

**SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM**

SUBJECT: Byrne Grant for Court Administration

DEPARTMENT: Fiscal Services **DIVISION:** Grants Administration

AUTHORIZED BY: Ray Hooper **CONTACT:** Lee Bailey **EXT.** 7125

Agenda Date <u>7-22-03</u> Regular <input type="checkbox"/> Consent <input checked="" type="checkbox"/> Work Session <input type="checkbox"/> Briefing <input type="checkbox"/>
Public Hearing – 1:30 <input type="checkbox"/> Public Hearing – 7:00 <input type="checkbox"/>

MOTION/RECOMMENDATION:

Approve the submission of the Byrne Grant and act as the fiscal agent on behalf of Court Administration.

BACKGROUND:

Funding is imperative to implement a program that will assist the judiciary in continuing and expanding the successful felony division early resolution program as well as assisting the drug court program. The Florida Department of Corrections has advised Court Administration that records check will no longer be provided to judiciary for the early resolution program. An award will fund three computer terminals, staff certification, training, and educational seminars/conferences.

The \$15,000 proposal requires a 25% cash match of \$3,750 from Court Administration and an \$11,250 request from the Byrne Grant. The attached concept paper was submitted and approved by the federal funding workgroup in a pre-proposal submission.

Reviewed by:
Co Atty: _____
DFS: _____
Other: _____
DCM: <u>SS</u>
CM: <u>[Signature]</u>
File No. <u>CFSA00</u>

BYRNE GRANT CONCEPT PAPER1. AGENCY IDENTIFICATION INFORMATION:

- March 14, 2003
- Eighteenth Judicial Circuit, Seminole County Court Administration

2. PROBLEM IDENTIFICATION:

- Florida Department of Corrections (DOC) has indicated they will no longer be able to provide the judiciary with criminal history reports. The use of records checks are essential in Seminole County's early resolution process. Loss of this service would affect the early resolution program dramatically. DOC stated their service of providing these records would be referred to the State Attorney. The Seminole County State Attorney has advised that they will not have the personnel and will be unable to absorb this service. Further, these criminal history records checks are also instrumental in assisting the judges in bond hearings.
- The Drug Court Program: Presently the State Attorney's Office is responsible for screening candidates in the intake process for all offenders. At any time a referral to Drug Court can be made to any team member in the drug court program at which point the State Attorney must conduct a background check. Perspective clients can also be referred from violations of probation or from the courtroom. The burden of background checks rests solely on the State Attorney, creating a bottleneck effect. The Drug Court Coordinator having the means to access these records would expedite the timely entrance of appropriate candidates, which is the cornerstone of Drug Court.

3. PROGRAM DESCRIPTION

- The programs will be administered by the FCIC/NCIC TAC (Terminal Agency Coordinator).
- Both Drug Court and Criminal History Reports will be measured statistically. It is anticipated easier access to criminal history records will increase the number of offenders entering the Drug Court Program. The Office of the Public Defender's office has achieved a 49.6% early resolution success rate in their felony division.

I. CRIMINAL HISTORY REPORTS

- Our goal is to provide the judiciary with criminal history records needed to facilitate early resolutions based on criminal history without continuations and separate sentencing dates.
- Long range goals are to have records routinely available to the judiciary.
- The Public Defender and State Attorney have both indicated that without DOC providing these records, the early resolution process would all but cease. In order to formulate plea agreements, they are dependant upon these records. The Public Defender has indicated their access is limited and it would be a timely and cumbersome process as is described in the attached letter. The State Attorney does not have the resources or the time to absorb the responsibility. It is imperative, to continue the success rate, for the judges to have this information available. (Also see Judge Eaton's letter, attached)

II. DRUG COURT

- Our goal is to utilize NCIC/FCIC to become more involved in the screening process. Long range plans may involve having personnel present in the courtroom.
- There are a 'team' of members representing several agencies. Broadening the screening process would involve the administrative judge and the drug court coordinator addressing the entire team.

4. BUDGET AND BUDGET NARRATIVE

The first year set up:

3 computer terminals (Criminal Justice Center, Court Admin./Drug Court, Jail)	\$ 9,000
Travel	\$ 1,500
Training	\$ 3,500
Supplies	<u>\$ 1,000</u>
	\$15,000
Operating expenses for additional 3 years at \$5000 per year:	<u>\$15,000</u>
	\$30,000