



County of Monterey

Board of Supervisors
Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901

Board Report

File #: 19-0762, **Version:** 1

- a. Authorize the one-time release of \$109,000 from the Cannabis Assignment for the continuation of the existing Driving Under the Influence (DUI) Treatment Court program for adult offenders for Probation for fiscal year 19-20 (4/5th vote required); and
- b. Authorize the one-time release of \$51,000 from the Cannabis Assignment for the continuation of the existing Driving Under the Influence (DUI) Treatment Court program for adult offenders for the Health Department, Behavioral Health Bureau, for fiscal year 19-20 (4/5th vote required).

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a) Authorize the one-time release of \$109,000 from the Cannabis Assignment for the continuation of the existing Driving Under the Influence (DUI) Treatment Court program for adult offenders for Probation for fiscal year 19-20 (4/5th vote required); and
- b) Authorize the one-time release of \$51,000 from the Cannabis Assignment for the continuation of the existing Driving Under the Influence (DUI) Treatment Court program for adult offenders for the Health Department, Behavioral Health Bureau, for fiscal year 19-20 (4/5th vote required).

SUMMARY:

The Probation and Health Departments recommend one-time funding in the total amount of \$160,000 from Cannabis Assignment, BSA 001-3132, to continue the DUI Treatment Court, a therapeutic court for adult DUI offenders in collaboration with the Superior Court, in fiscal year 19-20 after the termination of the State grant on September 30, 2019.

DISCUSSION:

Monterey County has implemented an evidence-based DUI Treatment Court based on the Drug Court Model with an annual Office of Traffic Safety (OTS) grant since FY15-16.

The DUI Treatment Court program focuses on high-risk multiple DUI adult offenders, holding them accountable for their actions and instituting a protocol to facilitate lasting behavioral changes, which include regular testing for substance use and participation in self-help meetings or court-approved treatment programs, and close supervision by Probation and other service providers.

The National Highway Traffic Safety Administration has reported an increase in the presence of tetrahydrocannabinol (THC), the component that gives marijuana its psychological effects, while driving, and it is anticipated that the DUI Court will process an increased number of drug-impaired drivers due to cannabis use, or mixed alcohol and drug use.

The State's OTS, through the National Highway Traffic Safety Administration, provided grant funding in the amount of \$250,000 for the program through the end of the cycle on September 30, 2019.

The total annualized program cost for FY 19-20 is \$587,432. Partial funding in the amount of \$427,432

(\$52,316 from the OTS grant and \$375,116 from Public Safety Realignment) has been identified, leaving an unfunded balance of \$160,000, specifically \$109,000 in Probation's budget and \$51,000 in the Health Department, Behavioral Health Bureau's budget for the current fiscal year.

The recommended funding will support 0.75 of the 2.0 FTEs Deputy Probation Officer positions in Probation and 0.5 of the 1.0 FTE Social Worker III position as Case Manager assigned to the program.

The Monterey County Superior Court is the lead agency for the State OTS grant that supported the therapeutic court operations in the last several years. Unfortunately, the Courts were not awarded a continuation of the current grant expiring on September 30, 2019. The Courts and their partners are in the process of restructuring the DUI Treatment Court to be more competitive in the next round of OTS grant funding.

OTHER AGENCY INVOLVEMENT:

The Monterey County Superior Court supports the recommendation. The DUI Treatment Court and the model for the OTS grant was developed in consultation with the involved County agencies: Probation, District Attorney, Public Defender, and Health Department.

This funding recommendation was presented to the Budget Committee meeting of September 25, 2019.

FINANCING:

One-time funding in the amount of \$160,000 from Cannabis Assignment, BSA 001-3132, is shared between Probation in the amount of \$109,000 and Health-Behavioral Health Bureau in the amount of \$51,000. This contribution will support the program's continuation through the end of fiscal year 19-20, and allow time for the Superior Court and its partners to submit another application for the next OTS funding cycle.

This recommendation will leave a balance of \$15,940,178, including pending releases, in the Cannabis Assignment account.

As the DUI Treatment Court manages drug-impaired drivers with the purpose of preventing further occurrences, use of the Cannabis Assignment funding is appropriate for this purpose. CCP funding is also an option.

Appropriations are already contained in both Probation's and Health Department's budgets for FY 19-20, while requested funding in the amount of \$160,000 will only change revenue source for current fiscal year from the OTS grant to Cannabis Assignment contributions.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

This recommendation supports key objectives of: 1) Health and Human Services by providing access to a therapeutic court model and County and community-based services that offer treatment and support services, and 2) Public Safety by offering structured programs and promoting accountability and the successful reintegration of adult offenders into the community.

- Economic Development
- Administration
- Health & Human Services
- Infrastructure
- Public Safety

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Attachment:

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DUI Court Program information