



WASHOE COUNTY

Integrity Communication Service

www.washoecounty.gov

STAFF REPORT

BOARD MEETING DATE: *November 19, 2024*

DATE: Monday, September 23, 2024

TO: Board of County Commissioners

FROM: Brooke Howard, Specialty Courts Program Manager,
Second Judicial District Court (775) 328-3839,
Brooke.Howard@washocourts.us

THROUGH: Alicia Lerud, Court Administrator/Clerk of Court

SUBJECT: Acknowledge the grant award from the Office of Traffic Safety to the Second Judicial District Court to support Felony DUI court participant drug and alcohol testing and travel expenses in covering a portion of the salary of one of the Specialty Court Officers assigned to Felony DUI Court, in the amount of \$104,500 (\$26,125 in-kind match required), for one year beginning at the effective date of authorization to September 30, 2025 and direct the Comptroller's Office to make the necessary budget amendments. District Court. (All Commission Districts.)

SUMMARY

The Court has received funding from the Office of Traffic Safety since 2008. The current Project Agreement is for \$104,500 to maintain the minimum funding necessary to support a portion of the coordinator position/employee for the Felony DUI Court and cover drug and alcohol testing for participants.

Washoe County Strategic Objective supported by this item: Safe, Secure and Healthy Communities

PREVIOUS ACTION

None

BACKGROUND

The Felony DUI Court complies with statutory provisions and minimum program requirements for each defendant as follows:

- an evaluation to determine the nature and extent of the substance use disorder and the formulation of a treatment plan by a certified or licensed substance abuse counselor;

AGENDA ITEM # _____

- a minimum of six months of house arrest upon enrollment;
- participation in a substance abuse counseling program throughout the duration of the three year program;
- a minimum of weekly self-help meetings;
- installation of a breath ignition interlock device on any vehicle which a defendant owns or operates;
- regular status checks with Court staff;
- regular court appearances;
- minimum of three years of participation in the program.

Senate Bill 277 authorizes the Court to order a third-time offender of driving under the influence (DUI) to a treatment program for a minimum of three years based on a report from a counselor or physician who diagnoses a drug or alcohol problem. If the Court orders the offender to a treatment program, it must suspend further proceedings and place the offender on probation upon condition that the treatment program is complete.

If the program is successfully completed, the conviction is reduced to a second-offense violation, a misdemeanor. However, for purposes of additional penalties imposed for subsequent DUI offenses, the offense will count as a third offense. If the program is not successfully completed or the offender is not accepted for treatment, the sentence must be served. However, the Court has the discretion to reduce the sentence of imprisonment for the time served.

Defendants are responsible for all program costs including treatment, house arrest fees, the Breath Ignition Interlock Device and program fees. The statute specifically states that eligible offenders "must agree to pay the costs of the treatment to the extent of his financial resources."

GRANT AWARD SUMMARY

Project/Program Name: Second Judicial District Court's Felony DUI Court/ Office of Traffic Safety.

Scope of the Project:

- an evaluation to determine the nature and extent of the substance use disorder and the formulation of a treatment plan by a certified or licensed substance abuse counselor;
- a minimum of six months of house arrest upon enrollment;
- participation in a substance abuse counseling program throughout the duration of the three year program;
- a minimum of weekly self-help meetings;
- installation of a breath ignition interlock device on any vehicle which a defendant owns or operates;
- regular status checks with Court staff;
- regular court appearances;
- minimum of three years of participation in the program.

Benefit to Washoe County Residents: In 2007, the Nevada Legislature created the Felony Driving Under the Influence (DUI) Court. In 2008, this Court began in the Second Judicial District Court with a goal to rehabilitate third-time Felony DUI offenders through community-based treatment and intensive supervision. Under the state statute, participants in DUI Court must plead guilty to a third DUI offense, but they are not sentenced until they complete or fail to complete the Court's program. The offender agrees to undergo a three to five-year mandatory treatment program, including participating for six months in a residential treatment facility, or house arrest, or other court approved monitoring. The offender also agrees to pay and to install an ignition interlock on all their vehicles to prevent them from being driven, if any alcohol is detected in the offender's breath. The goal is to improve quality of life, reduce recidivism, and increase community safety.

On-Going Program Support: These funds are made available through the Office of Traffic Safety and will support the Second Judicial District Court's expenses in covering a portion of the salary of one of the Specialty Court Officers assigned to Felony DUI Court.

Award Amount: \$104,500

Grant Period: "effective date of authorization" – 09/30/2025

Funding Source: National Highway Traffic Safety Administration

Pass Through Entity: Department of Public Safety, Office of Traffic Safety

Assistance Listing #/CFDA: 20.616 (d)

Grant ID Number: GPR1NY74XPQ5

Match Amount and Type: \$26,125 in-kind

Sub-Awards and Contracts: Fund will be used to cover drug and alcohol testing within Washoe County Purchasing Guidelines.

FISCAL IMPACT

Should the board acknowledge this grant award, the FY25 amended budget should increase by \$44,500 to bring the total FY 25 budget in alignment with the actual award amount; \$60,000 was already included in the approved FY25 budget for personnel expenses.

Internal Order	Revenue	Amount
----------------	---------	--------

11121- Felony DUI Court	431100 – Federal Grants	\$44,500
	Expenses	
11121-Felony DUI Court	710100 - Professional Services	\$41,060
11121-Felony DUI Court	711210 – Travel	\$3,440

RECOMMENDATION

Recommend acknowledging the grant award from the Office of Traffic Safety to the Second Judicial District Court, to support Felony DUI court participant drug and alcohol testing and travel expenses in covering a portion of the salary of one of the Specialty Court Officers assigned to Felony DUI Court, in the amount of \$104,500 (\$26,125 in-kind match required), for one year beginning at the effective date of authorization to September 30, 2025 and direct the Comptroller’s Office to make the necessary budget amendments.

POSSIBLE MOTION

Move to acknowledge the grant award from the Office of Traffic Safety to the Second Judicial District Court, to support Felony DUI court participant drug and alcohol testing and travel expenses in covering a portion of the salary of one of the Specialty Court Officers assigned to Felony DUI Court, in the amount of \$104,500 (\$26,125 in-kind match required), for one year beginning at the effective date of authorization to September 30, 2025 and direct the Comptroller’s Office to make the necessary budget amendments.