



Chambers of
NICOLE P. MENZ
COUNTY JUDGE

2000 16th Avenue
Vero Beach, FL 32960
772-770-5072
Fax - 772-770-5477

State of Florida
Nineteenth Judicial Circuit

June 29, 2020

RE: Award of the 2020/2021 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 to be used for disbursing assistance grants on an annual basis to such alcohol and other 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. The funds are derived from court assessments on drug offenses. The total amount in the trust fund as of May 31, 2020 is \$296,716.93 and it accrues approximately \$15,000 annually. From October 1, 2019 through May 31, 2020, the fund received \$25,663.93 in revenue and \$817 was spent in drug testing fees. (This is a significantly reduced amount due to the COVID 19 pandemic and the closing of drug testing sites)

History of Programs: Indian River County's Drug Court currently has 31 participants and has graduated 434 since May 2002. The Mental Health Court has 85 participants with 152 graduating since the program began in January 2015. The Veterans Treatment Court currently has 12 participants and has graduated 39 since September 2013. The programs have expeditiously and efficiently moved people from jail into treatment programs without compromising public safety. They also isolate and focus upon defendants with substance abuse issues who need appropriate treatment. Drug addiction requires random and frequent testing to serve as a true deterrent, which can be costly to many, although the frequency decreases once they are involved in treatment and meetings. Many graduates have admitted that drug testing was the biggest deterrent to relapse. Many individual indigent defendants have not been able to participate in the problem solving courts because of the cost of substance abuse testing and treatment.

All of the programs require that defendants test frequently at the Substance Awareness Center. The cost of drug testing is \$30 per week (or \$16-30 per test for some) or approximately \$1500 per year per participant and drug treatment ranges from \$50 per week for outpatient to \$12,000 for inpatient drug treatment. The participants are drug/alcohol tested at least twice monthly and up to five times per week. In May 2019, the Substance Awareness Center increased the cost of drug testing to \$19 per test. Once awarded, these trust funds would be

used to help offset the cost of indigent drug/alcohol screening and substance abuse treatment for the defendants participating in problem solving courts that cannot otherwise afford to participate and/or pay for their testing and/or treatment.

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, treatment or 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 testing for the problem solving court participants (drug, mental health & veteran courts).

Financial Impact: The funds are from user based fees and will not have an impact on the budget. The funds are in the Alcohol and Other Drug Abuse Trust Fund and upon approval, will be made available with a budget amendment from Drug Abuse Program Fund/Cash Forward-Oct 1st 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 \$296,716.93._

Request: That for the fiscal year 2020/2021, the Indian River County Board of County Commissioners designate the Indian River County's Problem Solving Courts as a chosen program recipient to receive *up to* \$50,000 from the Alcohol and Other Drug Abuse Trust Fund for use for substance abuse treatment and testing for the drug court, mental health and veteran treatment court participants in Indian River County that are indigent. In the event the defendants have the ability, they will be required to reimburse the funds. All applicants, testing and treatment would be preapproved by the presiding judge and team and submitted for reimbursement monthly or quarterly.