Agenda Item #: Time Certain: 10:00

PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date:	11/30/10	[] [X]	Consent Workshop	[]	Regular Public Hearing	
Department: Submitted By:	PALM BEACH COUN		•			
	PALM BEACH COUN					

I. EXECUTIVE BRIEF

TITLE: A) Presentation by members of the Criminal Justice Commission (CJC) regarding the following programs: Probation Advisory Board; the Criminal Justice Mental Health Substance Abuse Planning Council (CJMHSA); Re-Entry Task Force; Corrections Task Force; and Youth Violence Prevention Project; and B)The Criminal Justice Commission (CJC) requests the Board of County Commissioners (BCC) rescind staff direction to remove the constitutional officers and the BCC member from the CJC membership.

SUMMARY: The Criminal Justice Commission (CJC) is providing an update on the work of several committees. The committees are the Probation Advisory Board, the Criminal Justice Mental Health Substance Abuse Planning Council (CJMHSA), the Re-entry Task Force, the Corrections Task Force and the Youth Violence Prevention Project. CJC members are presenting reports regarding the various programs and recommendations to continue funding for segments of the Sheriffs Substance Abuse Awareness Project in the amount of \$946,490 and for the Youth Violence Prevention Project in the amount of \$533,000.The CJC created a subcommittee consisting of the four constitutional officers and private sector members to examine the Sunshine Law issues and concerns brought forward by the State Attorney and the County Commission. **Countywide** (GB)

BACKGROUND AND POLICY ISSUES:

The Re-entry Task Force has developed a long range strategic plan identifying gaps in services and has been awarded a federal Second Chance Act grant for \$750,000 through the CJC. The purpose of the Corrections Task Force is to assess the population and confinement status of the jail and make recommendations to ensure that the capacity is not exceeded. They have prepared the Substance Abuse Awareness Project (SAAP) Impact Analysis Report to examine the impact of closing the SAAP.

The PBC BCC established the CJMHSA Planning Council in 2007 in response to HB 1477 that required counties to have Councils apply for the Reinvestment Act grant funds. The Planning Council was awarded three grants totaling over \$800,000 and began work in May 2008.

The Probation Advisory Board (PAB) was established by the CJC to monitor the Service Contract for misdemeanor probation services on behalf of the County. The PAB recently completed a special review of the provider, Pride Integrative Services, Inc., (PRIDE) handling of restitution payments. The review found that PRIDE did knowingly use court ordered restitution payments to offset operational costs by transferring funds between the victim restitution and operational bank accounts.

The Youth Violence Prevention Project was created at the direction of the BCC in 2005. The comprehensive approach works with the four components of the criminal justice system and in partnership with five target cities. The project consists of law enforcement operations, justice service center for exoffenders, and five (5) youth empowerment centers. The CJC has asked each city to increase their portion of funding for the Youth Empowerment Centers and is requesting the BCC to match this increase. The CJC has received a \$325,000 gang prevention grant to assist with this project.

Attachments:

- 1. Probation Advisory Board Review Report
- 2. Criminal Justice Mental Health Substance Abuse Strategic Plan Executive Summary
- 3. Re-entry Strategic Plan
- 4. Substance Abuse Awareness Project Impact Analysis Report

Recommended by:	2/1/1/1/1/1/1/1/1/1/1/1/1/1/1/1/1/1/1/1	
·	Department Director	Date
Approved By:	Assistant County Administrator	///23/10 Date
	Application Administrator	Date

II. FISCAL IMPACT ANALYSIS

A. Fiv	e Year Summary of Fisc	al Impact	: .			
Fiscal	Years	2010	2011	2012	2013	2014
-	al Expenditures iting Costs					
	nal Revenues am Income (County)			-	· · · · · · · · · · · · · · · · · · ·	
# AD	FISCAL IMPACT DITIONAL FTE ITIONS (Cumulative)					29.232
is iten	n included in Current Bu	dget? Y	es	No		
Budge	et Account No.: Fund	I A	gency	Org	_ Object	
В.	Recommended Sources Departmental Fiscal Rev		s/Summary of	Fiscal Impac	et:	
		III. <u>F</u>	REVIEW COMM	<u>IENTS</u>		
A.	OFMB Fiscal and/or Con There is no direct fisc OFMB	al impa	ct associate	Comments: d With this thract Dev.	Audit	<u>11)</u> 2-41/0
В.	Legal Sufficiency: Assistant County Attorn	/// // // // ney	4/10			
C.	Other Department Revie	ew:				
	Department Director					

REVISED 9/95 ADM FORM 01 (THIS SUMMARY IS NOT TO BE USED AS A BASIS FOR PAYMENT.) Monitoring Study of Misdemeanor Probation Services for Palm Beach County: Preliminary Findings

Court Ordered Restitution

FINAL REPORT

As Approved by the Executive Committee Criminal Justice Commission on June 14, 2010

by

Damir Kukec

Research and Planning Manager Research and Planning Unit Criminal Justice Commission

for

Probation Advisory Board Criminal Justice Commission Date: June 14, 2010

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Acknowledgement

This report has been reviewed by the Executive Director of the Criminal Justice Commission, the Palm Beach County Department of Internal Audit and County Attorney's Office.

Issue:

Criminal Justice Commission staff received an email from a former employee of Pride Integrated Services, Inc. (PRIDE) in March 2010. The email alleged that PRIDE is using court ordered restitution funds to offset operational expenses by transferring funds between the **Restitution Escrow Payable**¹ account and PRIDE's **Operational** account. The purpose of this brief is to describe the findings of the review and preliminary recommendations concerning this allegation. The report will be submitted to the Probation Advisory Board for their consideration and final recommendations to the Criminal Justice Commission.

Background:

PRIDE is the sole misdemeanor probation services provider in Palm Beach County. The Service Contract is between Palm Beach County Board of County Commissioners and Pride Integrated Services, Inc. (PRIDE). PRIDE was first selected in 1993 after a Request for Proposal (RFP) process, and most recently their contract was extended in September 2008 by the Board of County Commissioners for a three year period effective December 8, 2008 through December 5, 2011. The Service Contract with PRIDE does not include any *ad valorem* tax funding. PRIDE's operations are supported by a \$50.00 monthly fee charged to probation and pretrial intervention (PTI) clients. In 2008, this fee raised approximately \$ 1.5 million for operating expenditures. The Criminal Justice Commission's Probation Advisory Board (PAB) was established to monitor the implementation of the Service Contract.

As part of the Contract and Scope of Work, PRIDE is required to collect, manage and disburse court ordered restitution to victims of crime. More specifically, the following sections of the Contract and Scope of Work are relevant to this review:

Service Contract

ARTICLE 19 - ACCESS AND AUDITS

Pride shall maintain adequate records to justify all charges, expenses, and costs incurred

¹ The **Restitution Escrow Payable** account refers to the account as it appears in the general ledger while the **Restitution Account** refers to the Wachovia Bank account.

in estimating and performing the work for at least three (3) years after completion or termination of this Contract. The COUNTY shall have access to such books, records, and documents as required in this section for the purpose of inspection or audit during normal business hours, at Pride's place of business.

Scope of Work

- h) RESTITUTION, FINES, AND COURT COSTS:
- i) Pride shall provide the highest priority to assessment, collection and disbursement of restitution to victims of crimes and shall monitor payments of court cost, fines, and cost of supervision fees. Pride shall take the following actions:
- iii) Make all restitution payments within fourteen (14) days of receipt and provide the Clerk of the Court and the County with a quarterly report containing the offender's name, case number, the victim's identification, total restitution ordered, amount paid to date, and balance left to be paid by the offender.
- iv) Make a quarterly report of all restitution payments made, where the victim cannot be located for disbursement.
- v) Any restitution payments to victims that are unclaimed and returned to Pride are to be forwarded to the Crimes Compensation Trust Fund in Tallahassee.

12. REPORTING REQUIREMENTS

- a) Pride shall submit a quarterly report to the Chief Judge, Probation Advisory Board Chair and supporting staff. The quarterly report shall contain the following information for the specific quarter:
- v. restitution ordered and satisfied
- vi. restitution delivered within 14 days
- vii. unclaimed restitution
- xiii. restitution payments

Method:

The review addressed the following questions:

- 1. What is the process for collecting, managing and disbursing court ordered restitution funds to victims of crime?
- 2. Does PRIDE use court ordered restitution funds to offset operational expenses by transferring funds between the **Restitution Escrow Payable** account and PRIDE's **Operational** account?
- 3. If yes, what date did this practice commence?
- 4. If yes, what is the current balance owing to the Restitution Escrow Payable account?

5. Are payments to victims being made within the 14 day period?

In order to address the above questions, Commission staff sent a letter to PRIDE's Chief Executive Officer on March 31, 2010 requesting access to information pursuant to Article 19 (Access and Audit) of the Service Contract (see attached). The letter requested a detailed report on all restitution payments collected between December 1, 2009 and March 31, 2010. In addition, the letter requested a copy of PRIDE's check register, general ledger account detail for the restitution escrow payable account, and bank statements for the restitution account, between December 1, 2009 and March 31, 2010. Lastly, the letter asked PRIDE to make available staff that has direct knowledge of how restitution payments are collected, managed, and disbursed to victims.

On April 7, 2010 at 13:00 staff from the Criminal Justice Commission met with the following staff from PRIDE.

Maureen Brickous, Chief Executive Officer, Pride Integrated Services, Inc.
Wanda Joiner, Probation and Quality Assurance Coordinator, Pride Integrated Services, Inc.
John Potter, Chief Financial Officer, Pride Integrated Services, Inc.
Mary Anne Castiglione, Accounts Payable Clerk, Pride Integrated Services, Inc.

The meeting was held in the PRIDE West Palm Beach Office, located at 1310 N Congress Avenue, West Palm Beach FL 33409.

Findings:

1. What is the process for collecting, managing and disbursing court ordered restitution funds to victims of crime? The following is a general description how court ordered restitution payments are collected, managed and disbursed by PRIDE.

Restitution payments by probation and pretrial intervention (PTI) clients are made to probation officers and are logged into the case management (case notes) system. Probation officers issue a receipt to the client. Payments are made with cash or money order. Payments include a letter which provides information on the payment and balance owing to the victim.

PRIDE currently operates four offices in Palm Beach County: West Palm Beach, Delray Beach, Belle Glade, and North County. Restitution payments are assembled, reconciled and deposited on a daily basis by each office. All four offices provide a "report to administration" the first business day of the week for the previous weeks' collections and deposits. The daily deposits are made to the stand alone **Restitution Account** at **Wachovia Bank**.

The "reports to administration" are used by the **Accounts Payable Clerk** who maintains a manual log of when the payment is made by the client, when the check was prepared and when the restitution payment checks are mailed to the victim. For example, restitution payments received in week 1 are processed in week 2 by the **Accounts Payable Clerk** who generates the restitution payment checks for victims. Once prepared, the restitution payment checks are forwarded to the **Chief Financial Officer (CFO)** for his signature. The **CFO** has the authority to sign checks up to \$1,000; the signature of the **CEO** is required for payments in excess of \$1,000. The **CFO** is responsible for reviewing the prepared checks against the PRIDE Programming Report, to ensure the correct spelling of the victims' names and addresses, and to ensure that payments are made within the 14 day period. It is important to note that the verification against the PRIDE Programming Report to ensure a timely payment was instituted in February 2010. The **Accounts Payable Clerk** maintains a manual log which documents when a payment is mailed to the victim.

Once the checks are reviewed and signed by the CFO, they are returned to the Accounts Payable Clerk to be mailed or corrected if necessary. Restitution payment checks that require correction are re-submitted to the CFO for signature once corrected. The Accounts Payable Clerk mails the signed restitution payment checks to the victims as directed by the CFO. In addition to correcting the checks, the CFO also acknowledged that on some occasion payments (i.e., mailing checks) to victims are delayed for cash flow reasons.

Some mailed restitution payments are returned to PRIDE by the United States Postal Service. When payments are returned, the **Accounts Payable Clerk** attempts to locate the victim by verifying the address with the probation officer, the State, and/or by conducting Internet searches. If it is determined that a victim cannot be located, the payment is mailed within 30 days to the Crime Compensation Trust Fund in Tallahassee Florida. In other cases, restitution payment checks that remain un-cashed for six months are subject to a "stop payment" order. At this point the victim is sent a second letter indicating that they were mailed a restitution payment and that it remains un-cashed, and that they should contact PRIDE. If the victim does not contact PRIDE after 30 days, the payment is mailed to the Crime Compensation Trust Fund in Tallahassee Florida as well.

The CEO is aware of past and current processes used to collect, manage and disburse court ordered restitution payments to victims of crime.

2. Does PRIDE use court ordered restitution funds to offset operational expenses by transferring funds between the **Restitution Account** and PRIDE's **Operational** account?

During the course of the meeting on April 7, 2010 the CEO and CFO acknowledged that restitution payments made by probation and pretrial intervention clients deposited into the **Restitution Account** are transferred from time to time to the PRIDE's **Operational** account. It was also noted that in some instances payments (i.e., mailing checks) to victims were

postponed as a result of inadequate cash flow caused by the transfer of funds between the **Restitution Account** and PRIDE's **Operational** account.

3. If yes, what date did this practice commence?

August 15, 2008.

Staff reviewed PRIDE's financial statements between 2002 and 2008, which provide a snap shot of their accounts as of December 31st of each year. It was noted that between 2002 and 2003 the Restitution Escrow Payable account is not listed in the financial statement. Between 2004 and 2008, the December 31st balance for the Restitution Escrow Payable account is reported in the annual financial statement. The balances noted are as follows:

Reporting Year	Balance
2004	\$ 3,198
2005	\$ 5,532
2006	\$ 4,511
2007	\$ 6,111
2008	\$ 36,126
2009	\$ 37,693

The balance of Restitution Escrow Payable account in 2008 increased dramatically from the previous year. The increased balance can be attributed to an outstanding balance owed to the Restitution Escrow Payable account caused by the transfer of funds between the Restitution Account and PRIDE's Operational account.

As of April 7, 2010, the CEO of PRIDE stated that the practice of transferring funds between the Restitution Account and PRIDE's Operational account has stopped as of January 2010 (last transfer). PRIDE understands that the practice hinders its ability to comply with the intent of the Service Contract as it pertains to the management and disbursement of restitution funds.

4. If yes, what is the current balance owing to the Restitution Escrow Payable account?

As of April 13, 2010, the CEO of PRIDE indicated that the balance owing to the Restitution Escrow Payable account is zero. PRIDE has been asked to assemble the necessary bank statements and general ledger accounts detail to document the current status of the account.

5. Are payments (i.e., mailed checks) to victims being made within the 14 day period?

The 2005/07 (two year) review of misdemeanor probation services released in the Spring of 2008 concluded that PRIDE was unable to report on the restitution payments made to victims within 14 days as required in the Service Contract. As a result, it was recommended that PRIDE implement a monitoring process to report on this requirement. More specifically, the recommendation stated that:

the quarterly report be revised to comply with Section F3b (now section h) of the Scope of Work) of the Service Contract, and include information concerning the number of days between receipt of payment and sending of restitution to the victim.

PRIDE provided these data for the 2007/08 review conducted by Criminal Justice Commission staff. However, upon comparing these data to the manual log maintained by the **Accounts Payable Clerk**, it was determined that the data measured the number of days from when the restitution payment is made by the client to the preparation of the check by the **Accounts Payable Clerk** – not when payment is sent to the victim.

It was agreed that the manual log maintained by the **Accounts Payable Clerk** is the most valid measure to monitor if payments are being made to victims within 14 days. During the meeting, PRIDE was asked to produce reports dating back to the earliest date possible. It was disclosed that they were only able to go back as far as October 1, 2009. PRIDE noted that previously maintained logs were shredded by the **Accounts Payable Clerk** under the direction of the former **Financial/Human Resources Coordinator**. PRIDE was unable to explain why the logs were destroyed or why an electronic version was not available. However, PRIDE did provide an electronic version (Excel Format) of the manual logs between October 1, 2009 and March 31, 2010.

The following table illustrates the frequency of payments mailed to victims between October 1, 2009 and March 31, 2010 by number of days.

Table 1: Payments to Victims by Days to Payment (Grouped) by Average Payment Amount, October 1, 2009 to March 31, 2010

Days to Payment	Payments to Victims	Payments to Victims	Average Payment to
(Grouped)		(Valid Percentage)	Victims
1 to 14 days	329	44.9	\$ 173
15 to 20 days	280	38.3	\$ 146
21 to 28 days	123	16.8	\$ 327
Not Mailed*	11		
Total	743	100.00	\$ 190

Eleven payments did not contain a mailing date since they were still being processed by PRIDE; all 11 did not exceed the 14 day requirement. Payment refers to mailing check to victim. Source: Pride Integrated Services, Inc. manual report maintained by the Accounts Payable Clerk.

Unlike the 2007/08 annual review, which reported that 98% of the payments were sent to victims within the 14 day period, the manual log shows that almost 45% of payments between October 1, 2009 and March 31, 2010 were mailed to victims within 14 days – difference of 53% compared to the data used in the 2007/08 review.

The table also suggests that larger payments took more time to process before being mailed. The meeting with PRIDE staff and review of documents indicates that delayed payments to victims can be primarily attributed to the actions of the **CFO** who directs the **Accounts Payable Clerk** to mail the restitution checks. It was noted that payments were delayed due to inadequate cash flow, which resulted from the fund transfers between the **Restitution Account** and PRIDE's **Operational** account. Lastly, as noted above, the **CEO** acknowledged that she was aware of the transfers between accounts and that this practice did contribute to the delay in restitution payments to victims of crime.

Discussion:

PRIDE and its staff have fully cooperated during this review, by providing all of the requested documentation and by addressing all questions posed to them. PRIDE and its staff were courteous and professional throughout this review process.

While the Service Contract/Scope of Work <u>does not</u> specifically contain language prohibiting the use of restitution funds for purposes other than paying restitution, it is reasonable to conclude that it prohibits conduct that would hinder PRIDE's performance in meeting its obligations under the Service Contract/Scope of Work.

For example, the Scope of Work states that:

i) Pride shall provide the highest priority to assessment, collection and disbursement of restitution to victims of crimes and shall monitor payments of court cost, fines, and cost of supervision fees.

and

iii) Make all restitution payments within fourteen (14) days of receipt and provide the Clerk of the Court and the County with a quarterly report containing the offender's name, case number, the victim's identification, total restitution ordered, amount paid to date, and balance left to be paid by the offender.

The practice of holding payments due to a lack of cash flow caused by the transfer of funds between the Restitution Account and PRIDE's Operational account clearly prevents PRIDE from fulfilling its obligation pursuant to these provisions. The practice of holding payments and

transferring funds outside of the **Restitution Escrow Payable** account is contrary to the intent of the above noted sections (i.e., paying restitution to victims of crime).

As noted above, 2005/07 (two year) review recommended the implementation of a report to monitor if restitution payments are paid within the 14 day limit. Commission staff believes that the data provided for the 2007/08 review, which reported a 98% compliance rate, was submitted in good faith. This was the first time this report was generated by PRIDE and reports often evolve over time as users begin to review the data and find ways to improve its accuracy.

The manual log maintained by the **Accounts Payable Clerk** was viewed as the best source to report on compliance related to the disbursement of restitution payments to victims of crime. Unfortunately, the report only went back as far as October 1, 2009, and previous months of data were shredded, and no copies were preserved in electronic format.

Destroying reports and data related to PRIDE's performance is in violation of Article 19 (Access and Audit) which states:

Pride shall maintain adequate records to justify all charges, expenses, and costs incurred in estimating and performing the work for at least three (3) years after completion or termination of this Contract. The COUNTY shall have access to such books, records, and documents as required in this section for the purpose of inspection or audit during normal business hours, at Pride's place of business.

Recommendations:

In light of the discussion during the Probation Advisory Board (PAB) meeting on June 4, 2010 and Criminal Justice Commission Executive Committee meeting on June 14, 2010, the following recommendations were approved by the Executive Committee.

It is recommended that:

- this matter be referred to the Palm Beach County Office of Inspector General. More specifically, the PAB would like to request that the Inspector General undertake a thorough review of PRIDE's financial and accounting practices related to the collection, management, and disbursement of restitution, court costs, and fines; and,
- 2. Criminal Justice Commission staff provide all necessary support and information to the Office of Inspector General to complete the review.
- 3. pursuant to Article 4 (Termination) of the Service Contract, the COUNTY provide notice to PRIDE requesting corrective action within 30 days. The notice would provide the following direction:

- cease the use of court ordered restitution funds for any purpose other than disbursement of payments to victims of crime within the required 14 days.
- confirm that all court costs and fines collected are transferred to the Clerk and Comptroller's Office and not used for other purposes.
- confirm that all restitution funds are held in distinct accounts and clearly accounted for in the general ledger detail.
- maintain records pursuant to Article 19 (Access and Audits).
- conduct contrary to the notice and/or current Service Contract in the future will result in the termination of the Service Contract.
- 4. the County amend the Service Contract during next round of negotiations that (slated for the summer of 2011):
 - a. specifically prohibits the use of court costs, fines, and restitution payments for other purposes (e.g., operational expenses). The wording would also clearly indicate that all three funding sources should be held in individual accounts, which would be reflected in the chart of accounts and monitored in the general ledger accounts detail.
 - clarifies the reporting requirement related to monitoring the collection, management, and disbursement of restitution payments (e.g. that the report must reflect when the payment was sent to the victim using the United States Postal Service).
 - c. expands the scope of the annual financial report audited and certified by a licensed, independent Certified Public Accounting. The scope would also include a review of the various reports by the independent Certified Public Account to attest to the reports accuracy (e.g., restitution payments within 14 days).
- 5. the COUNTY direct PRIDE to examine and report on all controls related to the handling of funds collected from clients to reduce unintended loss.
- 6. the COUNTY direct PRIDE to develop written guidelines concerning the collection, management and disbursement of court costs, fines, and restitution payments. The guidelines should be presented to the Probation Advisory Board and Criminal Justice Commission for approval.
- 7. the PAB direct PRIDE's CEO to consult with the PAB and Commission Staff before engaging in conduct that may contravene the Service Contract and/or the Scope of Work.

Actions Taken

The following actions have been taken since the April 7, 2010 meeting.

PRIDE has indicated it will no longer transfer restitution funds to its operational accounts. The restitution funds collected from clients will be used to make timely payments to victims of crime.

PRIDE has returned all outflows from the Restitution Account that occurred between August 15, 2008 and March 31, 2010. The current balance owing to the Restitution Escrow Payable Account is now zero.

PRIDE is currently compiling the bank statements and ledger account details to document the current status of the Restitution Escrow Payable Account.

PRIDE had made changes to its guidelines concerning the disbursement of restitution payments to victims of crime. Some of these changes were already made in February 2010. However, PRIDE is continuing to make improvements, that address the concerns expressed in this report and that stem from the conduct of the former Accounts Payable Office Manager who was terminated in January 2010.

Commission staff is undertaking a review of Court Costs and Fines collected, managed and transferred to the Clerk and Comptroller's Office by PRIDE.

The report was updated to include the June 4, 2010 recommendation of the Probation Advisory Board, which recommended that the Criminal Justice Commission refer this matter to the Palm Beach County Office of Inspector General and table the remaining recommendations.

The report and its recommendations were reviewed and considered on June 14, 2010 by the Executive Committee of the Criminal Justice Commission. The Executive Committee approved the report and its recommendations in its entirety. It was noted that the implementation of all of the recommendations in the report would not hinder the review by the Inspector General, and that these recommendations could always be modified if more information comes to light in the future.

Response from PRIDE

The following unedited text was prepared by PRIDE Integrated Services Inc. It was sent to the Research and Planning Manager, Criminal Justice Commission on April 26, 2010 via email.

Response from Pride

Pride is committed to meeting all of its contractual obligations including the disbursement of restitution within 14 days of collection. Pride's inability to document the disbursement date was identified during the CJC 2005 – 2007 audit review. Because of this finding the Financial/HR Coordinator was instructed by Pride's Quality Assurance Coordinator to develop a report to track compliance within the 14 day requirement. This report was maintained by Pride's Account Payable Clerk under the direction of the Financial/HR Coordinator. When this report was presented to the CJC in 2009 it was with the belief that it accurately indicated the restitution disbursement date and correctly reported 98% compliance rate for disbursing restitution within 14 days.

In March 2010 a restitution review revealed that the report actually indicated the date the check was processed (prepared), not the date the check was mailed. In an attempt to produce a valid report it was discovered that the manual forms documenting the mailed dates were not available. Pride's Accounts Payable Clerk reported that she was instructed by her supervisor, the Financial/HR Coordinator that reports should be shredded after six months. Pride's CEO and CFO were unaware of this directive and will submit an internal policy per memorandum to all supervisory and administrative staff that all financial related documents are to be maintained for a minimum of seven years. It is relevant to this report to note that the Financial/HR Coordinator's employment was terminated by Pride in January 2010.

Pride does acknowledge that from time to time, funds from the restitution account were transferred into Pride's operating account. This action was identified in our Annual Independent Auditor Report presented to the County. It is important to note that Pride ceased the transferring of restitution funds in January 2010 and has since returned all outflows back to the restitution account.

The CFO acknowledges that on occasion the disbursement (mailing) of restitution funds was directed by cash flow and should have been prioritized based on the collection date. The CFO currently receives a data base generated report that documents collection date to ensure compliance. In addition, there are occasions where the address or other victim information may be incorrect and/or incomplete resulting in the task of verifying victim information. This process can result in the delay of disbursement. Pride will enhance its reporting practices to

document when this occurs and will implement the following procedures to ensure contractual compliance:

Pride Corrective Action:

- Pride ceased the transfer of funds in January 2010 from the restitution account to Pride's operating account.
- Pride has returned all outflows back to the restitution account
- Pride's CFO will provide monthly reporting to the CEO that demonstrates contractual compliance with restitution disbursement and maintain the mail logs that demonstrate compliance.
- Pride will document on the manual spreadsheet if the disbursement of restitution is delayed due to insufficient information to process. A Quality Assurance Form will be completed in these instances and forwarded to the Quality Assurance Coordinator for further review.
- Under the current contract, Pride will add additional documentation to the quarterly reporting to include verification of the disbursement of funds within the 14 days and confirm there have been no outflows from the restitution account to Pride's operating account.



Palm Beach County Criminal Justice Commission

Criminal Justice, Mental Health and Substance Abuse Reinvestment Grant for Strategic Planning

Final Strategic Plan Report

Executive Summary

Submitted by:

Analytica

April 27, 2009

Entire Report is available at: http://www.pbcgov.com/criminaljustice/committees/substance abuse council/

Sponsored by Palm Beach County and the State of Florida Department of Children and Families and the Substance Abuse and Mental Health Corporation

Executive Summary

The impact of mental illness and substance abuse on the criminal justice system is a high priority for Palm Beach County. The Board of County Commissioners recently created a Criminal Justice, Mental Health and Substance Abuse Planning Council. The County has also been proactively seeking solutions to this problem through existing task forces and system assessments. These have highlighted the need to focus on diversion and improved discharge planning for persons who have been incarcerated as a result of behaviors resulting from mental illness, substance abuse, and/or co-occurring disorders.

The Need To Address The Interface Of Criminal Justice, Mental Health And Substance Abuse

In a 2007 study commissioned by the Palm Beach County Community Alliance¹, major findings revealed:

- 100,723 individuals reported serious mental illness in 2006
- 144,000 individuals aged 18-64 reported chronic depression for 2 or more years; prevalence of reporting is higher among low-income and uninsured individuals; prolonged depression is more often reported in women than men
- Approximately 6% of Palm Beach adults report having trouble accessing mental health services in the past year due to cost; among low-income individuals, more than 22% reported trouble accessing mental health services due to cost
- 19,836 individuals out of 96,634 respondents called the local 211 Information/Referral Hotline for mental health counseling
- 992 Baker Act cases were initiated in Palm Beach County in 2006
- Over 2,000 individuals in Palm Beach County received substance abuse services through the Department of Children & Families in 2006-07

Palm Beach County's population was 1,295,033 in 2006. Based on an analysis of Florida databases by the CJMHSA Technical Assistance Center at the University of South Florida, a total of 14,606 individuals in Palm Beach County utilized mental health services, and 5,380 utilized substance abuse services. The Palm Beach Sheriff's Office (PBSO) operates one of the largest correctional systems in the nation, with an average daily population (ADP) of nearly 3,000 inmates in its three adult detention facilities and forecasted growth to 3,530 inmates by the year 2015. Key statistics are: (1) approximately 17% of the ADP receive some form of mental health services, (2) 4% (of the 17%) are taking medication for some type of mental health disorder, (3) Two percent (80 inmates) with SPMI, schizophrenia, or developmental disabilities are housed in one of four mental health units and (4) approximately 80% of inmates housed in the County jail also have a substance abuse disorder. In an effort to effectuate meaningful changes, Palm Beach County successfully applied for grant funds to develop the strategic plan described in this document. The goal is to work towards long-term systemic change so that the

¹ Investing in the Health of Palm Beach County's Citizens, Strategies For Strengthening the Safety Net For Individuals With Mental and Substance Use Conditions (February 2007)

number of persons with mental health disorders and/or dual substance abuse disorders in the criminal justice system is significantly reduced. Through this now completed strategic planning process, the County has assessed and identified systemic gaps and established priority strategies to move toward services delivered efficiently and seamlessly through our collaborative network of treatment and social service providers.

The plan is a product of the Florida Re-investment Act grant awarded by the Florida Department of Children and Families. Accompanying the plan itself are various documents developed during the strategic planning process to inform the discussion and decisions regarding the strategic plan.

These Issues Have Generated System Reform Activities Across Florida

Why is it important to address this issue? The Florida Substance Abuse and Mental Health Corporation reports that "the most conservative estimates, provided by the federal Bureau of Justice and jail based studies, is that 8 percent of the nearly 16 million annual arrests in the United States involve a person with a symptomatic mental illness. Prevalence estimates for all mental disorders among incarcerated populations run as high as 70-80 percent. In Florida, there were 638,275 individuals arrested in fiscal year 2006-2007 according to the Florida Department of Law Enforcement. An analysis completed by the CJMHSA Technical Assistance Center showed that 83,721 individuals (or 13.11%) had used services in the fiscal year prior to their arrest as reflected in the Medicaid and IDS files."²

Palm Beach County shares national and state concerns regarding criminalization of persons with mental health disorders and dual substance abuse disorders, and recognizes the critical need to implement viable options to incarceration for this vulnerable population. Each day, the County houses over 500 people with some form of mental health problem in its jails, the vast majority of whom will be quickly discharged back into the community without adequate services to prevent re-incarceration. Furthermore, over 2,400 individuals are incarcerated on any given day due to substance abuse problems. While the average length of stay for inmates in the general population is 33 days, those with mental health problems average 60 days in a setting not designed to meet their chronic needs.

For many individuals unable to access care in the community, the only options to receive treatment is by accessing care through some of the most costly and inefficient points of entry into the healthcare delivery system including emergency rooms, acute crisis services, and ultimately the juvenile and criminal justice systems.

On any given day in Florida, there are approximately 16,000 prison inmates, 15,000 local jail detainees, and 40,000 individuals under correctional supervision in the community who experience serious mental illness. Annually, as many as 125,000 people with mental illnesses requiring immediate treatment are arrested and booked into Florida jails. The vast majority of these individuals are charged with minor misdemeanor and low level felony offenses that are a direct result of their psychiatric illnesses. People with Serious Mental Illness who come in contact with the criminal justice system are typically poor, uninsured, homeless, members of minority groups, and experience co-occurring substance use

² 2008 Annual Report

disorders. Approximately 25 percent of the homeless population in Florida has a Serious Mental Illness and over 50 percent of these individuals have spent time in a jail or prison"³.

The Strategic Planning Process

The purpose of this project was to develop a strategic plan for addressing criminal justice, mental health and substance abuse issues in Palm Beach County. A comprehensive effort involving all stakeholders produced a series of strategic choices for improving services and addressing the issue.

The planning activities are described in detail in the full report. They included:

- 1. Phase I was the development of an environmental scan to identify the key issues (strengths, weaknesses, opportunities, and major challenges) that must be addressed in the plan. Analytica worked with staff of the CJC to identify Community Stakeholders who represent organizations and institutions that interact directly with mentally ill, substance abusing and/or homeless populations who are involved with Palm Beach County's Criminal Justice system. Between July 10, 2008 and August 20, 2008, Analytica and its partner on the CJC project, Strategic Partners Consulting, conducted individual and group interviews with 34 Community Stakeholders. The Stakeholders Perspectives Report summarizes the many diverse perspectives of individuals and organizations that interface with adults or juveniles with severe, persistent mental illness (SPMI), substance abuse or co-occurring disorders who have involvement with Palm Beach County's criminal justice, juvenile justice, behavioral healthcare, public health or homeless service systems. The report identified areas of agreement and disagreement. This report was utilized by the four workgroups to inform their recommendations for change strategies. (See Appendix C for the full report).
- 2. Phase II was a process mapping activity that began with several meetings with key informants who are knowledgeable about the various resources and understand how people move from place to place between the criminal justice and treatment realms. Those draft maps were then utilized by four workgroups to develop a SWOT analysis for their assigned component of the Sequential Intercept model. The maps were revised by each workgroup to represent the current system as it operates based on the experience of the workgroup participants. (See Appendix D for the full set of process maps).
- 3. Phase III was the establishment of four workgroups, each of which addressed a specific section of the Sequential Intercept Model. An important understanding that emerged from the workgroup activity is that stakeholders have differing understandings and expectations of what happens at any given intersection between one activity and another. When the workgroups identified disagreements about process or program, disconnects between activities, lack of capacity, or the need for better outcomes, strategic choices were recommended to the Council to be included in the Strategic Plan. The workgroups developed two documents; a). an analysis of the Palm Beach community's Strengths, Weaknesses, Opportunities and Threats (SWOT) found in Section IV of the full report; and b). Recommendations from each workgroup of

³ Florida Supreme Court Reporter.

strategic choices to be implemented through the Strategic Plan found in **Section V** of the full report. The four workgroups addressed:

- a. Intercept 1: Pre-booking, community law enforcement and emergency services
- b. Intercepts 2 and 3: Booking, first appearance, courts, jail
- c. Intercepts 4 and 5: Re-entry and community supports
- d. Juvenile system strategies
- 4. Phase IV: A review of evidence based practices, best practices, accepted clinical practices and promising practices for mental health and substance abuse interventions and services to persons involved in the criminal justice system was prepared by Analytica. This provides a substantial resource for the Palm Beach County leadership as they move forward to implement their strategic priorities. (See Appendix F for the full report.)
- 5. Phase V: This Executive Summary presents a synopsis of the strategies prioritized for future implementation by the Criminal Justice, Mental Health and Substance Abuse Planning Council. This action, later endorsed by the Palm Beach County Criminal Justice Commission and accepted by the Palm Beach County Board of County Commissioners, created this plan. In developing the plan a modified version of the sequential intercept model was used as the organizing framework.

The Strategic Plan

The strategic plan is organized into two major sections: adults and juveniles. Given the differences in how these two systems are structured and purposed, it was logical to approach them separately. Within the adult section, strategies are grouped into cross intercept strategies, pre-booking and community law enforcement strategies, booking, jail, and courts strategies, and re-entry and community support strategies. The juvenile section addresses all intercepts. Each priority strategy is briefly described in the table below.

Sequential Intercept	Population	Priority Strategies
Cross-system	Adults	Establishment of a Criminal Justice/Mental Health/Substance Abuse Information System
Intercept 1: Pre-booking, community law enforcement and emergency services	Adults	Behavioral health agencies to designate specific individuals to serve as liaisons with the criminal justice community
		3. Expand Mobile Crisis services
		Expand the number of law enforcement officers trained in behavioral health crisis response (CIT training)
		5. Expand emergency housing alternatives
		6. Focus on dual diagnosed persons

Sequential Intercept	Population	Priority Strategies	
Intercepts 2 and 3: Booking, first appearance, courts, jail	Adults	 Expansion of forensic case management services Develop protocols that would facilitate the sharing of information about specific persons between the Jail and the Treatment agencies Judicial coordination of release time with the availability of behavioral health agency staff the beat the jail at the time of release Seek the continuity of Medicaid benefits so that released persons can more readily obtain 	
Intercords 4 and 5 and		treatment. 11. Expand and better optimize existing treatment beds	
Intercepts 4 and 5: Re-entry and community supports	Adults	 12. Establishment of a coordinated case management system for persons with SPMI 13. Strengthen discharge planning at the Jail for SPMI persons 14. Expand transitional and permanent housing so that homelessness is decreased and increased stability in the community occurs. 15. Expand community-based treatment 16. Pilot a forensic FACT team based on the successful FACT approach which provides intensive supports to maintain SPMI persons in the community 	
All Intercepts	Juveniles	17. Develop an entity for Palm Beach County with the authority to facilitate, manage and hold accountable coordinated resources for the juvenile/adolescent population.	

A. The Adult Section

Strategies in this section were prioritized by the four working categories of sequential intercept. The priority strategies for each intercept are reported below.

1. Cross system intercept. One strategy was endorsed as priority in this intercept category. It was the establishment of a Criminal Justice/Mental Health/Substance Abuse Information System that would provide just in time information so that system professionals have access to current information about criminal legal status, treatment status and key contacts. Participants in the process identified information gaps as a major impediment to decision

- making and the major contributing factor to system inefficiencies. Two additional strategies were endorsed.
- Pre-booking, community law enforcement and emergency services. Five strategies were endorsed as equal priorities in this intercept. One strategy was for behavioral health agencies to designate specific individuals to serve as liaisons with the criminal justice community to facilitate communication and serve as problem solvers if and when law enforcement officers are facing challenges accessing the behavioral health system. A second was to expand Mobile Crisis services so that additional resources are available in the field to the law enforcement officer. A third was to expand the number of law enforcement officers trained in behavioral health crisis response (CIT training). A fourth strategy was to expand emergency housing alternatives. This expansion would provide law enforcement officers with additional options and an alternative to jail when appropriate. The fifth was to create a specific focus on dual diagnosed persons and the appropriate pathway that the law enforcement officer should take when faced with someone who may be dual diagnosed. Four other strategies were endorsed.
- 3. Booking, Jail, Courts. Five strategies were endorsed as equal priorities in this intercept. One was the expansion of forensic case management services targeted specifically to this population to increase the likelihood of their receiving services. A second was to develop protocols that would facilitate the sharing of information about specific persons between the Jail and the Treatment agencies while conforming to HIPPA and other legal requirements. A third strategy sought to increase the likelihood of persons being released from jail receiving treatment by judicial coordination of release time with the availability of behavioral health agency staff to be at the jail at the time of release. A fourth strategy was to seek the continuity of Medicaid benefits so that released persons can more readily obtain treatment. A fifth strategy was to both expand and better optimize existing treatment beds. Eleven additional strategies were adopted.
- 4. Re-entry and community supports. Five strategies were endorsed as equal priorities in this intercept. One strategy is the establishment of a coordinated case management system for persons with SPMI. This strategy is consistent with the forensic case management priority of the Booking, Jail and Courts intercept and will be implemented in a coordinated manner. The second strategy is to strengthen discharge planning at the Jail for SPMI persons. This strategy is consistent with the Jail and Courts strategy of coordinated release. The third strategy is to expand transitional and permanent housing so that homelessness is decreased and increased stability in the community occurs. A fourth strategy is to expand community-based treatment, which would include additional beds as identified by the Jail/Courts intercept. A fifth strategy is to pilot a forensic FACT team based on the successful FACT approach which provides intensive supports to maintain SPMI persons in the community. Nine additional strategies were endorsed.

B. The Juvenile Section.

The Planning Council established one priority strategy. This strategy was for the Palm Beach County Criminal Justice Commission to implement, under its current authority, the role of facilitating, managing and holding accountable coordinated mental health and substance abuse resources for the juvenile/adolescent population. The Juvenile work group believed that the core issue facing Juvenile Services was to enhance the coordination and communication between the entities serving juveniles and that development of such an entity is the key first step in improving juvenile services.

The Planning Council endorsed a number of strategies for Criminal Justice Council to consider as it begins its work.

Enacting and managing the plan

For the strategic plan to be more than simply a document, it must be actively managed and modified over time as events unfold. To achieve this end, the Criminal Justice, Mental Health and Substance Abuse Planning Council will take responsibility for the plan itself. The Council will establish a subcommittee responsible for routine oversight of the plan with annual or bi-annual (as needed) meetings of the full Council to review and modify as needed. It is the further intent of the Council to actively review and seek funding opportunities through governmental grants, foundation proposals and redesign of current programs as appropriate to further the intent of the plan.

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Palm Beach County Criminal Justice Commission

Reentry Task Force

5-Year Strategic Plan Revised, 2010

Mission: To implement a five year plan for providing coordinated and effective reentry services to those returning to our community from incarceration based on the gaps identified in the Countywide Assessment. This plan should solidify the Task Force as the advisory body for reentry programming in Palm Beach County, whether publicly or privately funded.

Brief History

Between 2007 and 2009, the CJC Reentry Task Force, which sometimes numbered more than 60 individuals, contributed to a detailed assessment of all reentry services in Palm Beach County, including those programs funded through public dollars and those funded by private or faith-based organizations. The result was a clearer picture of what services were being offered, but more importantly, what services were lacking due to geographical, financial or other barriers. The next step for the Task Force was then to develop a Five Year Strategic Plan that would create a strategy for filling the gaps identified in the Assessment. Not all gaps were included in this plan; the Task Force decided to narrow its scope and improve what it felt was realistic, with hopes of expanding its scope once existing programs were proven effective.

The current 2010 Reentry Task Force is now responsible for the overall implementation and sustainability of the Strategic Plan, and includes 4 Subcommittees that are responsible for various tasks that will lead to the achievement of specific goals described in the plan. The Assessment is continually updated to reflect changes in countywide programs. The consequence of such changes is that the Strategic Plan is a dynamic rather than static document, subject to modifications and periodic updates.

Task Force Membership, Recidivism Goals and Responsibilities

A. Membership

The 2010 CJC Reentry Task Force consists of, but is not limited to, representatives from the following agencies and organizations:

Veteran's Administration	Workforce Alliance
Palm Beach State College	Victim's Services
Literacy Coalition	Health Department
Criminal Justice Commission	Palm Beach County Sheriff's Office
Department of Children and Family	Department of Children and Family
Services: Substance Abuse	Services: Mental Health
Public Defender's Office	State's Attorney's Office
Florida Department of Corrections	Gulfstream Goodwill Industries
Riviera Beach Justice Service Center	Prison Fellowship
Diocese of Palm Beach County	Salvation Army
Department of Public Safety	West Palm Beach Weed & Seed
Palm Beach County Board of	Matthew 25 Ministries
Commissioners	
Juvenile Justice	
Juvenile Justice	

B. Recidivism Goals

The Reentry Task Force has adopted the following definitions of recidivism and timeline for achieving a goal of 50% reduction in recidivism.

- ✓ 50% Reduction in Recidivism by Jurisdiction (county, state and federal releases to PBC)
- ✓ 25% increase in number of offenders using services (based on funding availability through grants and tax dollars diverted from corrections)
- √ 3 year re-arrest/violation free
- √ 1 year reporting periods established for comparison of data
- ✓ Uniform data collection available to all service providers by 2012
- ✓ Program Evaluation implemented in 2011 with recommendations implemented 2012

Jurisdiction	Current Recidivism Rate *	2010 % Reduction (cumulative)	2011 % Reduction (cumulative)	2012 % Reduction (cumulative)	2013 % Reduction (cumulative)	2014 % Reduction (cumulative)	Projected Recidivism Rate by 2015
PBSO	51	2(2)	4 (6)	6 (12)	7 (19)	8 (27)	24
DOC	33	2(2)	3 (5)	4 (9)	5(14)	5 (19)	14
FBOP	41	2 (2)	4 (6)	5 (11)	5 (16)	5 (21)	20

C. Responsibilities

The Reentry Task Force is responsible for the following:

- 1. Updating the Strategic Plan annually.
- 2. Continuing to identify new partners and determine how and when to bring additional partners into the initiative
- 3. Fine-tuning goals and tasks as needed due to new initiatives and circumstances
- 4. Developing a plan for sustainability, including the ability to maintain existing services in the event of budget cuts, grant losses/non-renewals or staff changes
- 5. Facilitating sharing of resources among agencies and service providers
- 6. Developing a fundraising plan which includes diverse sources of support
- 7. Engaging federal, state and local officials
- 8. Determining feasibility of shifting county/state/federal-funded programming to community-based funding.
- Working with Data & Evaluation subcommittee to identify cost savings impact of successful reentry, and advise CJC on potential County re-allocation of funding.*
- 10. Working with Data & Evaluation subcommittee to identify cost savings impact of successful reentry, and advise impacted communities on partnerships and reallocation of money.*
- 11. Identifying and prioritizing new funding sources based on prioritization of case management needs and direct service needs. *

Page 4 of 12 12. Identifying and seeking additional funding opportunities for site augmentation/addition and for closing service gaps. *(See Goal 4)

The Strategic Plan: Goals, Tasks and Timeline

Goal 1

Continue to build a coordinated re-entry service delivery plan through the infrastructure of existing CJC programs by augmenting existing services at sites and adding additional sites. This will include the coordination of felon registration with re-entry services and coordination with DOC inmates. (Update annually with the goal that in five years as many gaps have been closed as possible but all existing gaps continue to be identified and prioritized through the strategic planning process.)

Task 1: Augment existing sites. (See also Goal 2, Task 1)

- A. Map actual services provided to ex-offenders while incarcerated and upon release to determine which services are most effectively delivered at the various points.
- **B.** Assess services that are currently delivered and the allocating of funding for those services.
- C. Identify opportunities for re-allocation of funding for more effective service delivery for recommendation to the Task Force.
- **D.** Identify gaps in specific services and prioritize those gaps for consideration by the Task Force.

Responsibility:

County-wide Coordinator

Due Date:

February 1, 2010 with ongoing updates

Task 2: Add re-entry opportunities.

- A. Work with the Palm Beach County Sheriff's Office to increase work release, conditional release and house arrest opportunities.
- **B.** Work to close gaps identified in the Task 1 mapping of services through coordination and implementation of new efforts.

Responsibility:

Task A: Task Force Chair, Sheriff and Task Force

Task B: County-wide Coordinator

Due Date:

Ongoing

Task 3: Add new sites.

A. Prioritize additional sites for recommendation to the Task Force based on the updated gap assessment of re-entry case management services and the mapping process above.

Responsibility:

County-wide Coordinator

Due Date:

According to Funding Cycle, Grant Opportunities - Ongoing

Task 4: Coordinate Felon registration with the delivery of re-entry services.

A. Identify cost to PBSO for moving felon registration; cost of separating felon registration from sex offender registration.

B. Identify potential sites for combination of services.

Responsibility:

Re-Entry Task Force

Due Date:

August 30, 2010

Task 5: Increase opportunities to work with the DOC to support offenders returning from the state system.

- A. Collaborate with DOC and Community Corrections to better coordinate immediate efforts.
- **B.** Continue advocating to the DOC for inmates to be moved to closer facilities prior to release as we develop a county-wide service delivery plan similar to Duval County (Felon registration coordination with re-entry services.)
- C. Identify costs of providing services to additional offenders at closer facilities.

Responsibility:

Task Force and County-wide Coordinator

Due Date:

June, 2010 - ongoing

Task 6: Implement and increase opportunities to educate returning offenders about services that are provided in the community.

A. Create and update literature that provides information about services within various communities where offenders are returning.

Attachment 3

B. Work with facilities to provide this information to offenders prior to release.

C. Identify pockets where returning offenders aren't educated prior to release and target those offenders.

Responsibility:

Service Providers Subcommittee/Case Managers,

County-wide Coordinator

Due Date:

March, 2010 + ongoing outreach efforts

Task 7: Identify and seek additional funding opportunities for site augmentation/addition and for closing services gaps for recommendation to the Task Force. (See also Goal 4: Sustainability)

Responsibility:

Reentry Task Force and County-wide Coordinator

Due Date:

Ongoing

Goal 2

Create uniformity in assessment, delivery and evaluation of services. (Update annually with the goal that in five years as many program as possible - both public and privately funded – quantify the delivery and evaluation of services through the same method).

Task 1: Map effective delivery of services.

A. This task is being accomplished under Goal 1, Task 1.

Responsibility:

County-wide Coordinator

Due Date:

February 1, 2010

Task 2: Create recommended county-wide data collection and evaluation methods.

- A. Create a Task Force subcommittee that will recommend based on the map of effective delivery of services: what data should be collected, at what points and how that data will be evaluated. (See also Goal 5, Tasks 1 & 2)
- **B.** Advocate to various re-entry service providers for uniform tracking of data based on recommendations of subcommittee and Task Force.

Responsibility:

Data & Evaluation Subcommittee/Countywide Coordinator

(See Appendix 1 D)

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Due Date:

Committee Formation: February, 2010. Data collection and

evaluation methods determined by December, 2010.

<u>Task 3: Implement uniform case management system within CJC funded re-entry program for data tracking.</u>

A. Identify funding source for system.

B. Implement system within programs.

Responsibility:

Countywide Coordinator/Data & Evaluation Subcommittee

Due Date:

March, 2011

Task 4: Expand uniform case management system to non-CJC funded re-entry programs through advocacy.

Responsibility:

Data & Evaluation Subcommittee/Countywide Coordinator

Due Date:

January 2012

Goal 3

Increase employment opportunities for ex-offenders.

(Update annually with the goal that in five years we have doubled our partnerships in the business community and developed two micro-enterprises serving ex-offenders).

<u>Task 1:</u> Based on the employment successes of existing programs, build a shared database of offender-friendly employers.

Responsibility:

Service Provider Subcommittee/County-wide Coordinator

(See Appendix 1 A)

Due Date:

February 1, 2010, continual updating

Task 2: Work with community and civic agencies to increase that database.

- A. Create opportunities for Task Force members to address organizations such as Chambers of Commerce, Rotary Clubs, etc.
- **B.** Educate organizations about incentives to hire ex-offenders such as tax credits, bonding and support system.

Responsibility:

Advocacy Subcommittee/County-wide Coordinator

(See Appendix 1 B)

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Due Date:

Establish Sub-committee by February, 2010 + ongoing

Task 3: Create opportunities for ex-offender participation in micro-enterprises.

A. Partner with agencies that currently operate micro-enterprises.

B. Seek funding for creation of micro-enterprises.

Responsibility:

Employment Subcommittee/County-wide Coordinator

(See Appendix 1 C)

Due Date:

Establish Sub-committee by February, 2010 + ongoing

Goal 4

Secure the financial sustainability of reentry services and programs.

Task 1: Update strategic plan annually.

Responsibility:

Reentry Task Force/County-wide Coordinator

Due Date:

Ongoing with Strategic plan tied appropriately to County funding

cycle

Task 2: Work with Data & Evaluation Subcommittee to Identify cost savings impact of successful Re-Entry and advise CJC on potential County re-allocation of funding.

Responsibility:

Reentry Task Force/County-wide Coordinator

Due Date:

Ongoing with Strategic plan tied appropriately to County funding

cycle

Task 3: Work with Data/Evaluation Subcommittee to Identify cost savings impact of successful Re-Entry and advise impacted communities on partnerships and re-allocation of money.

Responsibility:

Reentry Task Force/County-wide Coordinator

Due Date:

Ongoing with Strategic plan tied appropriately to County funding

cycle

<u>Task 4: Identify new funding sources and – based on prioritization of case management needs and direct service needs – make recommendations to the Task Force.</u>

Responsibility:

Reentry Task Force/County-wide Coordinator

Due Date:

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Ongoing with Strategic plan tied appropriately to County funding cycle

Goal 5

Create a subcommittee structure to support goals 1-4.

Task 1: Identify Subcommittees based on Strategic Plan. (See Appendix 1)

Service Providers
Employment/Training/Education
Advocacy & Marketing
Data & Evaluation

Responsibility:

Task Force/Countywide Coordinator

Due Date:

February, 2010. Subcommittee roles and responsibilities updated

annually by Task Force.

<u>Task 2: Form and advise each subcommittee on roles and responsibilities, updating on an annual basis consistent with strategic planning process.</u>

Responsibility:

Task Force/Countywide Coordinator

Due Date:

Formation in February 2010 followed by ongoing work addressing

tasks outlined in Appendix 1

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Appendix 1:

<u>Subcommittees of the Reentry Task Force:</u> Members and Missions

A. Service Provider Subcommittee

Membership includes, but is not limited to, representatives from the following agencies and organizations:

Workforce Development	Weed & Seed	Community Justice Service
		Centers
Faith-based organizations	Veteran's Administration	Public Defender's R.E.A.P.
		Program
PBSO	DCF	Gulfstream Goodwill
Salvation Army	PRIDE Probation	FLDOC

Mission:

- 1. Identify and develop methods of educating offenders, including those still incarcerated, about reentry services
- 2. Increase opportunities for employment
- 3. Increase communication for the purposes of aligning services to ex-offenders and filling service area gaps

B. Advocacy and Marketing Subcommittee

Membership includes, but is not limited to, representatives from the following agencies and organizations:

Criminal Justice Commission	Community Justice Service Centers	Gulfstream Goodwill
Prison Fellowship	West Palm Beach Chamber of Commerce	Editor of Palm Beach Post
Court Liaisons	State Attorney's Office	Ex-offenders
Private citizens	Outreach to city, county and state representatives	

Mission:

- 1. Raise awareness about reentry
- 2. Develop a proactive strategy for working with media, employers and other stakeholders
- 3. Develop a proactive strategy for responding to negative events involving participants
- 4. Prepare agency executives, staff, crime victims and formerly incarcerated people to serve as initiative spokespeople
- 5. Develop a documented procedure for responding to press inquiries.

C. Employment, Training and Education Subcommittee

Membership includes, but is not limited to, representatives from the following agencies and organizations:

Florida Training Services, Inc	Weed & Seed	Workforce Alliance
Project R.E.A.P. Success	PBSO	Prison Fellowship
The Lord's Place (Microenterprise)	SCORE/SBA	Downtown Development Agency
FL Division of Vocational Rehabilitation	Palm Beach State College	Palm Beach County Schools
Professional Associations		

Mission:

- 1. Determine the strategy and approach for increasing employment opportunities for exoffenders
- 2. Increase partnerships with the business community
- 3. Increase awareness of incentives for businesses to hire ex-offenders
- 4. Connect training programs to local labor market needs

D. Data & Evaluation Subcommittee

Membership includes, but is not limited to, people with direct experience in collecting, analyzing, and interpreting data and/or have direct experience with the formal evaluation process. Subcommittee members with such skills are representatives of the following organizations:

Criminal Justice Commission	Gulfstream Goodwill	PBSO
Florida Atlantic University	Public Defender's Office	Salvation Army

Mission:

- 1. Develop annual and long-term performance goals for Plan initiatives
- 2. Work with service providers to identify ways of measuring short- and long-term goals
- 3. Develop common definitions for measuring goals
- 4. Research and implement common case management software for service providers and reporting agencies
- 5. Recommend professional outside evaluation team to conduct process and outcome evaluations; participate in such evaluations as needed
- 6. Respond to recommendations made by evaluation



Impact Analysis of the Elimination of the Palm Beach Sheriff's Office Substance Abuse Awareness Program (SAAP)

Prepared for:

Corrections Task Force/Public Safety Coordinating Council, Criminal Justice Commission



Impact Analysis of the Elimination of the Palm Beach Sheriff's Office Substance Abuse Awareness Program (SAAP)

Report Highlights

- Budget cuts have resulted in the Sheriff's Office determining that it will discontinue the STAR program, effective October 1, 2009.
- The SAAP program reports a 68% success rate.
- The SAAP program reports a 69% rate of no new charges or 31% recidivist rate, which is 20% better than the general county jail inmate population recidivism rate of 51%.
- The total number of participants in the SAAP program annually is approximately 4,600.
- The annual cost to the County for the SAAP program is \$2,643,148.52 (not including PBSO staffing).
- Without the Drug Farm, SAAP program, and the community based treatment services, an additional increase of 128-980 possible inmates into the county jail annually would have an adverse impact on the jail population.
- Impacts on the Criminal Justice System: A loss of services such as assessments could add workload to law enforcement (deputy time and transportation) and delayed court processes. Other significant losses such as the lack of treatment will likely result in cost to victims and their families, or loss/damage to property due to higher recidivism rates.
- At a moderate projection, the county detention facilities would be overcrowded by approximately 275 inmates in the upcoming year.
- While eliminating the SAAP would result in an immediate cost saving of \$2.6 million; there is a real potential of greater costs in the future related to increased recidivism and jail overcrowding.

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REARCHPANS

Introduction

The purpose of this analytical report is to provide information on the Palm Beach County Sheriff's Office Substance Abuse Awareness Program (SAAP) in response to the potential elimination of this program in fiscal year 2010. The Palm Beach County Board of County Commissioners requested that the Sheriff's Office identify an additional \$3 million in cuts for the upcoming fiscal year. The Sheriff's Office has determined that it will discontinue SAAP effective October 1, 2009.

Palm Beach County has encountered difficult decisions during the 2010 budget discussions. Many agencies within the county and supported by the county have had to revert back to offering services aligned with their core mission and make cuts to programs that offer services to the citizens at large. The Sheriff's office is no exception. "Confronted with paring about \$3 million from his \$480 million proposal, Sheriff Bradshaw has said the program, founded in the early 1990's and praised by judges and advocates as a major difference-maker, is the only big-ticket item he could part with" (Palm Beach Post, August 19, 2009, Susan Spencer-Wendel and Michael LaForgia).

In light of this emerging dilemma, this report was created through the Criminal Justice Commission (CJC), as an advisory board, to provide the Palm Beach County Corrections Task Force/Public Safety Coordinating Council with information in reference to the SAAP to facilitate a discussion at the September 2, 2009 Corrections Task Force meeting. This report explores the possible unintended consequences if the SAAP is eliminated.

Method

The information contained in this report was gathered from the Palm Beach County Sheriff's Office Corrections Department and the current SAAP network of providers. Various data in this report were obtained from the report Palm Beach County Sheriff's Office Corrections Division Outcomes SAAP Annual Report on Program Performance and Outcome published by the Substance Abuse Planning Group . Research was conducted on national and state programs for this report. Information was also gathered from the Criminal Justice Commission's Research and Planning Unit's Exploratory Study of the County Jail Population, (July 16, 2009).

The CJC's Research and Planning Unit welcomes your input, so please do not hesitate to contact us at (561) 355-4943 or CJCRPU@pbcgov.org.

Background

SAAP and Drug Farm Facility Description

The Substance Abuse Awareness Program (SAAP) provides a continuum of treatment alternatives to traditional incarceration for drug and alcohol addicted offenders at all levels of the criminal justice system. The 1988 Anti-drug Abuse Act made available funds to fight drug related crime. In 1990, the Palm Beach Sheriff's Office (PBSO) applied for and received funding to support the SAAP program through the Anti-drug Abuse Act. At the time, the required match for the grant funds was provided from forfeiture funds held by the PBSO. In addition, the CJC's advisory committee provided, through fund raising efforts, two trailers to accommodate Phase II of the program. In 1991, PBSO obtained support from the Palm Beach County Board of County Commissioners to expand the 20 bed Phase II program to 96 beds. The expansion was made possible by converting an old Sugar Camp barracks, made available through an agreement with the Sugar Cooperative. Conversion and expansion were completed during the first half of FY 91-92. The SAAP program and Drug Farm have been operating since that time with multiple key services (such as Life Skills classes and drug education intervention services) with a current capacity of 114 beds.

Program Overview

The SAAP Program

The Substance Abuse Awareness Program is the primary drug and alcohol treatment program at the Palm Beach County jail. SAAP is a system that identifies, assesses and treats individuals who come into contact with the criminal justice system. The program is a working partnership with law enforcement (PBSO), Corrections, State Attorney, Public Defender, Department of Corrections, and the Courts (Judiciary), to treat inmates rather than simply warehouse individuals. The program is designed to help treat one of the root causes of criminal behavior and ultimately reduce the rate of recidivism among this criminal population.

"The primary mission of the SAAP program is to encourage and support the process of recovery from substance abuse. The primary goal of the SAAP program is to reduce recidivism and promote drug free living. The abuse of drugs and alcohol is often at the root of criminal activity affecting the safety and quality of life for citizens of Palm Beach County." (PBSO SAAP Annual Report, Fiscal Year 2007.) More than 4,000 individuals receive services through SAAP annually.

The SAAP program is administered by PBSO by way of a contract with the Drug Abuse Foundation. Services are provided by a network of five primary public Substance Abuse Providers. (CARP, DAF, Pride, DATA, and Drug Testing and Counseling Center.) In the beginning stages of being booked into the jail and before being sentenced, many defendants can receive assessments for drug and alcohol abuse. The SAAP program provides assessment services for individuals and from court orders. SAAP also provides case management services and has an in-court liaison that provides placement assistance for the courts. A Drug Education Dormitory (also known as the Drug Dorm) program is provided to defendants housed in the jail awaiting treatment placement in the community or in the jail.

SAAP offers a number of treatment modalities that takes into consideration the defendant's initial assessment and risk to public safety. Modalities include different facilities with the following:

- Drug Farm (secure facility) treatment
- Residential intensive treatment
- Halfway House, Residential treatment
- Community based outpatient services

SAAP provides the following services in Palm Beach County:

Assessment Services

Central assessment service for criminal justice involved individuals. Approximately 3,000 clients served annually.

Case Management Services

Assists criminally and substance involved individuals with treatment placement, liaison with court and criminal justice stakeholders and with other social service needs. Approximately 1,800 clients served annually.

Intervention Services

Also referred to as the "Drug Education Dormitory" or the "Drug Dorm", this program is provided to individuals with substance abuse problems housed in the jail awaiting treatment placement in the community or in jail. This program provides targeted education, motivation and placement assistance. Approximately 420 clients served annually.

General Drug Education

This program provides general education and awareness to the general population of the jail to make them aware of how drugs may impact their lives and what they can do about it.

Outpatient Services

Community based treatment services for criminally involved individuals who are not deemed to be a risk to public safety. Approximately 405 clients served annually.

Intensive Residential Services

Community based residential treatment services for individuals referred from the Saturday Civil Drug Court and ordered by the felony/circuit or county court from the criminal division. Approximately 350 clients served annually.

Residential Halfway House Services

Community based halfway house residential treatment services primarily for individuals completing the Drug Farm treatment program and who require transitional treatment services prior to returning back to the community. Approximately 175 clients served annually.

Drug Farm

The Drug Farm provides intensive drug treatment within a minimum-security jail setting. Located at the Stockade, this is a unique therapeutic community modeled after a military "boot camp". It is the only secure treatment program in Palm Beach County. Residents are in the Drug Farm for up to twelve (12) months, depending on individual sentences, and then moved into a four (4) month halfway house, which prepares them to reintegrate back into the community as productive members. Approximately 250 clients served annually.

Drug Intervention Dorm

The Drug Intervention Dorm provides substance abuse education and awareness services on a voluntary basis for inmates housed in Palm Beach County's detention facilities. The program strives to educate, motivate and refer inmates to a road of recovery from substance abuse addiction. Approximately 420 clients served annually.

In-Jail Freelance Drug Education

(Designated Dormitories)—The In-Jail Freelance Drug Education Program is a voluntary program that provides basic drug education and awareness services to voluntary pretrial individuals within Palm Beach County's three detention facilities. (These voluntary services are provided for pretrial inmates who are located in the general jail population and in designated dormitories.)

Saturday Civil Drug Court

By way of the Marchman Act, the Saturday Civil Drug Court provides for the involuntary placement of addicted individuals who are unable or unwilling to seek treatment when their addiction creates a danger for themselves or others.

The Drug Farm Program (known as the STAR Program)

The PBSO Drug Farm provides licensed intensive drug treatment within a minimum-security jail setting. Participants are assigned to a primary therapist. Clinical services are provided by a team of clinicians who implement a comprehensive therapeutic regimen. This unique therapeutic community is strictly managed by military discipline. The program may be implemented over a 12-month period depending on the individual participant. This program is operated in four distinct phases. Phase I consists of a 30 day eligibility screening process coupled with the preparatory drug education intended to ease the transition into the intensive therapy and boot camp environment. Phase II is the actual therapeutic/boot camp program which can last up to twelve months depending on the individual. Phase III consists of up to four months in a residential halfway house. This phase reintegrates those individuals who successfully completed phase II back into the community. Phase IV is the aftercare component where individuals are required to continue with regular AA and NA meetings and partake in the activities of the drug farm alumni association. Both Phase III and IV are supervised by the Department of Corrections Probation and Parole Division.

Participants also receive a wide range of Life Skills classes, including parenting, anger management, domestic violence, living skills, employability skills, etc. The Drug Farm program provides a community-based aftercare component which includes a licensed residential halfway house and outpatient treatment. Program participants are also engaged in community service activities, including assisting with community support during hurricanes, landscaping support, canine companion independence, and horticulture. The following table shows the demographics of the Drug Farm and the SAAP.

Demographics

Drug Farm (STAR Program)	
Rated Capacity	114 beds
Average Daily Drug Farm Population	110 (based on average of Sept. 2008 - July 2009 monthly reported populations)
Average Annual Participants	250 · ³ ··································
Security/Custody Level	Minimum

Age Range of Offenders	18-60				
Number of Full-Time Staff	Palm Beach Sheriff Staff- 13; Drug Abuse Foundation – 10				
Visitation	Family visiting is allowed every Saturday from 2:00 p.m 4:00 p.m.				
SAAP					
Average court referral services per month	173 (estimate based on 3 rd quarter 2009 SAAP report)				
Average court services completed per month	125 (estimate based on 3 rd quarter 2009 SAAP report)				
Average court services assessments completed per month	162 (estimate based on 3 rd quarter 2009 SAAP report)				
Numbers Served	From 2005 – 2008, 4,112 cases were admitted to treatment and 3,846 cases were discharged from treatment				
Clinical Profile	Forty-five percent (45%) of individuals served reported cocaine as the primary drug used, followed by alcohol and marijuana. Forty-eight percent (48%) of individuals served reported their first drug use occurred between the ages of 5 and 16.				

Success rates

The SAAP program reports a 68% success rate and notes that successful completion is a critical indicator pointing to the promise of diversion from criminal activity through recovery and a 69% rate of no new charges or 31% recidivist rate.

Compliance

Compliance reports completed in 2005 and 2008 by the Commission on Accreditation for Corrections, Standards Compliance Reaccreditation Audit indicated a 100% compliance rate on mandatory and non-mandatory standards of the Drug Farm. The Palm Beach County Sheriff recently received notice that the STAR program was awarded National Accreditation by the American Correctional Association in August 2009.

Costs

Annual Costs:

Sheriff's Office SAAP Program Staffing

If the SAAP program is eliminated, PBSO staffing would be absorbed elsewhere within the agency, therefore this cost is not included in this analysis.

Drug Abuse Foundation Contractual

Services* FY08/09

\$2,502,221.52 (*based on the FY 08/09

pricing estimate, attachment 1)

R-Sat Grant Match

\$73,615.00

 $(R-Sat-Residential\ Substance\ Abuse\ Treatment\ under\ the\ Anti-Drug\ Abuse\ Act)$

Operating Expenses

\$67,312.00

TOTAL

\$2,643,148.52

Cost Benefits Analysis

Cost and economic benefit play an important role in evaluating existing substance abuse treatment programs. The SAAP, including Drug Farm, has a 31% recidivism rate, while the general jail population has a recidivism rate of 51% (including the Drug Farm). The overall average length of stay for admissions is 18 days and the average length of stay for only sentenced admissions is 81 days (based on length of stay in 2008).

Based on the above figures, we can explore several scenarios to offer a range of cost implications if the Drug Farm and the SAAP are dismantled. Without the SAAP in place, the following approximate predictions can be made:

Scenarios

1. Of the 250 annual drug farm participants, these 250 individuals would remain in the county jail in secure custody on their sentenced charges. While there would be no significant change in cost to house the 250 inmates, there would likely be an increased number of recidivists. The average recidivist rate for the general population is 51% while the average recidivist rate of those in the drug farm is 31%, therefore we can reasonably assume that the 250 inmates would exhibit a recidivism rate of 51% as they are no longer

receiving treatment. For the sentenced population, the average length of stay is 81 days; therefore the average additional costs to house these 128 defendants ($250 \times 51\% = 128$) at a rate of \$123 per day would be \$1,275,264.00 annually.

Additionally, approximately 930 defendants are ordered to community based treatment services outside of the jail annually:

- 2. If 25% of this population could not be housed through community treatment options, there could be a potential increase in the jail population of 232 persons per year without the community based treatment services through SAAP. At a rate of \$123 per day, and for an average of 18 days in custody, this would costs \$2,214 per person for a total annual impact of \$513,648.00 in jail costs.
- 3. If half of this population (50%) could not be housed through community treatment, there could be a potential increase in the jail population of 465 persons per year without the community based treatment services through SAAP. At a rate of \$123 per day, and for an average of 18 days in custody, this would costs \$2,214 per person for a total annual impact of \$1,029,510.00 in jail costs.
- 4. If three quarters of this population (75%) could not be housed through community treatment, there could be a potential increase in the jail population of 698 persons per year without the community based treatment services through SAAP. At a rate of \$123 per day, and for an average of 18 days in custody, this would costs \$2,214 per person for a total annual impact of \$1,545,372.00 in jail costs.
- 5. If this total population could not be housed through community treatment, there could be a potential increase in the jail population of 930 persons per year without the community based treatment services through SAAP. At a rate of \$123 per day, and for an average of 18 days in custody, this would costs \$2,214 per person for a total annual impact of \$2,059,020.00

Overall impact:

- There could be a potential increase in the jail population of 128-980 persons per year without the SAAP program based upon recidivism rates and the elimination of the program.
- The 3,000 annual assessments performed each year will have to be addressed. This can have a great impact on the courts, as timely assessments

aid judicial case processing. In addition, if the assessments are to be completed at a different location, transportation costs will be incurred as approximately 50 assessments are performed each week.

The annual cost to the County for the SAAP program is \$2,643,148.52. The jail population in 2009 has been lower than in the past 3 years and is currently at an average daily population of 2,760. There is a bed capacity in the county for 3,196 jail beds. Without the Drug Farm, SAAP program and the community based treatment services, an additional increase of 128-980 possible inmates into the county jail annually would have an extreme impact on the jail population. (Additionally, during the jail expansion project, during fiscal year 2010 the county will have a net loss of 188 jail beds).

The closing of the SAAP program can have a significant impact on the jail capacity. The table below displays the current capacity and the projected increased population:

			*.			
Scenario(s)	Estimated Cost	Current Cost	Estimated Cost Difference	Estimated Jail Impact		
				Annual increase	Current capacity	Amount above current capacity (based on current ADP of 2,760)
1	\$1,275,264.00	\$2,643,148.52	-\$1,367,884.52	+128	3,196	
1 and 2	\$1,788,912.00	\$2,643,148.52	-\$854,236.52	+360	3,196	-
1 and 3	\$2,304,774.00	\$2,643,148.52	-\$338,374.52	+593	3,196	+157
1 and 4	\$2,820,636.00	\$2,643,148.52	+\$177,487.48	+826	3,196	+390
1 and 5	\$3,334,284.00	\$2,643,148.52	+\$691,135.48	+1,058	3,196	+622

With the elimination of the SAAP program the estimated jail cost is a minimum of \$1,788,912.00 in fiscal year 2010. A midrange, moderate analysis would be that the jail cost would be between \$2,304,774.00 to \$2,820,636.00 and a potential increase in jail cost at a maximum estimate of over \$3.3+ million annually. As noted above, this does not include the unknown cost associated with assessments such as the added workload to law

enforcement (deputy time and transportation) and delayed court processes. Other cost to victims and their families, or loss/damage to property are also not included in this report. Lastly, perhaps of greatest concern to the Corrections Task Force, is the potential for "overcrowding" which may be likely if scenarios 2 to 5 are realized. At the moderate projection, the county detention facilities would be overcrowded by approximately 275 inmates in the upcoming year. While eliminating the SAAP would result in an immediate cost saving of \$2.6 million; there is a real potential of greater costs in the future related to increased recidivism and jail overcrowding.

Attachment 1
(Drug Abuse Foundation Contractual Services, FY 08/09)

*Contractual Services Include:	<u>Total Price</u>	Clients served	<u>Total units</u>	<u>Rate</u>
Assessment services	\$203,623.20	2,700	3,960	\$51.42
Freelance In-Jail Drug Education	\$39,670.56	1,296	1,296	\$30.61
Drug Testing	\$65,755.20	650	3,360	\$19.57
Drug Intervention Services	\$119,009.28	450	14,304	\$8.32
Case Management Services	\$182,913.50	2,700	4,751	\$38.50
SAAP Regular Outpatient	\$81,207.60	230	1,416	\$57.35
SAAP Regular Outpatient (group)	\$54,824.32	230	5,039	\$10.88
Day/Night Treatment Drug Farm	\$734,460.48	180	24,336	\$30.18
Intensive Residential Treatment-level 2	\$666,490.00	160	14,600	\$45.65
Saturday Court Bed Reservation	\$3,234.28	108 (days)	108	\$29.95
Residential Halfway House-level 3	\$351,033.10	111	9,490	\$36.99

Total \$2,502,221.52

(Community Based Drug Education is provided but paid for by client at \$14.14 per hour)