



CHAMBERS OF
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COUNTY JUDGE

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June 9, 2021

RE: Award of the 2021/2022 Alcohol and Other Drug Abuse Treatment Fund and Designation of Indian River County's Problem Solving Courts as a Chosen Program Recipient

Background: Section 893.165, Florida Statutes, allows the Indian River County Board of County Commissioners to create the Alcohol and Other Drug Abuse Trust Fund and disburse its funds in the form of assistance grants on an annual basis to alcohol and drug abuse treatment or education programs. The Indian River County Board of County Commissioners established the Indian River County Alcohol and Other Drug Abuse Trust Fund in section 305.07 of the Indian River County Code of Ordinances. Funds are derived from court assessments on drug offenses. The total amount in the trust fund as of June 7, 2021 is \$315,369.00, and the fund accrues approximately \$30,000 annually. From October 1, 2020 through June 7, 2021, the fund received approximately \$31,000.00 in revenue; however, \$0.00 has been spent in drug testing and treatment fees for this fiscal year. Due to the COVID-19 pandemic, drug testing sites and treatment programs were closed for a significant part of the past funding year.

History of Programs: Indian River County's Drug Court currently has 29 participants and has graduated 461 since May 2002. The Mental Health Court has 93 participants with 160 graduating since the program began in January 2015. The Veterans Treatment Court currently has 16 participants and has graduated 50 since September 2013. The court programs have expeditiously and efficiently moved people from jail into treatment programs without compromising public safety. They identify and focus upon defendants with substance use disorders and direct them to appropriate treatment. Drug addiction requires random and frequent drug testing to serve as a true deterrent, which can be costly to many, although the frequency decreases once they are involved in treatment and have established a support system. Many graduates have admitted that drug testing was the biggest deterrent to relapse.

Substance Abuse Testing and Treatment. Many indigent defendants are unable to participate in the Problem Solving Courts due to the considerable cost of substance abuse testing and treatment. All of the court programs require that participant's drug test frequently at the Substance Awareness Center, and participants are randomly drug/alcohol tested at least twice per week. The cost of drug testing is \$35 per week or approximately \$1,820.00 per year per participant. Drug treatment ranges from \$50 per week for outpatients to \$12,000 for an inpatient treatment program. Once awarded, Drug Abuse Trust Fund monies would be used to help offset the cost

of indigent drug/alcohol screening and substance abuse treatment for the defendants who cannot otherwise afford to participate and/or pay for their testing and/or treatment. In the event any defendants have the ability to pay for testing and/or treatment, they will be required to reimburse the Drug Abuse Trust Fund. All defendants' testing and treatment would be preapproved by the presiding judge and team and submitted for reimbursement monthly or quarterly.

Previous action: In 2004, the Indian River County Board of County Commissioners awarded \$2,000 in funds to be used for drug court participants that could not afford evaluations, substance abuse treatment or drug testing and were required to repay the monies if they had the ability to do so. In years 2017 and 2018, the Commission awarded up to \$25,000 for substance abuse treatment and drug testing for participants in the Drug, Mental Health and Veterans Treatment Courts.

Financial Impact: The funds are derived from user based fees and thus will not have an impact on the budget. The funds are in the Alcohol and Other Drug Abuse Trust Fund, and upon approval by the Commission, will be made available with a budget amendment from Drug Abuse Program Fund/Cash Forward – October 1, 2021 to Drug Abuse Program Fund/Drug Test Program – acct# 12111069-088692 and Drug Abuse Program Fund/Other Professional Services- acct # 12111069-033190. The total amount in the trust fund as of May 31, 2020 is \$315,369.00.

Request: It is requested that for fiscal year 2021/2022, the Indian River County Board of County Commissioners designate the Indian River County's Problem Solving Courts as a program recipient to receive *up to* \$50,000 from the Alcohol and Other Drug Abuse Trust Fund to be used for substance abuse treatment and drug testing for Drug Court, Mental Health Court and Veterans Treatment Court participants who are indigent. We anticipate drug testing fees will significantly increase for those participants in Veterans Treatment Court as the previous testing site through the local VA provider, which was free to those participants that qualified for services through the VA, is no longer available. Additionally, as a result of the pandemic we have seen an increase in substance use and we are referring clients to treatment programs at a greater rate than in years past.