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AGENDA COVER MEMO

AGENDA DATE: March 30, 2005
TO: Board of County Commissioners
DEPARTMENT: Health & Human Services
PRESENTED BY: Rob Rockstroh



AGENDA TITLE: ORDER _____ / IN THE MATTER OF APPROVING A GRANT APPLICATION TO THE U.S. DEPARTMENT OF JUSTICE FOR A DRUG COURT ENHANCEMENT GRANT IN THE AMOUNT OF \$200,000 FOR THE PERIOD OCTOBER 1, 2005 THROUGH SEPTEMBER 30, 2007.

I. MOTION

To accept the motion approving a grant application to the U.S. Department Of Justice for a Drug Court Enhancement Grant in the amount of \$200,000 for the period October 1, 2005 Through September 30, 2007.

II. ISSUE OR PROBLEM

An application has been developed for the Lane County Drug Court for an Adult Drug Court Enhancement Grant. The court has an opportunity to apply for up to \$100,000 per year for the two-year, 2005-2007, biennium and has asked Health & Human Services to act as their fiscal agent for the grant. The \$200,000 total for the grant application exceeds the signatory authority of the county administrator. Therefore, the Board of County Commissioners must act to authorize the county administrator to sign the application.

III. DISCUSSION

A. Background

The Lane County Drug Court operates under the jurisdiction of the Lane County Circuit Court. The program was implemented in 1994.

Drug Court is a diversion program; a unique blending of criminal case processing and treatment, which brings together many diverse organizations into a partnership where all parties share the goal of assisting addicted offenders to become responsible citizens. Entry into the program is voluntary, but requires the participant to admit the facts of the pending charge(s), and agree to complete treatment under supervision of the Drug Court.

All court expenses, including staff time, are paid by the Circuit Court. The district Attorney's Office and Public Defender Services donate all staff time and expenses incurred through their participation in Drug Court. Lane County Health & Human Services has functioned as the fiscal agent for the Drug Court Program and has also donated staff time in support of the Drug Court programs.

All grant revenue for Drug Court is used to purchase treatment services for Drug Court participants. The treatment services are currently funded with a blend of revenue streams including Community Corrections Act funds, Department of Human Services funds through the Office of Mental Health and Addiction Services and Serbu Grant funds.

All Drug Court revenue goes into an account that is managed by Lane County Health & Human Services (H&HS). H&HS also contracts for all treatment services for Drug Court participants and manages the contract on behalf of Drug Court.

The current provider of chemical addiction treatment services for Drug Court participants is Emergence (formerly known as ACES). Their contract for treatment services expires on June 30, 2005.

This grant application is being made to OJP for an Adult Drug Court Enhancement Grant. The grant is available only to jurisdictions that already have a fully operational adult drug court. The priority is placed on funding courts that want to expand their capacity by enhancing or providing additional services or serving additional clients. Specifically, the funding is to support:

- Expansion of capacity or improvement of services;
- Development of training programs for drug court practitioners;
- Attendance at training programs by drug court practitioners;
- Completion of a process and/or outcome evaluation.

Applicants for these grants are strongly encouraged to demonstrate the effectiveness of their programs through evaluation findings.

The Lane County proposal requests \$200,000 over a two-year period beginning October 1, 2005. There is a grant requirement for match funds that will be met with Serbu Endowment Grant funds received from the Oregon Community Foundation. The Serbu Endowment Grant dollars have been received for the 2005 calendar year and are anticipated again in the 2006 calendar year. Serbu Funds have been supporting the Drug Court addiction treatment services since 2001.

The Lane Council of Governments at the request of the Drug Court drafted the proposal. If the proposal is successful, the funds will be used to:

- Continue program operations;
- Provide additional services;
- Enable drug court staff/participants to attend training programs; and
- Conduct process and outcome evaluations.

The goals of the Lane County Drug Court Program are:

1. Reduce participant contacts with the criminal justice system;
2. Increase program retention and graduation rates;
3. Reduce costs associated with criminal case processing and re-arrest;
4. Introduce participants to an ongoing process of recovery designed to achieve total abstinence from the use of mood-altering drugs;
5. Promote self-sufficiency and empower substance abusers to become responsible and productive members of the community;
6. Continue to reduce jail overcrowding.

The Drug Court Program has been redesigned to begin to adhere to research-based best practices as outlined by Dr. Ed Latessa and others, gleaned from meta-analysis of decades of research on effectiveness of criminal justice programs:

- **RISK PRINCIPLE**: Treatment interventions should be used primarily with higher risk offenders and programs shouldn't mix high-risk offenders with low to moderate risk offenders.
- **NEED PRINCIPLE**: Target the known criminogenic predictors of crime & recidivism.
- **TREATMENT PRINCIPLE**: Treatment & services should be behavioral in nature.

This grant will provide additional counseling staff to allow separation of the treatment groups for high-risk offenders from the low to moderate risk offenders. In addition, the proposal will cover the cost of a national Drug Court training conference, a process and outcome evaluation and some administrative costs for Lane County.

If funded, a competitive selection process must be completed to identify the provider of chemical addiction treatment services. The evaluation component will be subcontracted to LCOG and Health & Human Services will receive funding for support of their administration of the Drug Court subcontracted services. The proposed budget is shown below:

	FY 2005-06	FY 2006-07
Chemical Addiction Treatment	\$77,500	\$77,500
Research/Evaluation	\$10,000	\$10,000
Training	\$7,500	\$7,500
Administrative Management	\$5,000	\$5,000
TOTAL	\$100,000	\$100,000

The grant application was not completed at the time that this agenda packet was created. Therefore, it is not attached. However, a copy of the grant application will be made available for review prior to the board agenda date.

Analysis

1. What is the match requirement, if any, and how is that to be covered for the duration of the grant?

The match is 25% of the total. The Drug Court will provide the match from their John Serbu Fund Endowment grant, an ongoing grant they receive annually. We are requesting \$200,000, and providing a match of \$66,667 from the Serbu grant.

2. Will the grant require expenditures for Material and Services or capital not fully paid for by the grant?

No

3. Will the grant funds be fully expended before county funds need to be spent?

Yes

4. How will the administrative work of the grant be covered if the grant funds don't cover it?

Grant funds will cover administrative costs.

5. Have grant stakeholders been informed of the grant sun-setting policy so there is no misunderstanding when the funding ends? Describe the plan for service if funding does not continue.

The State Circuit Court funds the Drug Court itself. Treatment costs are funded by private insurance, Oregon Health Plan, and fees charged to uninsured participants. Community Corrections funds and other outside funds help cover the remaining cost of treatment for those not insured. The Drug Court program will continue to utilize these funds to support the program and will also actively seek additional outside funding to sustain it.

6. What accounting, auditing and evaluation obligations are imposed by the grant conditions?

Standard federal accounting and auditing regulations bind this grant. Process, input, and outcome evaluation is required.

7. How will the department cover the accounting, auditing and evaluation obligations? How are the costs for these obligations covered, regardless whether they are in the department submitting the grant or a support service department? Does the department acknowledge that the county will need to cover these costs and it is an appropriate cost incurred by support service department?

Lane County's current accounting and auditing practices meet the federal requirements. Costs are covered by the grant budget. Evaluation will be provided by LCOG through an intergovernmental agreement funded with grant funds.

8. Are there any restrictions against applying the county full cost indirect charge?

No

9. Are there unique or unusual conditions that trigger additional county work effort, or liability, i.e., maintenance of effort requirements or supplanting prohibitions or indemnity obligations?

No

10. Is this a grant funded computer/software applications project?

This grant is not a computer/software applications project.

B. Alternatives/Options

1. To accept the motion and authorize the county administrator to sign the grant application.

2. Not to accept the motion. This will result in the loss of an opportunity to provide an enhancement to the current Drug Court Program that would include implementation of evidence-based best practices, national training for drug court team members and a process and outcome evaluation.

C. Recommendation

To approve number one above.

D. Timing

The grant application must be filed electronically by 8:00 p.m. on March 31, 2005. Therefore, the Board must act to allow the document to be processed.

IV. IMPLEMENTATION

Upon action by the Board, the grant application will be uploaded onto the federal Grant Management System.

V. ATTACHMENTS

Board Order

THE BOARD OF COUNTY COMMISSIONERS, LANE COUNTY, OREGON

ORDER:) IN THE MATTER OF APPROVING A GRANT APPLICATION TO
) THE U.S. DEPARTMENT OF JUSTICE FOR A DRUG COURT
) ENHANCEMENT GRANT IN THE AMOUNT OF \$200,000 FOR
) THE PERIOD OCTOBER 1, 2005 THROUGH SEPTEMBER 30,
) 2007.
)

WHEREAS, the U.S. Department of Justice has released a solicitation for applications for Adult Drug Court Enhancement grants; and

WHEREAS, Lane County has a Drug Court that was established in 1994; and

WHEREAS, a responding proposal has been drafted at the request of the Lane County Drug Court by Lane Council of Governments; and

WHEREAS, Lane County Health & Human Services has been the fiscal agent for the Lane County Drug Court and has been named as the fiscal agent in the grant application; and

WHEREAS, the services proposed for funding in the grant application include training, project evaluation and enhanced services for Drug Court clients; and

WHEREAS, a provider for client services will be selected at a future date and \$20,000 will be subcontracted to LCOG for evaluation services; and

WHEREAS, Lane Manual Chapter 21 sets forth policy regarding grant applications and policy regarding signatory authority of the County Administrator; and

WHEREAS, the total amount of the grant application is \$200,000 over a two-year period which exceeds the signatory authority of the county administrator;

NOW THEREFORE, IT IS HEREBY ORDERED, that the Board of County Commissioners delegate authority to the county administrator to sign the grant application to the U.S. Department of Justice in the amount of \$200,000 for the 2005-07 fiscal biennium.

DATED this 30th day of March, 2005.

Anna Morrison, Chair
Lane County Board Of Commissioners

APPROVED AS TO FORM
Date 3/22/05 lane county
Thaidlaw
OFFICE OF LEGAL COUNSEL

March 30, 2005 Agenda Item

Zoe and Teresa

ORDER _____ / IN THE MATTER OF APPROVING A GRANT APPLICATION TO THE U.S. DEPARTMENT OF JUSTICE FOR A DRUG COURT ENHANCEMENT GRANT IN THE AMOUNT OF \$200,000 FOR THE PERIOD OCTOBER 1, 2005 THROUGH SEPTEMBER 30, 2007. (DEPARTMENT OF HEALTH & HUMAN SERVICES)(34)