence was imposed to identify cases in which post-conviction DNA testing may be appropriate.

25. Since the beginning of the award, has your program reviewed cases for post-conviction DNA testing eligibility?
    A. Yes.

B. No. (If no, proceed to the Semiannual Narrative Questions).

26. Since the beginning of the award, how many cases have been reviewed for post-conviction DNA testing? _____
    A. Of those, how many cases have been found appropriate for DNA testing and the DNA evidence is available? _____
    B. In how many cases has DNA testing been completed? _____
    C. How many cases are pending case review? _____

27. For cases where DNA testing has been completed, report the following results since the beginning of the award:
    A. Relief (e.g., exoneration, dismissal of charges) for defendants _____
    B. Identification of actual perpetrators _____
    C. Cases cleared or successfully prosecuted based on DNA results _____
    D. Cases where testing confirmed original conviction _____
    E. Cases with inconclusive DNA results _____

## SEMIANNUAL NARRATIVE QUESTIONS

In this module, you will consider the goals you hope to achieve with your funding. Your goals should align with your approved application and program budget. Once submitted, these goals should remain unchanged throughout the life of the award, unless discussed with your grant manager.

Set **S·M·A·R·T** goals to clarify the scope of your priorities.

- **S**pecific
- **M**easurable
- **A**chievable
- **R**elevant
- **T**ime-bound

If you have multiple goals, please provide updates on each one separately.

Please answer the following questions every semiannual reporting period (January and July of each year), based on your grant-funded activities. Please ensure your responses are complete, comprehensive, and specific to this award.

1. What were your accomplishments, including any progress made toward achieving your grant-funded program goals during the reporting period? *Your response should outline any actions executed by your agency in the overall implementation of your award, administrative or programmatic. Please ensure your program goals relate back to your approved application and program budget. Generally, you should describe more than one accomplishment.*

   _____

   _____

2. What challenges did you encounter, if any, within the reporting period that prevented you from reaching your goals or milestones?

   _____

   _____

3. Is there any assistance that BJA can provide to address any challenges identified in question 2?
   A. Yes. If yes, explain: _____
   B. No.

4. Are you on track to achieve the goals you hope to achieve with your grant funding, both fiscally and programmatically as outlined in your grant application? *(If no, please provide an explanation as to why your agency is not on-track and what your plans are to address the delay.)*
   A. Yes.
   B. No. If no, explain: _____

5. What major activities are planned for the next 6 months? *Your response should address the goals and objectives as outlined in the Program Narrative and provide an update on the planned activities in the next 6 months under each goal.*

   _____

   _____

6. Based on your knowledge of the criminal justice field, are there any innovative programs or accomplishments that you would like to share with BJA?

   _____

   _____

## THANK YOU FOR PARTICIPATING!