



Legislation Text

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City of Alexandria, Virginia

MEMORANDUM

DATE: JUNE 6, 2018

TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

FROM: MARK B. JINKS, CITY MANAGER /s/

DOCKET TITLE:

Consideration of a Grant Application to Establish a Drug Treatment Court.

ISSUE: Consideration of a grant application to the Bureau of Justice Assistance (Department of Justice), for funding to support the implementation of the Alexandria Treatment Court ("ATC").

RECOMMENDATION: That City Council:

1. Ratify a grant application to the U.S. Department of Justice Bureau of Justice Assistance in the amount of \$496,553 for funds to implement a drug treatment court in the City of Alexandria; and
2. Authorize the City Manager to execute all necessary documents that may be required.

DISCUSSION: Beginning in January of 2018, a number of City agencies began meeting to discuss the process for adopting a drug treatment court in Alexandria. This Alexandria Treatment Court ("ATC") would address the needs of adults charged with felony offenses in the City whose criminal conduct stems from substance abuse. This idea is an outgrowth of discussions from the City's Opioid Work Group regarding how to best address the local effects of the nation's opioid crisis. It should be noted that the Alexandria Criminal Justice/Behavioral Health Collaborative Committee, an inter-agency organization that has focused on bridging the gap between behavioral health and the criminal justice system has identified the development of this court as the most unmet need in our community in terms of diversion from the judicial system. Presently there are ten City agencies represented on the ATC Advisory Committee who have begun developing this program. These include the City Manager's Office, the Circuit Court, the Clerk of the Circuit Court, the Commonwealth's Attorney, the Public Defender, the Department of Community and Human Service, the Alexandria Police Department, the Alexandria Sheriff, the Office of Probation and

Parole, and the Office of the Magistrate. The ATC Advisory Committee is in the process of finalizing the required application to the State to approve launching a treatment court in January of 2019.

The ATC Advisory Committee initially believed that it would have to launch the program with minimal impact, solely as a trial run. In other words, no more than five participants would be able to be served at any time because, in the absence of additional resources, the cost of the program would have to be fully absorbed within agency budgets. The general thinking behind this approach was that if the launch was successful, it would be easier to grow the program as there are far greater funding and grant opportunities to grow these types of programs rather than creating a new one. It is also worth noting that serving five participants at a time does not begin to approach the need that the ATC Advisory Committee identified in this area. In performing statistical analysis at the beginning of the process, a total of 76 cases were identified in 2017 alone, where participation in a treatment court would have been beneficial both to the defendant as well as the community.

However, as these discussions continued, the Bureau of Justice Assistance announced implementation grants of up to \$500,000 for jurisdictions that were beginning a program but had completed a substantial amount of planning. The ATC Advisory Committee wanted to proceed with soliciting these funds so that we could launch a more robust program with broader reach, more comprehensive services, and a greater chance of success.

The grant seeks funding from the U.S. Department of Justice Bureau of Justice Assistance in the amount of \$496,553. These resources would be primarily dedicated to 1) hiring a therapist to exclusively work with ATC participants; 2) designating a prosecutor to act as the drug court coordinator for the two-year life of the grant to handle the administration of the program; 3) create a client services fund to provide for the therapy and related needs of participants where other funding is not available; and 4) ensuring sufficient training for officials working with the ATC. Given the time between the grant availability notification and the June 5 deadline for submission to the Bureau of Justice Assistance, coupled with the multi-agency work to produce the grant application, it was not possible to docket this for Council action prior to submission. If Council does not ratify this grant application, then it will be withdrawn.

If Alexandria were to obtain the grant, it would permit 20 participants to be served at a time with an anticipated 50 participants being served over the life of the grant. Moreover, participants would receive comprehensive services to address the challenges to sobriety including individual and group therapy, job skills, education, medication assistance, and assistance in stabilizing housing. Participants would progress through a series of four stages over 12 to 24 months, each with different behavioral benchmarks that must be met before graduating. If a participant successfully completes the program, they receive more beneficial treatment of their case, ranging from no incarceration to dismissal of the charge.

FISCAL IMPACT: There is minimal fiscal impact on the City. The grant does not require direct matching funds and permits in-kind already budgeted contributions to cover the local contribution. This would be accomplished in the following way: 1) The Office of the Commonwealth's Attorney would designate a Senior Assistant Commonwealth's Attorney to serve as the drug court coordinator during the two-year life of the grant. This is necessary to ensure that the person who fills this position has the sufficient knowledge and background to effectively administer the program. However, as that person will now be working almost exclusively on the drug court, his/her current prosecution assignments would have to be handled by another attorney. The grant seeks funding to hire for two years an entry-level prosecutor to handle the overflow created by assigning a more senior prosecutor to the drug court. (The difference in salary between the new hire and the Senior Assistant Commonwealth's Attorney's existing salary is counted as in-kind, local

contribution, but represents no additional cost to the City).

The other costs of the program are absorbable within existing budgets. For example, the time that a judge and other courtroom personnel would work on the ATC would be absorbed with existing resources and is counted in the grant application as an in-kind local contribution. The same is true for the Office of Probation and Parole. In other words, in the absence of the ATC, Probation and Parole would still be supervising these cases, so the ATC does not create new workload for their office. The cost of the probation officer who will be supervising these cases once the program is launched is attributed as a local in-kind contribution in the grant application. No appropriation of City funds is being sought for the creation of this project and over the life of the two-year grant. If at the end of the grant, if City funds or other grants are not identified, the program will be terminated. If this ATC program is successful, a request to expand it in future years with City funds to be able to handle a higher caseload is possible.

ATTACHMENTS:

Attachment 1: Alexandria Treatment Court Program Abstract

Attachment 2: Alexandria Treatment Court Program Narrative

Attachment 3: Time Task Plan

Attachment 4: A Draft of a potential MOU involving various agencies if the grant is approved

Attachment 5: A letter of support from the Commonwealth of Virginia's Substance Use
Disorder Policy Director

STAFF:

Debra Collins, Deputy City Manager

Kate Garvey, Director, Department of Community and Human Services

David Lord, Senior Assistant Commonwealth's Attorney