

W. S. F. 2.

AGENDA COVER MEMO

Memorandum Date: September 21, 2010
Order Date: October 5, 2010

TO: Board of County Commissioners

DEPARTMENT: Sheriff's Office

PRESENTED BY: Russel E. Burger, Sheriff

AGENDA ITEM TITLE: ORDER _____ /IN THE MATTER OF ACCEPTING A DEPARTMENT OF JUSTICE (DOJ) BUREAU OF JUSTICE ASSISTANCE (BJA) AWARD IN THE AMOUNT OF \$500,000, DELEGATING AUTHORITY TO THE COUNTY ADMINISTRATOR TO SIGN GRANT DOCUMENTS, AND APPROPRIATING \$500,000 IN REVENUE AND EXPENDITURES IN SPECIAL REVENUE FUND 260, PUBLIC SAFETY

I. MOTION

Move to Accept a Department of Justice Award (DOJ) Bureau of Justice Assistance (BJA) in the Amount of \$500,000 and to Delegate Authority To the County Administrator To Sign Grant Documents and to appropriate \$500,000 in Revenue and Expenditures in Special Revenue Fund 260, Public Safety.

II. AGENDA ITEM SUMMARY

The Board is asked to accept a \$500,000 award from the Department of Justice and to delegate authority to the County Administrator to sign grant documents. In addition, the grant funds need to be appropriated in the Public Safety Special Revenue Fund.

III. BACKGROUND/IMPLICATIONS OF ACTION

A. Board Action and Other History

This grant is the result of the United Front federal advocacy effort for 2009. The Board approved the United Front priorities in January 2009, Board Order 09-1-28-20. Lane County Sheriff's Office requested \$1.378 million and was awarded \$500,000 for an Offender Treatment and Transition Program to be operated at the

Lane County jail.

B. Policy Issues

Departments must seek Board approval of grant awards that exceed \$100,000.

C. Board Goals

This request is in keeping with Board's Strategic Direction to "pursue intergovernmental revenue".

D. Financial and/or Resource Considerations

This grant provides revenue to fund an in-custody, evidence-based treatment program for adult, sentenced, felony and misdemeanor offenders housed at the Lane County jail. Goals for this project are to reduce substance abuse by high risk offenders and to reduce recidivism rates of high-risk substance abusing offenders. As a result of this program, it is hoped that offenders who complete treatment will meet supervision requirements at a higher rate than control group participants. Participants who complete treatment will have written aftercare plans detailing the community-based services they will be involved with. The grant includes funding for 1.0 FTE Probation Officer to provide intensive supervision of participants who have completed the program and returned to the community, and 1.0 FTE Professional/Supervisor to manage the project and provide direct mental health service programming for participants. LCOG will work with partners to gather data for reporting purposes and for an evaluation of the effectiveness of the project.

E. Analysis

Lane County has an abnormally high rate of property and drug crimes. In 2008, Lane County's reported property crime rate was 45% higher than Oregon's rate and 49% higher than the US rate. While the West Coast consistently has a higher property crime rate than the rest of the nation, Lane County's is high even by West Coast standards. The Intensive Treatment, Supervision, and Reentry Program (ITSARP) will assess and identify the criminogenic needs of adult sentenced felony and misdemeanor offenders and provide a residential therapeutic treatment community in the Lane County Jail. Successful participants will transition to outpatient treatment and support in the community along with intensive supervision.

The program will use evidence-based criminogenic needs assessments and evidence-based cognitive behavioral approaches that have been proven to be effective in reducing recidivism. The program will track program output data and outcome data for all of the participants for two years after their graduation and

recidivism data for a matched control group for comparison. Lane Council of Governments will collect data from the Jail and Probation staff at Lane County Adult Corrections, treatment services staff, and the Area Information Records System (AIRS). The numbers served will be too small for true statistical significance but this will allow us to provide performance measure data to DOJ as part of our semiannual progress reports. We can also use the data to assist with mid-course program revisions, as needed.

The following information is required prior to approval of grant applications:

1. *What is the match requirement?*

There is no match requirement.

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

The grant covers M&S.

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

No

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

Sheriff's Office Fiscal staff will cover the required administrative work. The grant is for one-year only.

5. *Have grant stakeholders been informed of the grant sun setting policy?*

All participants are aware that this is a one-time, one-year grant award.

6. & 7. *What accounting, auditing and evaluation obligations are imposed by the grant? Who will do it?*

The grant requires the usual quarterly financial and programmatic reporting. The work will be handled by LCSO staff.

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

Indirects are provided at the rate of 5.5175%

9. *Are there unique or unusual conditions that trigger additional county work effort or liability such as supplanting or indemnity obligations?*

Grant funds may only *supplement* existing local funds, not supplant. County funds cannot be diverted for other uses due to receipt of this award.

10. *Grant involving technology issues require Information Services department review and approval prior to submission by the Board.*

This grant does not involve new technology and does not require IS approval.

F. Alternatives/Options

1. Accept the DOJ Award in the amount of \$500,000.
2. Do not accept the DOJ Award.

IV. TIMING/IMPLEMENTATION

Upon Board approval, the County Administrator will sign the grant award documents. Once final approval is received, work on the various components of the grant can begin.

V. RECOMMENDATION

It is recommended that the Board accept the DOJ grant award in the amount of \$500,000.

VI. ATTACHMENTS

1. Board Order

THE BOARD OF COUNTY COMMISSIONERS, LANE COUNTY, OREGON

RESOLUTION) ORDER _____ / In The Matter Of Accepting A
AND ORDER:) Department Of Justice Award In The Amount Of \$500,000,
-) Delegating Authority To The County Administrator To Sign Grant
) Documents, And Appropriating \$500,000 In Revenue And
) Expenditures In Special Revenue Fund 260, Public Safety

WHEREAS, Lane County has significant high rates of property and drug crimes;
and

WHEREAS, the Board approved advocating for a set of programs and projects
through the United Front effort; and

WHEREAS, Senators Ron Wyden and Jeff Merkley, and Representative Peter
DeFazio provided support for the United Front requests, and

WHEREAS, the Intensive Treatment and Supervision and Reentry Program was
one of the approved projects; and;

WHEREAS, the Department of Justice has awarded Lane County \$500,000; and

WHEREAS, the grant application specifies the expenditures allowed by the grant;

WHEREAS, the grant includes funding for 1.0 FTE Probation Officer, and 1.0 FTE
Professional/Technical Supervisor in Corrections Medical/Mental Health Services for one
year,

IT IS HEREBY RESOLVED AND ORDERED that the Lane County Board of
Commissioners approve accepting the Department of Justice award in the amount of
\$500,000 and delegate authority to the County Administrator to sign grant documents,
and appropriate \$500,000 in revenue and expenditures and 2.0 FTE in Fund 260.



	<u>Fund 260 Public Safety</u>	<u>FTE</u>
Revenue	+\$500,000	+ 2.0 FTE
Expenditures	+\$500,000	

Effective date: _____ day of _____ 2010.

Bill Fleenor, Chair
Lane County Board of County Commissioners

9/23/10
2h

Commissioner [Signature]

 <p>Department of Justice Office of Justice Programs Bureau of Justice Assistance</p>	Grant	PAGE 1 OF 4																
1. RECIPIENT NAME AND ADDRESS (including Zip Code) Lane County 125 East 8th Avenue Eugene, OR 97401-2926	4. AWARD NUMBER: 2010-DD-BX-0591 5. PROJECT PERIOD: FROM 10/01/2010 TO 09/30/2013 BUDGET PERIOD: FROM 10/01/2010 TO 09/30/2013 6. AWARD DATE 09/20/2010 7. ACTION Initial																	
1A. GRANTEE IRS/VENDOR NO. 936002314	8. SUPPLEMENT NUMBER 00 9. PREVIOUS AWARD AMOUNT \$ 0																	
3. PROJECT TITLE Offender Treatment and Transition Program	10. AMOUNT OF THIS AWARD \$ 500,000 11. TOTAL AWARD \$ 500,000																	
12. SPECIAL CONDITIONS THE ABOVE GRANT PROJECT IS APPROVED SUBJECT TO SUCH CONDITIONS OR LIMITATIONS AS ARE SET FORTH ON THE ATTACHED PAGE(S).																		
13. STATUTORY AUTHORITY FOR GRANT This project is supported under Department of Justice Appropriations Act, 2010 (Pub. L. No. 111-117)																		
15. METHOD OF PAYMENT GPRS																		
<div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> AGENCY APPROVAL </div> <div style="width: 45%;"> GRANTEE ACCEPTANCE </div> </div>																		
16. TYPED NAME AND TITLE OF APPROVING OFFICIAL Laurie Robinson Assistant Attorney General	18. TYPED NAME AND TITLE OF AUTHORIZED GRANTEE OFFICIAL Jeff Spartz County Administrator																	
17. SIGNATURE OF APPROVING OFFICIAL 	19. SIGNATURE OF AUTHORIZED RECIPIENT OFFICIAL	19A. DATE																
AGENCY USE ONLY																		
20. ACCOUNTING CLASSIFICATION CODES <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>FISCAL YEAR</th> <th>FUND CODE</th> <th>HUD ACT.</th> <th>OFC.</th> <th>DIV. REG</th> <th>SUB.</th> <th>POMS</th> <th>AMOUNT</th> </tr> </thead> <tbody> <tr> <td>X</td> <td>B</td> <td>D1</td> <td>80</td> <td>00</td> <td>00</td> <td></td> <td>500000</td> </tr> </tbody> </table>	FISCAL YEAR	FUND CODE	HUD ACT.	OFC.	DIV. REG	SUB.	POMS	AMOUNT	X	B	D1	80	00	00		500000	21. JDIUGT3271	
FISCAL YEAR	FUND CODE	HUD ACT.	OFC.	DIV. REG	SUB.	POMS	AMOUNT											
X	B	D1	80	00	00		500000											

OJP FORM 4000/2 (REV. 5-87) PREVIOUS EDITIONS ARE OBSOLETE.

OJP FORM 4000/2 (REV. 4-88)



Department of Justice
Office of Justice Programs
Bureau of Justice Assistance

**AWARD CONTINUATION
SHEET
Grant**

PAGE 2 OF 4

PROJECT NUMBER 2010-DD-BX-0591

AWARD DATE 09/20/2010

SPECIAL CONDITIONS

1. The recipient agrees to comply with the financial and administrative requirements set forth in the current edition of the Office of Justice Programs (OJP) Financial Guide.
2. The recipient acknowledges that failure to submit an acceptable Equal Employment Opportunity Plan (if recipient is required to submit one pursuant to 28 C.F.R. Section 42.302), that is approved by the Office for Civil Rights, is a violation of its Certified Assurances and may result in suspension or termination of funding, until such time as the recipient is in compliance.
3. The recipient agrees to comply with the organizational audit requirements of OMB Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations, and further understands and agrees that funds may be withheld, or other related requirements may be imposed, if outstanding audit issues (if any) from OMB Circular A-133 audits (and any other audits of OJP grant funds) are not satisfactorily and promptly addressed, as further described in the current edition of the OJP Financial Guide, Chapter 19.
4. Recipient understands and agrees that it cannot use any federal funds, either directly or indirectly, in support of the enactment, repeal, modification or adoption of any law, regulation or policy, at any level of government, without the express prior written approval of OJP.
5. The recipient must promptly refer to the DOJ OIG any credible evidence that a principal, employee, agent, contractor, subgrantee, subcontractor, or other person has either 1) submitted a false claim for grant funds under the False Claims Act; or 2) committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct involving grant funds. This condition also applies to any subrecipients. Potential fraud, waste, abuse, or misconduct should be reported to the OIG by -

mail:

Office of the Inspector General
U.S. Department of Justice
Investigations Division
950 Pennsylvania Avenue, N.W.
Room 4706
Washington, DC 20530

e-mail: oig.hotline@usdoj.gov

hotline: (contact information in English and Spanish): (800) 869-4499

or hotline fax: (202) 616-9881

Additional information is available from the DOJ OIG website at www.usdoj.gov/oig.

6. Recipient understands and agrees that it cannot use any federal funds, either directly or indirectly, in support of any contract or subaward to either the Association of Community Organizations for Reform Now (ACORN) or its subsidiaries, without the express prior written approval of OJP.
7. The recipient agrees to comply with any additional requirements that may be imposed during the grant performance period if the agency determines that the recipient is a high-risk grantee. Cf. 28 C.F.R. parts 66, 70.



Department of Justice
Office of Justice Programs
Bureau of Justice Assistance

**AWARD CONTINUATION
SHEET**
Grant

PAGE 3 OF 4

PROJECT NUMBER 2010-DD-BX-0591

AWARD DATE 09/20/2010

SPECIAL CONDITIONS

8. In accordance with applicable law, the recipient shall not use these funds for any of the following purposes:
 1. land acquisition;
 2. construction projects; or
 3. security enhancements or security equipment to non-governmental entities that do not engage in law enforcement, law enforcement support, criminal or juvenile justice, or delinquency prevention.
9. Recipient understands and agrees that it must submit quarterly Federal Financial Reports (SF-425) and semi-annual performance reports through GMS (<https://grants.ojp.usdoj.gov>), and that it must submit quarterly performance metrics reports through BJA's Performance Measurement Tool (PMT) website (www.bjaperformanceetools.org). For more detailed information on reporting and other requirements, refer to BJA's website. Failure to submit required reports by established deadlines may result in the freezing of grant funds and High Risk designation.
10. The recipient agrees to cooperate with any assessments, national evaluation efforts, or information or data collection requests, including, but not limited to, the provision of any information required for the assessment or evaluation of any activities within this project.
11. The recipient may not obligate, expend or draw down funds until the Office of the Chief Financial Officer (OCFO) has approved the budget and budget narrative and a Grant Adjustment Notice (GAN) has been issued to remove this special condition.
12. With respect to this award, federal funds may not be used to pay cash compensation (salary plus bonuses) to any employee of the award recipient at a rate that exceeds 110% of the maximum annual salary payable to a member of the federal government's Senior Executive Service (SES) at an agency with a Certified SES Performance Appraisal System for that year. (An award recipient may compensate an employee at a higher rate, provided the amount in excess of this compensation limitation is paid with non-federal funds.)

This limitation on compensation rates allowable under this award may be waived on an individual basis at the discretion of the OJP official indicated in the program announcement under which this award is made.
13. Grantee agrees to comply with the requirements of 28 C.F.R. Part 46 and all Office of Justice Programs policies and procedures regarding the protection of human research subjects, including obtaining of Institutional Review Board approval, if appropriate, and subject informed consent.
14. Grantee agrees to comply with all confidentiality requirements of 42 U.S.C. section 3789g and 28 C.F.R. Part 22 that are applicable to collection, use, and revelation of data or information. Grantee further agrees, as a condition of grant approval, to submit a Privacy Certificate that is in accord with requirements of 28 C.F.R. Part 22 and, in particular, section 22.23.
15. All contracts under this award should be competitively awarded unless circumstances preclude competition. When a contract amount exceeds \$100,000 and there has been no competition for the award, the recipient must comply with rules governing sole source procurement found in the current edition of the OJP Financial Guide.
16. Approval of this award does not indicate approval of any consultant rate in excess of \$450 per day. A detailed justification must be submitted to and approved by the Office of Justice Programs (OJP) program office prior to obligation or expenditure of such funds.



Department of Justice
Office of Justice Programs
Bureau of Justice Assistance

**AWARD CONTINUATION
SHEET
Grant**

PAGE 4 OF 4

PROJECT NUMBER 2010-OJ-BX-0591

AWARD DATE 09/25/2010

SPECIAL CONDITIONS

17. Pursuant to Executive Order 13513, "Federal Leadership on Reducing Text Messaging While Driving," 74 Fed. Reg. 51225 (October 1, 2009), the Department encourages recipients and sub recipients to adopt and enforce policies banning employees from text messaging while driving any vehicle during the course of performing work funded by this grant, and to establish workplace safety policies and conduct education, awareness, and other outreach to decrease crashes caused by distracted drivers.



Department of Justice
Office of Justice Programs
Bureau of Justice Assistance

Washington, D.C. 20531

Memorandum To: Official Grant File

From: Orbin Terry, NEPA Coordinator
Subject: Categorical Exclusion for Lane County

The Edward Byrne Memorial Discretionary Grants Program helps local communities improve the capacity of local justice systems and provides for national support efforts. Awards under this program will be used to effectively plan, manage, and allocate resources to encourage information sharing to reduce the incidence of crime and drug abuse, to provide responsive law enforcement services to enhance local courts, and to enhance local corrections and offender reentry.

None of the following activities will be conducted whether under the Office of Justice Programs federal action or a related third party action:

- (1) New construction.
- (2) Renovation or remodeling of a property either (a) listed on or eligible for listing on the National Register of Historic Places or (b) located within a 100-year flood plain.
- (3) A renovation which will change the basic prior use of a facility or significantly change its size.
- (4) Research and technology whose anticipated and future application could be expected to have an effect on the environment.
- (5) Implementation of a program involving the use of chemicals.

Consequently, the subject federal action meets the Office of Justice Programs' criteria for a categorical exclusion as contained in paragraph 4(b) of Appendix D to Part 61 of the Code of Federal Regulations. Additionally, the proposed action is neither a phase nor a segment of a project which when reviewed in its entirety would not meet the criteria for a categorical exclusion.



Department of Justice
Office of Justice Programs
Bureau of Justice Assistance

**GRANT MANAGER'S MEMORANDUM, PT. I:
PROJECT SUMMARY**

Grant

PROJECT NUMBER

2010-DD-BX-0591

PAGE 1 OF 1

This project is supported under Department of Justice Appropriations Act, 2010 (Pub. L. No. 111-117)

1. STAFF CONTACT (Name & telephone number)

Barry D. Roberts
(202) 616-1144

2. PROJECT DIRECTOR (Name, address & telephone number)

Janice Gochall
Management Analyst
125 E. 8th Avenue
Eugene, OR 97401-2926
(541) 682-1705

3a. TITLE OF THE PROGRAM

BJA FY 10 Congressionally Selected

**3b. POMS CODE (SEE INSTRUCTIONS
ON REVERSE)**

4. TITLE OF PROJECT

Offender Treatment and Transition Program

5. NAME & ADDRESS OF GRANTEE

Lane County
125 East 8th Avenue
Eugene, OR 97401-2926

6. NAME & ADDRESS OF SUBGRANTEE

7. PROGRAM PERIOD

FROM: 10/01/2010 TO: 09/30/2013

8. BUDGET PERIOD

FROM: 10/01/2010 TO: 09/30/2013

9. AMOUNT OF AWARD

\$ 500,000

10. DATE OF AWARD

09/26/2010

11. SECOND YEAR'S BUDGET

12. SECOND YEAR'S BUDGET AMOUNT

13. THIRD YEAR'S BUDGET PERIOD

14. THIRD YEAR'S BUDGET AMOUNT

15. SUMMARY DESCRIPTION OF PROJECT (See instruction on reverse)

The Congressionally Recommended Awards Program, authorized by the Department of Justice Appropriations Act, 2010 (Pub. L. 111-117), helps improve the functioning of the criminal justice system, prevent or combat juvenile delinquency, and/or assist victims of crime (other than compensation). Funds should be used for the projects recommended by Congress, in the amounts specified in the joint explanatory statement incorporated by reference into Pub. L. 111-117, and generally consistent with one or more of the following statutory purposes: improving the functioning of the criminal justice system, preventing or combating juvenile delinquency, or assisting victims of crime (other than compensation). Each of these purposes is framed using language drawn, respectively, from the former Byrne discretionary statute, the Juvenile Justice and Delinquency Prevention Act, the Victims of Crime Act, and the Violence Against Women Act. This project is authorized and funded through a line item in the FY 2010 Congressional Budget and by the joint explanatory statement that is incorporated by reference into the FY2010 Department of Justice Appropriations Act.

The Lane County Intensive Treatment, Supervision, and Reentry Program (ITSARP) will use its Congressionally Recommended Award to implement an in-custody, evidence-based treatment program for local adult sentenced felony and misdemeanor offenders. Project goals include: 1) reducing substance abuse by high risk offenders, 2) reducing recidivism rates for high risk substance abusing offenders, 3) establishing linkages to community-based services for program graduates, and 4) conducting an evaluation.

NCA/NCF

17-00821

IN THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

ORDER NO. 09-1-28- 20

IN THE MATTER OF APPROVING LANE COUNTY
UNITED FRONT PRIORITIES FOR PURPOSES
OF FEDERAL ADVOCACY AND SECURING
APPROPRIATIONS

WHEREAS, Lane County has significant and ongoing financial needs related to the provision of a wide array of public services and infrastructure development and maintenance; and

WHEREAS, the United States Congress annually appropriates funding for a variety of public improvements and services; and

WHEREAS, Lane County Government employs an independent lobbying firm which specializes in federal advocacy issues located in Washington, D.C.; and

WHEREAS, Lane County partners with a number of other governmental agencies to develop a list of potential projects that benefit the citizens of the region in an effort characterized as the "united front"; and

WHEREAS, a local process is followed to discuss recommended projects that are to be prioritized by each partner; and

WHEREAS, the "united front" annually travels to Washington, DC to mutually promote said projects to federal agencies and policy makers; and

WHEREAS, the "united front" continues to be an effort which results in specific appropriations and grants to the partners of the "united front" which have resulted in improvements to public services delivered to the residents of Lane County.

NOW THEREFORE, be it resolved, that the Lane County Board of County Commissioners does hereby confirm the following Lane County projects which shall be placed into the document that outlines the projects for purposes of federal advocacy and securing appropriations. Said projects are outlined in Attachment A to this board order.

DATED this 29th day of January, 2009.



Pete Sorenson, Chair
Lane County Board of Commissioners

Attachment A
Lane County, Oregon
United Front Projects
January 28, 2009

Primary Policy Priority: Support efforts that seek re-authorization or extension of the "Secure Rural Schools" federal safety net payments beyond FY 2013.

LANE COUNTY- Federal Highway Bill Reauthorization Projects		
<i>Veneta Hwy 126 Corridor Study</i>	Hwy 126 from west Eugene to Veneta has a number of issues related to safety and infrastructure that could be examined simultaneously for recommendation on how to improve this constricted transportation corridor.	\$2 M
<i>Territorial Highway Improvements</i>	Territorial Highway extends for over 40 miles from the Benton to the Douglas County line. The road serves a wide range of freight, tourist, and agricultural traffic uses and is therefore of critical economic importance to Lane County.	\$20 M
LANE COUNTY-FY 10 Appropriations Requests		
Springfield Community Health Center	Expand the physical capacity of three-year-old clinical facility in Springfield, Oregon. Dependent on FY09 Omnibus Appropriations.	\$400,000
Lane Healthy Babies-Healthy Communities Initiative	Lane County Public Health ongoing effort of three collaborative, community-driven fetal-infant mortality task forces working to reduce the fetal-infant mortality rate in Lane County.	\$600,000
Domestic Violence-Pretrial Monitoring Program	Continue Office of Violence Against Women grant to improve victim safety through enforcement of protective orders and intensive supervision. The goal is to ensure defendants who are released have a signed Conditional Release Agreement to increase victim protection and reduce defendant failure to appear for court. The project has increased the use of social support services in the community and maintained a revolving caseload of 30 victims and their families.	\$400,000
Deputy Training: Emergency Mgmt Integration	This project entails adding personnel support to Lane County's Emergency Management function. The Sheriff's Office would add two deputies and corresponding administrative support positions.	\$320,000
Bio-Energy Park	Economic development project where local and regional low-value agricultural and municipal organic wastes will be processed, through a variety of conversion technologies, to produce high value, clean, renewable energy, biofuels and green bio-products.	\$5 M
Lane Farmers Market	Improve local farmers' market with both indoor and outdoor space.	\$1.6 M
Offender Treatment and Transition Program	In-custody, evidence based treatment program for up to 36 local adult sentenced felony and misdemeanor offenders.	\$1.378 M
Public Safety/Emergency Communications & Technology	Add multi-key encryption and SmartZone trucking to 43 Corrections deputies radios that are not interoperable with the radios used by patrol or, parole & probation, and do not meet the P25 standard for digital radio communications for use by federal, state/province and local public safety agencies in North America.	\$500,000