

Lee County Board Of County Commissioners

Agenda Item Summary

Blue Sheet No. **2003/492**

1. REQUESTED MOTION: Authorize Chairman to apply for second year funding from the Florida Department of Law Enforcement: Residential Substance Abuse Treatment for State Prisoners grant 03-CJ-2J-09-46-01-004/CPU Substance Abuse Tx Program. The total grant application is for \$185,000 with \$138,750 funded through FDLE and \$46,250 as a cash match from general revenue funds.

ACTION REQUESTED: The Lee County Sheriff's Office requests the signature of the Chairman to apply for this grant.

WHY ACTION IS NECESSARY: The application requires the signature of the government executive.

WHAT ACTION ACCOMPLISHES: Signature of the application will afford the Lee County Sheriff's Office the opportunity to apply for second year funding for the program.

2. DEPARTMENTAL CATEGORY:

01
COMMISSION DISTRICT #:
Countywide

C15C

3. MEETING DATE:

01-06-2004

4. AGENDA:

- CONSENT
- ADMINISTRATIVE
- APPEALS
- PUBLIC
- WALK ON
- TIME REQUIRED:

5. REQUIREMENT/PURPOSE:
(Specify)

- STATUTE
- ORDINANCE
- ADMIN. CODE
- OTHER

6. REQUESTOR OF INFORMATION:
Rodney Shoap, Sheriff of Lee County

- A. COMMISSIONER
- B. DEPARTMENT
- C. DIVISION

BY: **Chief D.M. Bousell
for Sheriff Shoap**

7. BACKGROUND: The Florida Department of Law Enforcement is granting funds for the implementation of Residential Substance Abuse Treatment for Local Correctional Facilities. Due to the high correlation between substance abuse and criminal behavior, FDLE offers these funds to assist units of local government in the development and implementation of residential substance abuse treatment programs in local correctional facilities in which prisoners are incarcerated for a period of time sufficient to permit substance abuse treatment.

The Lee County Sheriff's Office is applying for funding to implement the Substance Abuse Treatment Program (SATP) in one of the Community Program Units. The program will serve 88 inmates throughout the course of the grant cycle, with these 88 male inmates housed in the CPU. Inmates participating in the SATP will receive treatment that focuses on the development of their cognitive, behavioral, social, vocational and other skills as well as substance abuse treatment specific to their individual needs. Aftercare services will be provided to inmates upon successful completion of the program and release from the Lee County correctional facility.

8. MANAGEMENT RECOMMENDATIONS:

9. RECOMMENDED APPROVAL:

A Department Director	B Purchasing or Contracts	C Human Resources	D Other	E County Attorney	F Budget Services/ 12/23/03				G County Manager
					OA	OM	Risk	GC	
				<i>S. Hand 12/23/03</i>	<i>R.M. 12/23/03</i>	<i>12/23/03</i>	<i>12/23/03</i>	<i>12/23/03</i>	<i>12/23/03</i>

10. COMMISSION ACTION:

- APPROVED
- DENIED
- DEFERRED
- OTHER

Rec. by CoAtty
 Date: **12/23/03**
 Time: **10:10 am**
 Forwarded To:
City Admin
10:15

RECEIVED BY
COUNTY ADMIN: *PA*
12/23/03
COUNTY ADMIN
FORWARDED TO: *PA*
12/23/03
C

**Residential Substance Abuse Treatment Program
Florida Department of Law Enforcement**

APPLICATION FOR FUNDING ASSISTANCE

FDLE Contract Number: <i>(This number will be inserted by FDLE).</i>		
A. Applicant Information		
Prior Contract Number: 03-CJ-2J-09-46-01-004 <i>(This section to be completed by Subgrantee)</i>		
County Name: Lee County	Federal CFDA Number 16.593	
1. Subgrant Recipient Information <i>(Governing body of a city, county or Indian Tribe performing criminal justice functions as determined by the U. S. Secretary of the Interior).</i>		
Agency Name Lee County Board of Commissioners		
Name of Chief Elected Official / State Agency Head John Albion		
Title Chairman	E-Mail Address DIST5@leegov.com	
Address P.O. Box 398		
City Fort Myers	Zip Code 33902	
Area Code/Telephone No. 239-335-2225	SunCom N/a	Fax 239-335-2143
2. Chief Financial Officer of Subgrant Recipient <i>(Chief financial office of the subgrantee).</i>		
Name of Chief Financial Officer Charlie Green		
Title Clerk of Court	E-Mail Address rwalter@leeclerk.org	
Address P.O. Box 398		
City Fort Myers	Zip Code 33902	
Area Code/Telephone No. 239-335-2646	SunCom N/A	Fax 239-335-2440
3. Implementing Agency <i>(A subordinate agency of a city, county or Indian Tribe, or an agency under the direction of an elected official, i.e., a Sheriff's Office).</i>		
Agency Name Lee County Sheriff's Office		
Name of Chief Elected Official / State Agency Head Rodney Shoap		
Title Sheriff	E-Mail Address rshoap@sheriffleefl.org	
Address 14750 Six Mile Cypress Parkway		
City Fort Myers	Zip Code 33912	
Area Code/Telephone No. 239-477-1200	SunCom N/A	Fax 239-477-1030
4. Project Director <i>(Individual in direct charge of managing and/or implementing project activities – must be an employee of the Implementing Agency).</i>		
Name of Project Director Bette Scruggs		
Title Program Coordinator	E-Mail Address bscruggs@sheriffleefl.org	
Address 2501 Ortiz Ave		
City Fort Myers	Zip Code 33905	
Area Code/Telephone No. 239-477-1765	SunCom N/A	Fax 239-477-1768

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5. Contact Person (if other than Project Director)		
Name of Contact Person N/A		
Title	E-Mail Address	
Address		
City		Zip Code
Area Code/Telephone No.	SunCom	Fax
6. Person Responsible for Financial Reporting (if known)		
Agency Name Lee County Sheriff's Office		
Name of Chief Elected Official / State Agency Head Rodney Shoap		
Title Sheriff	E-Mail Address rshoap@sheriffleefl.org	
Address 14750 Six Mile Cypress Parkway		
City Fort Myers		Zip Code 33912
Area Code/Telephone No. 239-477-1200	SunCom N/A	Fax 239-477-1030
7. Person Responsible for Programmatic Performance Reporting (if known)		
Name of Project Director Bette Scruggs		
Title Program Coordinator	E-Mail Address bscruggs@sheriffleefl.org	
Address 2501 Ortiz Ave		
City Fort Myers		Zip Code 33905
Area Code/Telephone No. 239-477-1765	SunCom N/A	Fax 239-477-1768

**Residential Substance Abuse Treatment Program
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B. Administrative Data

1. Project Title CPU Substance Abuse Tx Program

(Provide a brief descriptive title, must not exceed 36 total spaces and characters)

2. Project implementation period Start: 06/01/04 End: 05/31/05

C. Fiscal Data

1. (If other than the Chief Financial Officer) Remit Warrant to

Name Liz Handerhan

Title Finance

E-Mail Address lhanderhan@sheriffleefl.org

Address 14750 Six Mile Cypress Parkway

City Fort Myers

Zip Code 33912

Area Code/Telephone No. 239-477-1328

SunCom N/A

Fax 239-477-1347

If subgrantee is participating in the State of Florida Comptroller's Office electronic transfer program, reimbursement cannot be remitted to any other entity.

2. Vendor Number 59-6000705
(Federal Employer Identification Number)

3. State Agency FLAIR # N/A
(Applies to State Agencies only)

4. Will the Project earn Project Generated Income (PGI) as defined in Section G, Paragraph 17?
(Check one)
_____ Yes X No

5. Will the applicant be requesting an advance of federal funds? (Check one)
_____ Yes (If Yes, a letter of request must be attached) X No

6. Will applicant submit monthly or quarterly Reimbursement Requests as specified in Section G (1)(B) of this agreement? (Check one)
_____ Monthly X Quarterly

**Residential Substance Abuse Treatment Program
Florida Department of Law Enforcement**

D. Program Data

1. Program Facility (check all that apply)

- | | |
|--|---|
| <input type="checkbox"/> Prison | <input type="checkbox"/> Community Corrections Program |
| <input checked="" type="checkbox"/> Jail | <input type="checkbox"/> Juvenile Detention Facility |
| <input type="checkbox"/> Boot Camp | <input type="checkbox"/> Juvenile Correctional Facility |
| <input type="checkbox"/> Work Camp | <input type="checkbox"/> Other (specify) _____ |
| <input type="checkbox"/> Halfway House | _____ |

2. Bed/Slot Capacity: 44

3. Target Population (indicate number of clients to be served)

88 Adult Males Adult Females Juvenile Males Juvenile Females

4. Services/Interventions Available (check all that apply to indicate services that will be Offered)

- | | |
|---|--|
| <input type="checkbox"/> Therapeutic Community | <input type="checkbox"/> Family Counseling |
| <input checked="" type="checkbox"/> 12-Step Program | <input type="checkbox"/> Sex Offender Treatment |
| <input checked="" type="checkbox"/> Individual Counseling | <input checked="" type="checkbox"/> Impulse/Anger Control |
| <input checked="" type="checkbox"/> Group Counseling | <input type="checkbox"/> Work Activities |
| <input type="checkbox"/> Acupuncture | <input checked="" type="checkbox"/> Job Skills Development |
| <input type="checkbox"/> Pharmacotherapy | <input type="checkbox"/> Job Placement |
| <input type="checkbox"/> Other Drug Treatment | <input checked="" type="checkbox"/> Aftercare Services |
| <input checked="" type="checkbox"/> Drug Testing | <input checked="" type="checkbox"/> Structured Leisure Time |
| <input type="checkbox"/> Mental Health Counseling | <input checked="" type="checkbox"/> Leadership Training |
| <input checked="" type="checkbox"/> Educational Programs | <input type="checkbox"/> Mentoring |
| <input type="checkbox"/> Community Service | <input checked="" type="checkbox"/> Parenting Training |
| <input checked="" type="checkbox"/> Victim Restitution | <input checked="" type="checkbox"/> Cognitive Restructuring |
| <input type="checkbox"/> Restorative/Community Justice | <input type="checkbox"/> Financial Management |
| <input type="checkbox"/> Victim Awareness | <input checked="" type="checkbox"/> Other <u>Stress Management</u> |
| <input type="checkbox"/> Mediation | <input checked="" type="checkbox"/> <u>Men and Women's Issues</u> |
| <input checked="" type="checkbox"/> Domestic Violence Reduction | <input checked="" type="checkbox"/> <u>Hygiene and Nutrition</u> |
| | <input checked="" type="checkbox"/> <u>Problem Solving</u> |

5. Projection of Successful Completions (indicate number of clients projected for each phase):

- a. A total of 64 participants are projected to successfully complete the *residential substance abuse treatment* service phase during the subgrant period.
- b. A total of 32 participants are projected to successfully complete the *aftercare treatment* phase during the subgrant period.

Residential Substance Abuse Treatment Program
Florida Department of Law Enforcement

E. Program Description

1. Begin with an executive-style summary describing the project to be funded with RSAT funds. **Start below.**

EXECUTIVE SUMMARY

The Lee County Sheriff's Office (LCSO) is responsible for carrying out the local correctional duties in Lee County. The four facilities used to perform these duties are:

Main Jail: Maximum Security facility currently housing male and female inmates; **Stockade:** Medium Security facility for male inmates;

Community Program Unit: Direct Supervision units for male and female inmates participating in an inmate program; and

Core Building: Currently under construction; however, upon completion, the building will be used as a Maximum Security facility for female inmates as well as an infirmary for male and female inmates in need of specialized medical care and attention. It is anticipated that the Core Building will become operational April 1, 2003.

The Lee County Sheriff's Office Detention facilities served an average daily inmate population of 1,276 inmates in 2002. The detention population is comprised of 88% males and 12% female, of which 49% are African-American, 43% are Caucasian and 8% are Hispanic. Of those inmates housed in 2002, 367 were sentenced to serve 6 to 12 months of county time in the LCSO Detention facilities. Statistically, 80% of the LCSO inmate population has been identified as having a substance abuse addiction; therefore, it is estimated that approximately 294 of the 367 inmates serving 6 to 12 months of county time need substance abuse treatment.

The LCSO Detention Department strives to provide opportunities for the reintegration of inmates into the community as productive and law abiding citizens through work, education, health, religious and vocational assessment and training programs. Programs currently available to inmates are: Adult Basic Education / GED Preparation; Life Skills; Parenting Classes; Anger Management; Boot Camp; and New Directions.

Inmates participating in a program are housed in a LCSO Community Program Unit (CPU). Each CPU is structured with a program that meets the unique needs of the inmate. Upon implementation of the Lee County Sheriff's Office Substance Abuse Treatment Program (SATP), a CPU, with an inmate capacity of 44, will be used for male inmates participating in the program. It is anticipated that, at minimum, 88 inmates will be in the program.

The innovative CPU facilities serve as a means of isolating inmates partaking in LCSO self-improvement programs. The CPU is a self-contained facility that affords inmates the opportunity to participate in group work, individual treatment, recreation, meals and sleep in an area segregated from the rest of the inmate population. For those inmates participating in the CPU Substance Abuse Treatment Program, the submersion into an inmate population all seeking recovery will reinforce their treatment modality and minimize the potential to be negatively influenced by inmates that have not made the choice to treat their addiction(s).

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2.

E. Program Description/Objectives Continued

2. Provide a brief description for each project activity checked in Section D(4) "Services/Interventions Available." Each description must include the amount of time allotted for each activity, the objective for each activity and who will do what, when, where and how. The narrative should be limited to ten pages or less. **Start below.**

PROCESS FOR PROGRAM ACCEPTANCE

The Lee County Sheriff's Office Detention Department has developed set criterion for inmates participating in the CPU programs. Inmates participating in the CPU Substance Abuse Treatment Program (SATP) will be required to meet these predetermined criteria as well as additional criteria developed specifically for SATP. The criteria are as follows:

CPU Criteria-

- Non-violent felony;
- Misdemeanor offense;
- No disciplinary confinement;

CPU SATP Criteria-

- Male;
- Serving 6 to 12 months county jail sentence;
- Identified with substance abuse addiction; and
- Voluntarily willing to participate in the program.

The LCSO Classifications Unit is responsible for identifying inmates that meet the initial CPU criteria. Once an inmate is identified as meeting the CPU criteria, a preliminary clinical screening is conducted by clinicians in an effort to gather information regarding the inmate's cognitive, behavioral, social and vocational needs. If an inmate has a problem with drug abuse, it will be identified at this stage. Additionally, any issues such as medical, legal or psychological issues that may jeopardize the inmate's ability to fully participate in substance abuse treatment will be identified during the initial screening.

Inmates meeting the criteria for the CPU SATP will be requested to participate in the program. After an inmate volunteers to accept treatment, a urine test must be submitted and a complete assessment used to develop an individualized treatment plan will be conducted by one of the CPU SATP counselors. The inmate will then be placed into the CPU Substance Abuse Treatment Program.

TREATMENT MODALITY

The CPU Substance Abuse Treatment Program will be based upon a holistic treatment model that affords clinicians the latitude to develop individual treatment plans. The assessment conducted prior to entering the SATP will determine the inmate's treatment personality. Once the treatment personality is identified, the clinician will work with the inmate to establish a treatment model that complements the treatment personality and

increases the likelihood of successful program completion and community reintegration upon release

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from the jail.

Individual plans will be drawn from various models that have proven to be effective in treating substance abusing criminal offenders. The various models used will be, at minimum:

- Criminal Thinking Errors;
- Gestalt Therapy;
- Reality Therapy;
- Rational Emotive Therapy; and/or
- Relapse Prevention Therapy.

CPU SUBSTANCE ABUSE TREATMENT SERVICES AND INTERVENTIONS

The Lee County Sheriff's Office CPU Substance Abuse Treatment Program will be comprised of several services and interventions. The following outline describes the services and interventions that will be available to CPU SATP inmates and offered based upon their individual needs.

• **12-Step Program:**

What - Alcoholics Anonymous, Narcotics Anonymous and Cocaine Anonymous

When – Once a week in the evening

Where – In the CPU SATP facility

Why - Taking part in a 12-Step program while in the CPU will increase the likelihood of continual participation upon release and will be incorporated as part of their aftercare.

How – Community volunteers will come in once a week to facilitate AA, NA and CA group discussions for SATP participants

• **Individual Counseling:**

What – Each inmate participating in the CPU SATP will receive individual counseling in accordance to their individual treatment plan. Depending on the needs of the inmates, a treatment plan based upon a model of best fit will be administered.

When – At minimum, once a month; may increase depending on the needs of the inmate

Where – In the SATP CPU facility

Why – The unique needs of each inmate necessitates individual counseling and monitoring. The counselor must have a one-on-one opportunity to gauge the inmate's progress toward addiction recovery and make subsequent adaptations to the treatment plan when necessary. Individual counseling also affords inmates the latitude to speak with a clinician about issues they may not feel comfortable sharing in a group setting.

How – The clinicians will establish a schedule in accordance to the needs of the inmate and will coordinate individual counseling with the other services in which the inmate participates.

• **Group Counseling:**

What – Group counseling, addressing the psychological, educational, behavioral, etc. needs of the participants, will be offered on a daily basis.

When – Inmates will participate in group counseling activities for approximately 5 hours every day

Where – In the SATP CPU facility

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Why – Group counseling is vital to the recovery process. Inmates will be given the opportunity to share their struggles with addiction and steps in the recovery process with other inmates. Inmates participating in a drug abuse program with other inmates also seeking treatment will more readily identify with one another; subsequently, the inmates will be more willing to share in each other's recovery and reinforce each other's positive behavior.

How – Clinicians will conduct group sessions that maximize the dynamics of the group and meet the needs of the group as a whole, as well as the individual needs of the inmates. When appropriate and necessary, the inmates will be broken down into smaller working groups according to addiction, phase of recovery, etc.

- **Drug Testing:**

What – The Lee County Sheriff's Office correctional facilities currently do not conduct drug testing of inmates; however, upon implementation of the CPU SATP all inmates participating in the program will be subjected to urinalysis drug testing.

When – Drug testing will be conducted every month on a regular basis for each SATP inmate. Random drug testing will also be conducted throughout the treatment process.

Where – Drug testing will be conducted in the SATP CPU

Why – Drug testing will be conducted as a means of measuring the successful progression of treatment. If an inmate fails the drug test, a panel hearing will be held to determine the consequences as well as any modifications that may be made to the inmates individual treatment plan.

How – A male counselor will oversee the urinalysis testing of the male inmates while a female counselor will oversee the female urinalysis. The drug kits will be forwarded to a lab and the results will be sent to the SATP Project Director.

- **Educational Program:**

What – GED and other special needs learning programs

When – Educational programs will be conducted Monday through Friday throughout the 6-month treatment process

Where – GED be conducted in the SATP CPU computer lab

Why – Educational programs give inmates an opportunity to acquire the knowledge and skills needed to get a job once they are released from jail. It has also been determined that education is a major deterrent to recidivism

How – The Lee County Sheriff's Office partners with the Lee County School District to offer inmates educational opportunities while in jail.

- **Victim Awareness:**

What – The Victim Awareness component will introduce the inmates to the victim's perception of criminal behavior, a view of criminal behavior not previously considered by the inmates.

When – This component will be taught throughout the 6-month period during group counseling sessions

Where – In the SATP CPU facility

Why – This component gives inmates an opportunity to personalize the victim's experience and gain a new perspective on how their actions affect others.

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How – Counselors will deliver the victim awareness curriculum in a group setting. Materials, such as workbooks and videos, will be used to facilitate the learning process.

- **Domestic Violence Reduction:**

What – This component will introduce the concept of interrupting the cycle of violence. The facilitator will utilize a teaching method that incorporates the participant into the daily learning schedule and develops an understanding of the process of violence as related to their individual belief systems. The facilitator will also discuss other issues concerning abuse. A high percentage of inmates have been identified as having suffered from domestic or sexual abuse.

When – This component will be taught throughout the 6-month period during group counseling sessions. If additional individual counseling is needed, the counselor will be available to the inmates.

Where – In the SATP CPU facility

Why – Many of the inmates are engaged in domestic violence as offenders and/or victims. Often times, drug abuse is a coping mechanism inmates use to subside the pain and suffering associated with their domestic and/or sexual abuse issues.

How – A counselor from TLS will come in once a week to conduct group counseling sessions. If an individual needs more intensive one-on-one counseling, the SATP counselors will coordinate times for the inmate to meet with the counselor.

- **Impulse / Anger Control:**

What – This component will introduce the inmates to the concept of resolving a conflict in an appropriate and healthy manner. Relationships are discussed and alternatives to violence are discussed.

When – This component will be taught throughout the 6-month period during group counseling sessions.

Where – In the SATP CPU facility

Why – The anger management component will introduce inmates to the concept of managing their anger. The Lee County Sheriff's Office conducts other specialty programs within the CPU facilities and behavioral issues relating to violence are often the cause of releasing an inmate from the program before successful completion. Offering an anger management class will minimize the number of inmates that will have to be removed from the SATP due to acts of violence.

How – Counselors will utilize anger management materials specifically developed for incarcerated individuals. The Anger Management component will be conducted in a group setting throughout the 6-month treatment process.

- **Job Skills Development:**

What – This component will explore the area of employment and employability. The inmate will be introduced to the basic skills needed to find and secure employment in the area of their knowledge and abilities. The participant is also introduced to the various community resources available to assist them in finding employment.

When – This component will be taught throughout the 6-month period during group counseling sessions.

Where – In the SATP CPU facility

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Why – Securing employment will minimize the likelihood of recidivism.

How – The Job Skills Development component will be conducted in a group setting throughout the 6-month treatment process. Sample applications and resumes will be used as part of the learning materials. Interview techniques, proper dress, etc. will also be incorporated into the curriculum.

- **Aftercare Services:**

What – A weekly aftercare session will be provided to inmates once they have successfully completed at least one component of the CPU SATP and have been released from custody. The aftercare coordinator will give service priority to CPU SATP inmates. Participants will be assisted in locating community resources that meet the needs identified in their individual treatment plan. Every effort will be made to link the participant with mentors and support systems that can further facilitate the addiction recovery process. The aftercare services will be offered free of charge.

When – Aftercare session will be offered on a weekly basis; however, many of the support systems the inmates will be linked with offer services daily, weekly and/or monthly as needed.

Where – Case management for aftercare services will be conducted at the TLS Consulting offices. Weekly aftercare sessions will also be held at TLS Consulting. As part of the case management component, TLS Consulting will refer and link participants to resources available in the community that will assist addiction recovery efforts and minimize recidivism.

Why – Aftercare, as evidenced by the mandatory component within the application, is seen as an essential to the successful integration of inmates into the community.

How – Since TLS Consulting will be serving the inmates while they are incarcerated, the transition to aftercare services will be more readily accepted. The greatest challenge in the delivery of aftercare services will be that the program will be conducted on a voluntary basis. In an effort to encourage inmate participation in aftercare, inmates that have successfully completed the CPU SATP and have successfully reintegrated back into the community will be asked to come back to the CPU program and encourage current participants to stay with the program and continue with aftercare upon release.

- **Structured Leisure Time:**

What – The SATP inmates will have access to the CPU Recreational area for outside leisure time. Inmates will also have leisure time inside the CPU.

When – Structured leisure time will be incorporated into the inmates' daily schedule.

Where – CPU Recreational area and SATP CPU

Why – Downtime for the inmates is needed to give them the opportunity to develop positive habits during leisure periods. Idle time often attributes to negative behavior so by giving inmates new activities of interest while in the program, they will be more likely to continue seeking alternatives to substance abuse during leisure time.

How – Inmates will be given leisure time on a daily basis while in the CPU SATP. The counselors and correctional officers will be responsible for monitoring their time and activities.

- **Leadership Training:**

What – This component introduces the concept of leading. The characteristics of a leader are discussed and participants are asked to identify and discuss their character traits. Topics such as assertiveness, attentiveness, honesty, truthfulness, integrity and courage will be discussed.

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When – This component will be taught throughout the 6-month period during group counseling sessions.

Where – In the SATP CPU facility

Why – Inmates will be given the opportunity to develop positive leadership skills. While in the facility, and once released, it is crucial that the inmates use their skills to influence and motivate people in a positive way.

How – Participants will be required to demonstrate knowledge of leadership abilities upon completion of the unit. Once the unit is introduced, the skills will be incorporated into the daily activity schedule. Weekly leadership themes will be introduced and participants will report how and when they demonstrated a leadership trait that week. Teambuilding exercises will also be introduced and participants will be encouraged to contribute to the best of their ability.

- **Parenting Training:**

What – A family responsibilities unit will introduce the inmates to the concept of the various forms of family. The role of the father and mother will be discussed. Parenting skills will be discussed and the participant will be required to demonstrate an understanding of his/her role as a parent.

When – This component will be taught throughout the 6-month period during group counseling sessions. As part of the aftercare component, participants will be provided with community resources that will assist them in meeting their family responsibilities.

Where – In the SATP CPU facility

Why – Addicts generally forego their responsibilities as a parent because their substance abuse problems deter them from fulfilling that role. Stressing the expectations and value of the parental role, coupled with substance abuse treatment, will increase the likelihood that the inmate will improve their parenting skills while incarcerated and upon release.

How – Parent training will be delivered by Judy Peck, of St. Peter Claver AFCAAM, once a week on a voluntary basis.

- **Cognitive Restructuring:**

What – The inmate will be introduced to the concept of criminal thinking errors as taught by Samenow. Rational Emotive Behavior Therapy will also be a primary therapeutic model used by the counselors.

When – This component will be taught throughout the 6-month period during group counseling sessions and individual counseling. Cognitive restructuring will also be continued as part of aftercare.

Where – In the SATP CPU facility

Why – Changing the thought process of the inmates will be critical to their recovery. Cognitive Restructuring will help the inmate understand that emotions and behaviors are caused by beliefs and thinking. As the inmate begins to understand his thought process, he will be able to replace irrational thinking and actions with cause and effect thinking and behavior. This adaptation in the thought process will be a crucial deterrent to relapse and recidivism.

How – The inmates will be required to demonstrate an understanding of their thinking patterns and the manner in which they address this behavior. Journals and daily logs are used to re-enforce the concepts. Once the concept is introduced, it will become a daily component within the program that carries into the aftercare sessions upon release.

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- **Men & Women's Issues:**

What – This unit will introduce the inmates to the gender specific needs of men and women. Participants will be introduced to the unique physical and emotional make-up of a men and woman. Topics such as relationships, child rearing, health issues, etc. will also be discussed.

When – This component will be taught throughout the 6-month period during group counseling sessions.

Where – In the SATP CPU facility

Why – Developing an understanding of yourself, as well as the opposite sex, will promote healthy family relationships.

How – The counselors will present the topics during group counseling sessions. Community resources will also be introduced as a means of offering assistance to the participants upon release.

- **Hygiene & Nutrition:**

What – The inmates will be introduced to the idea of caring for their health by understanding diseases and neglect of routine health care.

When – This component will be taught throughout the 6-month period during group counseling sessions.

Where – In the SATP CPU facility

Why – Developing an understanding of the importance of healthy habits will decrease the likelihood that the inmates will want to consume a substance that damages their bodies, physically and mentally.

How – Counselors will discuss topics such as grocery shopping, menu planning, reading food labels, etc. The participant will also be provided information to obtain health care benefits and community resources that are free or low cost.

- **Stress Management:**

What – A daylong workshop will introduce the inmate to the historical view of stress and the power of prevention.

When – This component will be taught throughout the 6-month period during group counseling sessions.

Where – In the SATP CPU facility

Why – Alcohol and other drugs are often consumed as a means of relief from stressful life situations. Providing inmates with various techniques to develop alternative coping mechanisms will alleviate the urge to self-medicate with alcohol and other drugs during times of stress.

How – The inmates will be required to attend a one daylong workshop as part of their treatment plan. At the workshop, counselors will introduce the inmates to the individual consequences of stress such as behavioral, psychological and medical.

- **Problem Solving:**

What – Problem solving techniques that demonstrate an understanding of the difference between problems and life events will be presented to the inmates.

When – This component will be taught throughout the 6-month period during group counseling sessions.

Where – In the SATP CPU facility

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Why – Giving the inmates skills to solve problems without the need to resort to consuming alcohol or using drugs will maximize their ability to successfully recover from their addiction.

How – The inmates will work together to gain an understanding of the concept of triangulation by group work. The inmates will be encouraged to work together toward a common goal and assist each other in problem solving, role play and real life situations.

EVALUATION PLAN

The Jail Clerk will be responsible for maintaining the database configured to run monthly data reports. The minimum data reporting requirements will be tracked as outlined by the grant application, as well as additional data elements that will assist evaluation efforts.

Specific data elements that will be collected and measured in addition to those required will be:

- Demographics- gender, race, age, etc.;
- Drug use;
- Criminal activity;
- Reason for dismissal from the program, if removal is necessary;
- Reason not accepted into the program if a substance abuse problem is identified, but the inmate is not given the opportunity to participate in the program;
- Community aftercare resources being utilized by program participants;
- Other data elements may be identified upon implementation and will also be included as part of the evaluation plan.

Inmates will be given surveys and pre and post-tests as a means of determining the effectiveness of the delivery of services they are receiving. By conducting monthly reviews of the data, the project director, along with the team of counselors, will be able to modify the program in accordance with the evaluation results. In so doing, the needs of the inmates, and the program's ability to meet those needs, will be under constant scrutiny. Any shortcomings in the program outcomes will be addressed, modified and continually re-evaluated for effectiveness.

The Lee County Sheriff's Office also agrees to participate in the national evaluation. Feedback received from the national evaluators will be discussed and considered within the context of program modification and continuation.

SUSTAINABILITY PLAN

The evaluation plan of the Lee County Sheriff's Office Community Program Unit: Residential Substance Abuse Treatment Program will address the sustainability of the program. Measurable objectives, as established by projected successful completions, number of inmates that qualify to participate in the program, inmate surveys affirming positive changes in attitudes and behaviors, low recidivism rate, continued participation in aftercare, etc. will be used as a means of determining funding justification.

The measurement and analysis of the aforementioned objectives will verify the effectiveness of the program and substantiate the need to continue the program within the CPU facilities thus offering credence to the financial request to continue funding the program once grant funding ceases. Evaluation

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reports will be forwarded to each Lee County Commissioner to keep them apprised of the programs success. Also, upon successful completion of the program, a graduation ceremony will be given where Commissioners and other community leaders will be invited to attend thus affording them the opportunity to witness the impact the program is having within our community.

The initial support received from the Lee County Board of Commissioners in applying for the grant affirms that they recognize the need for a substance abuse program within our correctional facility. Once the grant funding is no longer available, the Lee County Sheriff's Office will incorporate the program operational expenses into the yearly budget funded through Lee County general funds as approved by the Board of Commissioners.

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E. Program Description/Objectives Continued

3. Activity Implementation Schedule. Complete the Activity Implementation Schedule showing when activities in the Program Description will commence and how the project will progress. This chart benchmarks planned activities, both administrative and programmatic. Start below and use continuation pages as necessary.

Subgrant Period

06/01/04 through 05/31/05
Beginning Date End Date

ACTIVITY	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Submit Financial Reimbursement Requests			X			X			X			X
Submit Quarterly Program Reports			X			X			X			X
Submit Quarterly PGI Reports (If applicable) N/A												
Submit Financial Closeout Package						X						
Finalize treatment provider contract												
Begin accepting participants							X					
Submit Certificate of Acceptance												
Begin to identify male inmates						X						
Data entry into Tracking Database	X	X	X	X	X	X	X	X	X	X	X	X
Conduct Urinalysis	X	X	X	X	X	X	X	X	X	X	X	X
Run monthly statistical reports	X	X	X	X	X	X	X	X	X	X	X	X
Ongoing identification of inmates	X	X	X	X	X	X	X	X	X	X	X	X
Identify, register and attend training	X	X	X	X	X	X	X	X	X	X	X	X
Conduct three month evaluation			X			X			X			X
Conduct yearly evaluation						X						

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F. Project Budget

1. Schedule Summary

- a. The Project Budget Schedule includes five Budget Categories (Salaries and Benefits, Contractual Services, Expenses, Operating Capital Outlay, and Indirect Costs) and Total Project Costs. Total Local Match must be a minimum of 25 percent of the Total Project Costs.
- b. Enter the amount of federal, matching, and total funds by budget category that you will use to support project activities. Enter dollar amounts only in applicable categories based on totals from the Budget Narrative and leave others blank. Total Local Match must be a minimum of 25 percent of the Total Project Costs.

Type or Print Dollar Amounts Only in Applicable Categories and Leave Others Blank.

Budget Category	Federal	Match	Total
Salaries And Benefits	\$31,360.24	\$10,453.41	\$41,813.65
Contractual Services	\$78,702.26	\$26,234.09	\$104,936.35
Expenses	\$28,687.50	\$9,562.50	\$38,250.00
Operating Capital Outlay	\$0	\$0	\$0
Indirect Costs	\$0	\$0	\$0
Totals	\$138,750.00	\$46,250.00	\$185,000.00

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F. Project Budget Continued

2. Budget Narrative

- a. Identify type of Budget, i.e., Actual, Unit Costs (supported by detailed cost basis), or Contractual (supported by back-up documentation that provides either the actual or unit costs basis for the contract).
- b. The Project Budget Narrative may reflect costs in any of the five budget categories (Salaries and Benefits, Contractual Services, Expenses, Operating Capital Outlay, Indirect Costs). The Total Project Costs must be included.
- c. Under each applicable budget category (Salaries and Benefits, Contractual Services, Expenses, Operating Capital Outlay, Indirect Costs) include a line item Budget. Describe in full each line item within the budget category. The description should show sufficient detail to demonstrate a cost relationship to the project activities.
- d. Specify the sources of matching funds. [Source of match must be cash and represent no less than twenty-five (25) percent of the project's cost.]
- e. Costs must not be allocated or included as a cost to any other federally financed program.

(Continue on additional pages if necessary.)

SEE NEXT PAGE FOR DETAILS.

BUDGET NARRATIVE

A. CONTRACTUAL BUDGET

The Lee County Sheriff's Office will be in a contractual agreement with TLS Consulting, LLC and other items shown as actual costs.

B.-C. Salaries and Benefits

Jail Clerk

Salary (6% increase)	\$26,500.00
FICA (7.65%)	\$ 2,027.25
Retirement (5.76%)	\$ 1,526.40
Workers Compensation	\$ 1,200.00
Health/Life/Dental	<u>\$10,560.00</u>
TOTAL	\$41,813.65

Contractual Services

2 TLS Counselors- a minimum of a Bachelor's Degree; education and a minimum of 2 years In addiction Recovery Treatment

Salary for 1 TLS Counselor (7.14285% increase To compete with market price)	\$30,000.00
FICA (7.65%)	\$ 2,295.00
Retirement	\$ 0.00
Workers Compensation	\$ 4,036.50
Health/Life/Dental	<u>\$ 1,830.76</u>
Sub-Total for 1 Counselor	\$38,162.26

**Program SUB-TOTAL
For 2 TLS Counselors** **\$76,324.52**

Part-time Counselor **\$12,961.68**

Program Supervision **\$15,650.15**

**Program TOTAL for
Contractual Services** **\$104,936.35**

Expenses	Qty.	Unit	Total
Office Supplies- \$2,000 start up and \$500 a month to include, but not limited to pens, paper, etc.	1	\$8,000.00	\$8,000.00
Training	1	\$ 10,000	\$10,000.00
Educational and Therapeutic Materials, To include, but not limit too, Videos, workbooks, text books (Videos average \$250 each) (inmate work books average \$30- books become inmates Personal Property and may not be reused)			\$10,250.00
Urinalysis-\$10 each, will be conducted monthly per inmate and random throughout the treatment period		\$ 10.00	<u>\$ 10,000.00</u>
		TOTAL	\$38,250.00

Operating Capital Outlay

The Lee County Sheriff's Office Operating Capital Outlay is set at \$750.00.
N/A

Indirect Costs

Not Applicable

PROGRAM TOTAL

\$185,000.00

- D. MATCHING FUNDS-** Matching funds for this program of \$46,250 will be derived from Lee County's General Funds approved by the Board of County Commissioners.
- E.** This Budget and costs are not allocated or included as a cost to any other federally funded program and/or service.

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G. Acceptance and Agreement

Conditions of agreement requiring compliance by units of local government (subgrant recipients), implementing agencies and state agencies upon signed acceptance of the subgrant award appear in this section and will become binding upon approval of this subgrant. Failure to comply with provisions of this agreement will result in required corrective action up to and including project costs being disallowed.

All persons involved in or having administrative responsibility for the subgrant must read these "Acceptance and Agreement" conditions. **This "Acceptance and Agreement" (Section G) must be returned as part of the completed application.**

Definitions:

"Department", unless otherwise stated, refers to the Florida Department of Law Enforcement.

"Recipient" refers to the governing body of a county that performs criminal justice functions as determined by the U.S. Secretary of the Interior, and includes an **"Implementing Agency"** which is a subordinate agency of a county or an agency under the direction of an elected official (for example, Sheriff).

1. Reports

A. Project Performance Reports:

Regardless of whether project activities occur or not, the recipient must submit Quarterly Project Performance Reports to the Office of Criminal Justice Grants (OCJG) by February 1, May 1, August 1, and November 1 covering subgrant activities occurring during the previous calendar quarter. In addition, if the subgrant award period is extended beyond the "original" project period, additional Quarterly Project Performance Reports shall be submitted.

B. Financial Reports:

- (1) The recipient shall have the choice of submitting either Monthly or Quarterly Reimbursement Requests to the OCJG. Monthly Reimbursement Request (months 1 through 11) are due thirty-one (31) days after the end of the reporting period. Quarterly Reimbursement Requests (1st through 3rd quarter) are due thirty-one (31) days after the end of the reporting period. In addition, if the subgrant award period is extended, additional Reimbursement Requests shall be submitted as previously discussed. A final Reimbursement Request and a Criminal Justice Contract (Financial) Closeout Package shall be submitted to the

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OCJG within forty-five (45) days of the subgrant termination period. Such Reimbursement Request shall be distinctly identified as "**final**".

- (2) Regardless of whether costs are incurred or not, all claims for reimbursement of recipient costs shall be submitted on the Financial Claim Report Forms prescribed and provided by the OCJG. A recipient shall submit either monthly or quarterly claims in order to report current project costs. Reports are to be submitted even when **no** reimbursement is being requested.
- (3) Before the "**final**" Reimbursement Request will be processed, the recipient must submit to the OCJG all outstanding project performance reports and must have satisfied all special conditions. Failure to comply with the above provisions shall result in forfeiture of reimbursement.
- (4) The recipient shall submit Quarterly Project Generated Income Reports to the OCJG by February 1, May 1, August 1, and November 1, covering subgrant project generated income and expenditures occurring during the previous quarter. (See Paragraph 17. Program Income.)

C. Other Reports:

The recipient shall submit other reports as may be reasonably required by the OCJG.

2. Fiscal Control and Fund Accounting Procedures

- A.** The recipient shall establish fiscal control and fund accounting procedures that assure proper disbursement and accounting of subgrant funds and required non-federal expenditures. All funds spent on this project shall be disbursed according to provisions of the project budget as approved by the OCJG.
- B.** All expenditures and cost accounting of funds shall conform to the requirements of the Office of Justice Programs' *Financial Guide*, U.S. Department of Justice *Common Rule for State and Local Governments*, and those specified in the federal Office of Management and Budget (OMB) *Circulars A-21, A-87, A-110* or *A-102*, as applicable, in their entirety.
- C.** All funds not spent according to this agreement shall be subject to repayment by the recipient.

3. Compliance with "Consultant's Competitive Negotiation Act"

The recipient, when applicable, agrees to satisfy all requirements provided in Section 287.055, F.S., known as the "Consultant's Competitive Negotiation Act".

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4. Approval of Consultant Contracts

The OCJG shall review and approve in writing all consultant contracts prior to employment of a consultant. Approval shall be based upon the contract's compliance with requirements found in the Office of Justice Programs' *Financial Guide* and in applicable state statutes.

The OCJG's approval of the recipient agreement does not constitute approval of consultant contracts.

5. Allowable Costs

Allowance for costs incurred under the subgrant shall be determined according to "*General Principles of Allowability and Standards for Selected Cost Items*" set forth in the Office of Justice Program's *Financial Guide* and federal OMB's *Circular No. A-87, "Cost Principles for State and Local Governments"*, or OMB's *Circular No. A-21, "Cost Principles for Educational Institutions"*.

All procedures employed in the use of federal funds to procure services, supplies or equipment, shall be according to U.S. OMB's *Common Rule for State and Local Governments*, or OMB *Circular No. A-110 or A-102 as applicable* and Florida Law to be eligible for reimbursement.

6. Delegation of Signature Authority

When a chief officer or elected official of a subgrant recipient designates some other staff person signature authority for him/her, the chief officer or elected official must submit to the OCJG a letter or resolution indicating the staff person given signature authority. The letter indicating delegation of signature authority must be signed by the chief officer or elected official and the person receiving signature authority.

7. Personnel Changes

Upon implementation of the project, in the event there is a change in Chief Executive Officers for the Subgrantee or Implementing Agency, Project Director, or Contact Person, the OCJG must be notified in writing with documentation to include appropriate signatures.

8. Travel and Training

- A. All travel reimbursement for out-of-state or out-of-grant-specified work area shall be based upon written approval of the OCJG prior to commencement of actual travel. Recipients shall obtain written approval from the OCJG for reimbursement of training costs and related travel prior to commencement of training, if the specific training was not listed in the approved budget.
- B. The cost of all travel shall be reimbursed according to local regulations, but not in excess of provisions in Section 112.061, F.S.

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- C. All bills for any travel expenses shall be submitted according to provisions in Section 112.061, F.S.

9. Written Approval of Changes in this Approved Agreement

Recipients must request in writing any significant changes to the agreement and receive approval from OCJG. These include, but are not limited to:

Changes in project activities, designs or research plans set forth in the approved agreement;

- A. Budget deviations that do *not* meet the following criterion. That is, a recipient may transfer funds between budget categories as long as the total amount of transfer does *not* exceed ten (10) percent of the total approved budget and the transfer is made to an approved budget line item; or,
- B. Transfers of funds above the ten (10) percent cap shall be made only if the Department approves a revised budget.
- C. Under no circumstances can transfers of funds increase the total budgeted award. Transfers do not allow for increasing the quantitative number of items documented in any approved budget line item. (For example, equipment items in Operating Capital Outlay or Expense categories or staff positions in the Salaries and Benefits category.)

10. Reimbursement Subject to Available Funds

The obligation of the State of Florida to reimburse recipients for incurred costs is subject to the availability of federal funds authorized under the Residential Substance Abuse Treatment for State Prisoners Formula Grant Program.

11. Procedures for Reimbursement Request

All requests for reimbursement of recipient costs shall be submitted on the form prescribed and provided by the Department. A recipient shall submit reimbursement requests on a monthly or quarterly basis, as specified in Section G, Item 1b of this agreement, in order to report project costs incurred during the specified reporting period.

All requests for reimbursement shall be submitted in sufficient detail for proper pre-audit and post-audit.

12. Advance Funding

Advance funding is authorized up to twenty-five (25) percent of the federal award for each

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project according to Section 216.181(15)(b), F.S. and the Office of Justice Programs' *Financial Guide*. Advance funding shall be provided to a recipient upon a written request to the Department justifying the need for such funds. **This request, including the justification, shall be enclosed with the subgrant application.**

13. Commencement of Project

If a project has not begun within sixty (60) days after acceptance of the subgrant award, the recipient shall send a letter to the OCJG requesting approval of a new project starting date.

The letter must outline steps to initiate the project, explain reasons for delay, and specify an anticipated project starting date.

If a project has not begun within ninety (90) days after acceptance of the subgrant award, the recipient shall send another letter to the OCJG, again explaining reasons for delay and requesting approval of a revised project starting date.

Upon receipt of the ninety (90) day letter, the OCJG shall determine if the reason for delay is justified or shall, at its discretion, unilaterally terminate this agreement and re-obligate subgrant funds to other projects approved by the Department. If warranted by extenuating circumstances, the Department may extend the starting date of the project beyond the ninety (90) day period, but only by execution of a formal written amendment to this agreement.

14. Extension of a Contract for Contractual Services

Extension of a contract for contractual services between the recipient and a contractor (which includes all project budget categories) shall be in writing for a period not to exceed six (6) months and is subject to the same terms and conditions set forth in the initial contract. Only one extension of the contract shall be acceptable, unless failure to complete the contract is due to events beyond the control of the contractor.

15. Excusable Delays

Except with respect to defaults of consultants, the recipient shall not be in default by reason of any failure in performance of this agreement according to its terms (including any failure by the recipient to make progress in the execution of work hereunder which endangers such performance) if such failure arises out of causes beyond the control and without the fault or negligence of the recipient. Such causes include but are not limited to acts of God or of the public enemy, acts of the government in either its sovereign or contractual capacity, fires, floods, epidemics, quarantine restrictions, strikes, freight embargoes, and unusually severe weather, but in every case the failure to perform shall be beyond the control and without the fault or negligence of the recipient.

If failure to perform is caused by failure of a consultant to perform or make progress, and

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if such failure arises out of causes beyond the control of recipient and consultant, and without fault or negligence of either of them, the recipient shall not be deemed in default, unless:

- A. Supplies or services to be furnished by the consultant were obtainable from other sources,
- B. The Department ordered the recipient in writing to procure such supplies or services from other sources, and
- C. The recipient failed to reasonably comply with such order.

Upon request of the recipient, the OCJG shall ascertain the facts and the extent of such failure, and if the OCJG determines that any failure to perform was occasioned by one or more said causes, the delivery schedule shall be revised accordingly.

16. Obligation of Recipient Funds

Recipient funds shall not under any circumstances be obligated prior to the effective date or subsequent to the termination date of the grant period. **Only project costs incurred on or after the effective date and on or prior to the termination date of the recipient's project are eligible for reimbursement.** A cost is incurred when the recipient's employee or consultant performs required services, or when the recipient receives goods, notwithstanding the date of order.

17. Program Income (also known as Project Generated Income)

The term "program income" or "project generated income" *means* the gross income earned by the recipient during the subgrant period, as a direct result of the subgrant award. Program income shall be handled according to the Office of Justice Programs' *Financial Guide* and the U.S. Department of Justice's *Common Rule for State and Local Governments*.

The recipient shall submit Project Generated Income Reports in accordance with Section G, Paragraph 1.b.

18. Performance of Agreement Provisions

In the event of default, non-compliance or violation of any provision of this agreement by the recipient, the recipient's consultants and suppliers, or both, the Department shall impose sanctions it deems appropriate including withholding payments and cancellation, termination or suspension of the agreement in whole or in part. In such event, the Department shall notify the recipient of its decision *thirty (30) days* in advance of the effective date of such sanction. The recipient shall be paid only for those services satisfactorily performed prior to the effective date of such sanction.

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19. Retention of Records

The recipient shall maintain all records and documents for a minimum of five (5) years from the date of the project completion as provided by the Florida Department of State, General Schedule for Local Government GS1-L, and be available for audit and public disclosure upon request of duly authorized persons.

20. Access To Records

The Florida Department of Law Enforcement, Auditor General of the State of Florida, the U.S. Department of Justice, the U.S. Comptroller General or any of their duly authorized representatives, shall have access to books, documents, papers and records of the recipient, Implementing Agency and contractors for the purpose of audit and examination according to the Office of Justice Program's *Financial Guide*.

The Department reserves the right to unilaterally terminate this agreement if the recipient, Implementing Agency or contractor refuses to allow public access to all documents, papers, letters, or other materials subject to provisions of Chapter 119, F.S., and made or received by the recipient or its contractor in conjunction with this agreement.

21. Audit

- A.** Subgrant recipients that expend \$500,000 or more in a year in Federal awards shall have a single or program-specific audit conducted for that year. The audit shall be performed in accordance with the federal OMB's *Circular A-133* and other applicable federal law. The contract for this agreement shall be identified with the subject audit in *The Schedule of Federal Financial Assistance*. The contract shall be identified as federal funds passed-through the Florida Department of Law Enforcement and include the contract number, CFDA number, award amount, contract period, funds received and disbursed. When applicable, the subgrant recipient shall submit an annual financial audit which meets the requirements of *Chapters 11.45 and 215.97, Florida Statutes*; and, *Chapters 10.550 and 10.600, Rules of the Florida Auditor General*.
- B.** A complete audit report which covers any portion of the effective dates of this agreement must be submitted within 30 days after its completion, but no later than nine (9) months after the audit period. In order to be complete, the submitted report shall include any management letters issued separately and management's written response to *all* findings, both audit report and management letter findings. Incomplete audit reports will not be accepted by the Department and will be returned to the subgrant recipient.
- C.** The subgrant recipient shall have all audits completed by an independent public accountant (IPA). The IPA shall be either a Certified Public Accountant or a Licensed Public Accountant. The subgrant recipient shall take appropriate corrective action within six (6) months of the issue date of the audit report in instances of noncompliance with federal laws

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and regulations.

- D. The subgrant recipient shall ensure that audit working papers are made available to the Department, or its designee, upon request for a period of three (3) years from the date the audit report is issued, unless extended in writing by the Department.
- E. Subgrant recipients that expend less than \$500,000 in Federal awards during a fiscal year are exempt from the audit requirements of *OMB Circular A-133* for that fiscal year. In this case, written notification shall be provided to the Department by the Chief Financial Officer, or designee, that the subgrant recipient is exempt. This notice shall be provided to OCJG no later than March 1 following the end of the fiscal year.
- F. If this agreement is closed out without an audit, the Department reserves the right to recover any *disallowed costs* identified in an audit completed after such closeout.
- G. The completed audit reports should be sent to the following address:

Florida Department of Law Enforcement
Office of Criminal Justice Grants
2331 Phillips Road
Tallahassee, Florida 32308

23. Ownership of Data and Creative Material

Ownership of material, discoveries, inventions, and results developed, produced, or discovered subordinate to this agreement is governed by the terms of the Office of Justice Program's *Financial Guide* and the federal *OMB Circular A-110 or A-102, as applicable*.

24. Property Accountability

The recipient agrees to use all non-expendable property for criminal justice purposes during its useful life or request Department disposition.

The recipient shall establish and administer a system to protect, preserve, use, maintain and dispose of any property furnished to it by the Department or purchased pursuant to this agreement according to federal property management standards set forth in the Office of Justice Programs' *Financial Guide* and the federal *OMB Circular A-110 or A-102, as applicable*. This obligation continues as long as the recipient retains the property, notwithstanding expiration of this agreement.

25. Disputes and Appeals

The Department shall make its decision in writing when responding to any disputes, disagreements or questions of fact arising under this agreement and shall distribute its response to all concerned parties. The recipient shall proceed diligently with the performance of this agreement according to the Department's decision.

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If the recipient appeals the Department's decision, it also shall be made in writing within twenty-one (21) calendar days to the Department's agency clerk. The recipient's right to appeal the Department's decision is contained in Chapter 120, F.S., and in procedures set forth in Chapters 28-5 and 9-5, F.A.C. Failure to appeal within this time frame constitutes a waiver of proceedings under Chapter 120, F.S.

26. Conferences and Inspection of Work

Conferences may be held at the request of any party to this agreement. At any time, a representative of the Bureau, of the U.S. Department of Justice's Bureau of Justice Assistance or both have the privilege of visiting the project site to monitor, inspect and assess work performed under this agreement.

27. Publication or Printing of Reports

The recipient shall submit one copy of all reports and proposed publications resulting from the agreement twenty (20) days prior to public release. Any publications (written, visual, or sound), whether published at the recipient's or government's expense, shall contain the following statement: (NOTE: This excludes press releases, newsletters, and issue analysis.)

"This project was supported by Grant No. 2001-RT-BX-0044 awarded by the Bureau of Justice Assistance, Office of Justice Programs, U.S. Department of Justice. Points of view in this document are those of the author and do not necessarily represent the official position of policies of the U.S. Department of Justice."

28. Equal Employment Opportunity (EEO)

All recipients are required to comply with statutes that govern programs or activities funded by the *Office of Justice Programs (OJP) (Section 809(c), Omnibus Crime Control and Safe Streets Act of 1968, as amended, 42 U.S.C. 3789d*, which prohibit such discrimination, as follows:

No person in any State shall on the grounds of race, color, religion, national origin, sex [or disability]* be excluded from participation in, be denied the benefits of, be subjected to discrimination under, or denied employment in connection with any program or activity funded in whole or in part with funds made available under this title.

**Section 504 of the Rehabilitation Act of 1973 prohibits identical discrimination on the basis of disability.*

The recipient acknowledges, by completing and signing the attached EEO Certification Letter (Appendices I), that failure to submit an acceptable Equal Employment Opportunity Plan approved by the Office for Civil Rights (if recipient is required to submit one pursuant

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to 28 CFR 42.302), is a violation of its certified assurances and may result in suspension of funding obligation authority. **Submission of this certification letter is a prerequisite to entering into this agreement.** This certification is a material representation of fact upon which reliance was placed when this agreement was made. If the recipient or implementing agency meet Act criteria but have not formulated, implemented and maintained such a current written EEO Program, they have 120 days after the date of this agreement to comply with the Act or face loss of federal funds subject to the sanctions in the Justice System Improvement Act of 1979, Pub. L. 96-157, 42 U.S.C. 3701, et seq. (Reference Section 803 (a) of the Act, 42 U.S.C. 3783 (a) and CFR Section 42.207 Compliance Information.)

If any court or administrative agency makes a finding of discrimination on the grounds of race, color, religion, national origin, gender, disability or age against a recipient of funds, the recipient must agree to forward a copy of the findings to the OJP Office for Civil Rights.

The subgrantee will comply and assure the compliance of all contractors, with the non-discrimination requirements of the Victims of Crime Act (as appropriate); Title VI of the Civil Rights Act of 1964, as amended; Section 504 of the Rehabilitation Act of 1973, as amended; Subtitle A, Title II of the Americans With Disabilities Act (ADA) (1990) ; Title IX of the Education Amendments of 1972; the Age Discrimination Act of 1975; Department of Justice Non-Discrimination Regulation, 28 CFR Part 42, Subparts C,D,E and G; and Department of Justice regulation on disability discrimination, 28 CFR Parts 35 and 39.

29. Payment Contingent on Appropriation

The State of Florida's performance and obligation to pay under this agreement is contingent upon an annual appropriation by the Florida Legislature.

30. For State Agencies: Federal Restrictions on Lobbying

If a state agency, the recipient agrees to comply with Section 319 of Public Law 101-121 set forth in "New Restrictions on Lobbying; Interim Final Rule," published in the February 26, 1990, Federal Register. Each person shall file the most current edition of this Certification And Disclosure Form, if applicable, with each submission that initiates agency consideration of such person for award of federal contract, grant, or cooperative agreement of \$100,000 or more; or federal loan of \$150,000 or more. This certification is a material representation of fact upon which reliance was placed when this agreement was made.

Submission of this certification is a prerequisite to entering into this agreement subject to conditions and penalties imposed by Section 1352, Title 31, U.S.C. Any person who fails to file the required certification is subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each failure to file.

The undersigned certifies, to the best of his or her knowledge and belief, that:

- A.** No federally appropriated funds have been paid or shall be paid to any person for influencing or attempting to influence an officer or employee of any federal agency,

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a member of congress, an officer or employee of congress, or an employee of a member of congress in connection with the awarding of any federal loan, the entering into of any renewal, amendment, or modification of any federal contract, grant, loan or cooperative agreement.

- B.** If any non-federal funds have been paid or shall be paid to any person for influencing or attempting to influence an officer or employee of congress, or an employee of a member of congress in connection with this federal contract, grant loan, or cooperative agreement, the undersigned shall complete and submit the standard form, Disclosure of Lobbying Activities, according to its instructions.
- C.** The undersigned shall require that the language of this certification be included in award documents for all subgrant awards at all tiers and that all recipients shall certify and disclose accordingly.

31. State Restrictions on Lobbying

In addition to the provisions contained in Paragraph 29 of Section G, Acceptance and Agreement, the expenditure of funds for the purpose of lobbying the legislature or a state agency is prohibited under this contract.

32. Project Closeout

Project funds which have been properly obligated by the end of the subgrant funding period will have forty-five (45) days in which to be liquidated (expended). Any funds not liquidated at the end of the 45-day period will lapse and revert to the Department. A subgrant-funded project will not be closed out until the recipient has satisfied all closeout requirements in one final subgrant closeout package.

All refunds or repayments to be made to the Department under this Agreement are to be made payable to the order of "Florida Department of Law Enforcement", and mailed directly to the Department at the following address:

Florida Department of Law Enforcement Office of Criminal Justice Grants 2331 Phillips Road Tallahassee, FL 32308
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33. Background Check

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It is strongly recommended that all programs targeting juveniles, implemented by other than a sworn law enforcement officer or program licensed by the Department of Children and Family Services, conduct background checks on all personnel providing direct services.

34. Purchase of American-Made Equipment and Products

To the greatest extent practicable, all equipment and products purchased with program funds should be American-made.

35. Eligibility for Employment in the United States

The State of Florida will not intentionally award publicly-funded contracts to any contractor who knowingly employs unauthorized alien workers, constituting a violation of the employment provisions contained in 8 U.S.C. Section 1324A(e) [Section 274A(e) of the Immigration and Nationality Act ("INA")]. The Department shall consider the employment by any contractor of unauthorized aliens a violation of Section 274A(e) of the INA. Such violation by the recipient of the employment provisions contained in Section 274A(e) of the INA shall be grounds for unilateral cancellation of this Agreement by the Department.

36. National Environmental Policy Act (NEPA)

- A.** The subgrantee agrees to assist FDLE in complying with the NEPA and other related federal environmental impact analyses requirements in the use of subgrant funds by the subgrantee. This applies to the following new activities whether or not they are being specifically funded with these subgrant funds. That is, it applies as long as the activity is being conducted by the subgrantee or any third party and the activity needs to be undertaken in order to use these subgrant funds,
- (1) New construction;
 - (2) Minor 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, lease, or any other proposed use of a building or facility that will either (a) result in a change in its basic prior use or (b) significantly change its size; and,
 - (4) Implementation of a new program involving the use of chemicals other than chemicals that are (a) purchased as an incidental component of a funded activity and (b) traditionally used, for example, in office, household, recreational, or educational environments.
- B.** For any of a subgrantee's existing programs or activities that will be funded by these subgrant, the subgrantee, upon specific request from the Department and the Bureau

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of Justice Assistance (BJA), agrees to cooperate with BJA in any preparation by BJA of a national or program environmental assessment of that funded program or activity.

37. Assurance of Political Activities Limitations

The subgrantee assures that it will comply with provisions of Federal law which limit certain political activities of State or local government employees whose principal employment is in connection with an activity financed in whole or part by Federal grants (5USC 1501, et seq.)

38. Environmental Protection Agency's (EPA) list of Violating Facilities

The subgrantee assures that the facilities under its ownership, lease or supervision which shall be utilized in the accomplishment of the Program Purpose are not listed on the EPA's list of Violating Facilities and that it will notify the FDLE of the receipt of any communication from the Director of the EPA Office of Federal Activities indicating that a facility to be used in the project is under consideration for listing by the EPA.

39. Flood Disaster Protection Act

The subgrantee will comply with Section 102(a) of the Flood Disaster Protection Act of 1973, Public Law 93-234, 87 Stat. 975, requiring that the purchase of flood insurance in communities where such insurance is available as a condition of the receipt of any federal financial assistance for construction or acquisition purposes for use in any area that has been identified as an area having special flood hazards.

40. National Historic Preservation Act

The subgrantee will assist the FDLE in its compliance with Section 106 of the National Historic Preservation Act of 1966 as amended (16 USC 470), Executive Order 11593, and the Archeological and Historical Preservation Act of 1966 (16 USC 569a-1 et seq.) by (a) consulting with the State Historic Preservation Officer as necessary, to identify properties listed in or eligible for inclusion in the National Register of Historic Places that are subject to adverse effects (see 36 CFR Part 800.8) by the activity, and notifying the FDLE of the existence of any such properties and by (b) complying with all requirements

established by the Federal grantor agency to avoid or mitigate adverse effects upon such properties.

41. The Coastal Barrier Resources Act

The subgrantee will comply and assure the compliance of all contractors with the provisions of the Coastal Barrier Resources Act (P.L. 97-348) dated October 19, 1982 (16 USC 3501 et seq.) which prohibit the expenditure of most new Federal funds within the units of the Coastal Barrier Resources System.

42. "Pay to Stay"

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The subrecipient agrees that funds provided under this award may not be used to operate a "pay-to-stay" program in any local jail. The subrecipient further agrees not to subaward funds to local jails which operate "pay-to-stay" programs.

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H. Signature Page

In witness whereof, the parties affirm they each have read and agree to the conditions set forth in this agreement, have read and understand the agreement in its entirety and have executed this agreement by their duly authorized officers on the date, month and year set out below.

**Corrections on this page, including
Strikeovers, whiteout, etc. are not acceptable.**

**State of Florida
Department of Law Enforcement
Office of Criminal Justice Grants**

Signature: _____

Type Name and Title: Clayton H. Wilder, Community Program Administrator

Date: _____

**Subgrant Recipient
Authorizing Official of Governmental Unit
(Commission Chairman, Mayor, or Designated Representative)**

Type Name of Subgrantee: Lee County Board of Commissioners

Signature: _____

Type Name and Title: John Albion, Chairman of Lee County Board of Commissioners

Date: _____

**Implementing Agency
Official, Administrator or Designated Representative**

Type Name of Implementing Agency: Lee County Sheriff's Office

Signature: _____

Type Name and Title: Rodney Shoap, Sheriff of Lee County

Date: _____

APPENDIX I

*CERTIFICATION OF COMPLIANCE
WITH EQUAL EMPLOYMENT OPPORTUNITY (EEO)
PROGRAM REQUIREMENTS*

EEO Program Certification Letters

Each unit of government (subgrant recipient) and each criminal justice agency that is the implementing agency of the subgrant, whether or not it is required to have a written Equal Employment Opportunity (EEO) Program according to provisions of the Federal Omnibus Crime Control and Safe Streets Act of 1968 as amended, must enclose signed EEO Certification Letters with subgrant applications.

A copy of the 28 Code of Federal Regulations (CFR) Part 42, Subparts C, D, E, F, G and H can be accessed at the following internet site:

<http://www.access.gpo.gov/nara/cfr/cfr-table-search.html>

If you have additional questions, please contact the program staff of the Office of Criminal Justice Grants at 850/410-8700 or SUNCOM 270-8700.

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EEO Certification Letter - Subgrant Recipient

Mr. Clayton H. Wilder
Community Program Administrator
Office of Criminal Justice Grants
Florida Department of Law Enforcement
2331 Phillips Road
Tallahassee, Florida 32308

Re: Compliance with Equal Employment Opportunity (EEO) Program
Requirements -- Subgrant Recipient

Dear Mr. Wilder:

I, the undersigned authorized official, certify that according to Section 501 of the Omnibus Crime Control and Safe Streets Act of 1968 as amended, I have read the Act criteria set forth in the Subgrant Application Package and Instructions. I understand that if the subgrant recipient meets these criterion, it must formulate, implement and maintain a written EEO Program relating to employment practices affecting minority persons and women. I also affirm that the subgrant recipient (Initial one of the following):

- Does meet Act Criteria and does have a current EEO Program Plan.
- Does meet Act Criteria and does not have a current EEO Program Plan.
- Does not meet Act Criteria.

I further affirm that if the recipient meets the Act criteria and does not have a current written EEO Program, federal law requires it to formulate, implement, and maintain such a program within 120 days after a subgrant application for federal assistance is approved or face loss of federal funds.

Requires signature of authorized official:

Type Name and Title: John Albion, Chairman of Lee County Board of Commissioners

By: _____ Date: _____

Name of Subgrantee Organization: Lee County Board of Commissioners

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EEO Certification Letter - Implementing Agency

Mr. Clayton H. Wilder
Community Program Administrator
Office of Criminal Justice Grants
Florida Department of Law Enforcement
2331 Phillips Road
Tallahassee, Florida 32308

Re: Compliance with Equal Employment Opportunity (EEO)
Program Requirements -- Implementing Agency

Dear Mr. Wilder:

I, the undersigned authorized official, certify that according to Section 501 of the Omnibus Crime Control and Safe Streets Act of 1968 as amended, I have read the ACT criteria set forth in the Subgrant Application Package and Instructions. I understand that if the Implementing Agency meets these criterion, it must participate in the subgrant recipient's EEO Program or formulate, implement and maintain its own written EEO Program relating to employment practices affecting minority persons and women. I also affirm that the Implementing Agency (Initial one of the following):

- Does meet Act Criteria and does have a current EEO Program Plan.
- Does meet Act Criteria and does not have a current EEO Program Plan.
- Does not meet Act Criteria.

I further affirm that if the implementing agency meets the Act criteria and does not participate in the subgrant recipient's EEO Program or does not have its own written EEO Program, federal law requires it to participate in such a program or formulate, implement, and maintain its own program within 120 days after a subgrant application is approved or face loss of federal funds.

Requires signature of authorized official:

Type Name and Title: Rodney Shoap, Sheriff of Lee County

By: _____ Date: _____

Name of Implementing Agency: Lee County Sheriff's Office

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APPENDIX II

**AUTOMATED DATA PROCESSING (ADP) EQUIPMENT
AND SOFTWARE AND CRIMINAL JUSTICE INFORMATION
AND COMMUNICATION SYSTEMS REQUEST FOR APPROVAL FORM**

Name of Subgrantee Organization: N/A	
Authorized Official for Subgrant Recipient	
Type Name:	
Type Title:	
Signature:	Date:
Telephone Number: ()	
NOTE: For ADP purchases totaling \$100,000 or more, an ADP Equipment Form must be completed and submitted to the Department of Law Enforcement for approval. Provide a brief response addressing each of the following issues. Address each issue in a separate paragraph using the corresponding numerical indicator. Indicate N/A for issues which you consider to be not applicable, i.e., Issues 4 & 5 may not apply. Start on the next page and use continuation pages as necessary. Sign this Signature Page and attach to the completed response.	
<ol style="list-style-type: none">1. A description of the ADP <u>hardware and/or software</u> you plan to purchase, including:<ol style="list-style-type: none">A. Number of units and projected cost of each;B. Equipment specifications including disk drive storage space, amount of random access memory, microprocessor size and speed, and any other pertinent system specifications. If a network is purchased, specify the type of file server, hub/routers, network cards, network wiring and installation costs. If a printer is purchased, indicate the type of printer including brand, model, dot matrix, laser, type of print (black or color), additional memory, and font cartridges.C. A brief description of how the proposed equipment and/or software will be used to further grant objectives.2. Certify that ADP hardware and/or software procurement complies with existing federal, state, and local laws and regulations. Attach a copy of your current procurement procedures.3. If ADP hardware will be purchased, describe the results of your lease/purchase analysis and explain the advantage of purchase over lease.4. If ADP software will be developed, explain why already produced and available software will not meet the needs of this subgrant.5. If your purchase of ADP hardware, software or combination thereof will be from a sole source, complete a <u>Sole Source Justification Form</u> and attach it.	

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APPENDIX III

SOLE SOURCE JUSTIFICATION FOR SERVICES AND EQUIPMENT

Name of Subgrantee Organization: N/A	
Authorized Official for Subgrant Recipient	
Type Name:	
Type Title:	
Signature:	Date:
Telephone Number: ()	
<p>Note: Justification for sole source procurement of \$100,000 or more must be submitted to the Florida Department of Law Enforcement for approval. Provide a brief response addressing each of the following issues. Address each issue in a separate paragraph using the corresponding numerical indicator. Start on the next page and continue using a maximum of one additional page if required. Sign this Signature Page and attach to the completed response.</p>	
<ol style="list-style-type: none">1. Briefly describe the proposed contractual services and/or equipment and how it relates to your program.2. Explain your reasons for proposing to contract with, or purchase from, a non-competitive sole source. Address the expertise of the contractor, management, responsiveness, program knowledge and experience of contract personnel.3. Indicate the contract period and explain the potential impact on contract deliverables if due dates are not met. Estimate the time and cost to hire a competent replacement should the current contractor default.4. Describe what is unique about the project and the proposed sole source contractor that would warrant a contract.5. Explain any other points you believe should be covered to support your request for a sole source contract.6. Make a declaration that the action you are taking is in the "best interest" of the Subgrant recipient and the implementing agency.	