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Agency Name: Fort Bend County

Grant/App: 3932404 **Start Date:** 9/1/2022 **End Date:** 8/31/2023

Project Title: Forensic Evidence Testing **Status:** Application Pending Submission

Eligibility Information

Your organization's Texas Payee/Taxpayer ID Number:

17460019692080

Application Eligibility Certify:

Created on:12/16/2021 9:15:11 AM By:Susan Bourgeois

Profile Information

Applicant Agency Name: Fort Bend County **Project Title:** Forensic Evidence Testing

Division or Unit to Administer the Project: Fort Bend County DA's Office

Address Line 1: 301 Jackson

Address Line 2:

City/State/Zip: Richmond Texas 77469-3108

Start Date: 9/1/2022 **End Date:** 8/31/2023

Regional Council of Governments(COG) within the Project's Impact Area: Houston-Galveston Area

Council

Headquarter County: Fort Bend

Counties within Project's Impact Area: Fort Bend

Grant Officials:
Authorized Official
Name: KP George

Name. Kr George

Email: county.judge@fortbendcountytx.gov

Address 1: 301 Jackson Street
Address 1: Office of the County Judge

City: Richmond, Texas 77469

Phone: 281-341-8608 Other Phone: 281-633-7769

Fax: 832-471-1858
Title: The Honorable
Salutation: Judge
Position: County Judge

Financial Official

Name: Robert Sturdivant

Email: Accounting@fortbendcountytx.gov **Address 1:** 309 S. 4th Street, Suite 533

Address 1:

City: Richmond, Texas 77469

Phone: 281-341-3760 Other Phone: 281-341-3769

Fax: 281-341-3774

Title: Mr. Salutation: Mr.

Position: County Auditor

Project Director
Name: Mark Hanna

Email: mark.hanna@fortbendcountytx.gov

Address 1: 301 Jackson Street

Address 1: Suite 101

City: Richmond, Texas 77469

Phone: 281-238-4460 Other Phone:

Fax: Title: Mr.

Salutation: Deputy Chief

Position: Deputy Chief - Felony Divison, Fort Bend County DA

Grant Writer

Name: Susan Bourgeois

Email: susan.bourgeois@fortbendcountytx.gov

Address 1: 301 Jackson

Address 1:

City: Richmond, Texas 77469

Phone: 832-471-4326 Other Phone:

Fax: Title: Ms. Salutation: Ms.

Position: Assistant District Attorney

Grant Vendor Information

Organization Type: County

Organization Option: applying to provide services to all others

Applicant Agency's State Payee Identification Number (e.g., Federal Employer's Identification (FEI)

Number or Vendor ID): 17460019692080

Data Universal Numbering System (DUNS): 081497075

Narrative Information

Introduction

The District Attorney Testing of Forensic Evidence Grant Program provides reimbursement to district attorney offices for costs associated with forensic analysis of physical evidence.

The funding announcement, located on the <u>eGrants Calendar</u> page, describes the organization types, activities, and costs that are eligible under the announcement. The PSO's <u>eGrants User Guide to Creating an Application</u> guides applicants through the process of creating and submitting an application in eGrants. Information and guidance related to the management and use of grant funds can be found in the PSO's Guide to Grants, located on the PSO Resource for Applicants and Grantees webpage.

Certifications

In addition to the requirements found in existing statute, regulation, and the funding announcement, this program requires applicant organizations to certify compliance with the following:

Constitutional Compliance

Applicant assures that it will not engage in any activity that violates Constitutional law including profiling based upon race.

Cybersecurity Training Requirement

Local units of governments must comply with the Cybersecurity Training requirements described in Section 772.012 and Section 2054.5191 of the Texas Government Code. Local governments determined to not be in compliance with the cybersecurity requirements required by Section 2054.5191 of the Texas Government Code are ineligible for OOG grant funds until the second anniversary of the date the local government is determined ineligible. Government entities must annually certify their compliance with the training requirements using the Cybersecurity Training Certification for State and Local Governments. A copy of the Training Certification must be uploaded to your eGrants application. For more information or to access available training programs, visit the Texas Department of Information Resources Statewide Cybersecurity Awareness Training page.

Criminal History Reporting

Entities receiving funds from PSO must be located in a county that has an average of 90% or above on both adult and juvenile dispositions entered into the computerized criminal history database maintained by the Texas Department of Public Safety (DPS) as directed in the *Texas Code of Criminal Procedure, Chapter 66*. The disposition completeness percentage is defined as the percentage of arrest charges a county reports to DPS for which a disposition has been subsequently reported and entered into the computerized criminal history system.

Counties applying for grant awards from the Office of the Governor must commit that the county will report at least 90% of convictions within five business days to the Criminal Justice Information System at the Department of Public Safety.

Uniform Crime Reporting (UCR)

Eligible applicants operating a law enforcement agency must be current on reporting complete UCR data and the Texas specific reporting mandated by 411.042 TGC, to the Texas Department of Public Safety (DPS) for inclusion in the annual Crime in Texas (CIT) publication. To be considered eligible for funding, applicants must have submitted a full twelve months of accurate data to DPS for the most recent calendar year by the deadline(s) established by DPS. Due to the importance of timely reporting, applicants are required to submit complete and accurate UCR data, as well as the Texas-mandated reporting, on a no less than monthly basis and respond promptly to requests from DPS related to the data submitted.

Compliance with State and Federal Laws, Programs and Procedures

Local units of government, including cities, counties and other general purpose political subdivisions, as appropriate, and institutions of higher education that operate a law enforcement agency, must comply with all aspects of the programs and procedures utilized by the U.S. Department of Homeland Security ("DHS") to: (1) notify DHS of all information requested by DHS related to illegal aliens in Agency's custody; and (2) detain such illegal aliens in accordance with requests by DHS. Additionally, counties and municipalities may NOT have in effect, purport to have in effect, or make themselves subject to or bound by, any law, rule, policy, or practice (written or unwritten) that would: (1) require or authorize the public disclosure of federal law enforcement information in order to conceal, harbor, or shield from detection fugitives from justice or aliens illegally in the United States; or (2) impede federal officers from exercising authority under 8 U.S.C. § 1226(a), § 1231(a), § 1357(a), § 1366(1), or § 1366(3). Lastly, eligible applicants must comply with all provisions, policies, and penalties found in Chapter 752, Subchapter C of the Texas Government Code.

Each local unit of government, and institution of higher education that operates a law enforcement agency, must download, complete and then upload into eGrants the <u>CEO/Law Enforcement Certifications and Assurances Form</u> certifying compliance with federal and state immigration enforcement requirements. This Form is required for each application submitted to OOG and is active until August 31, 2023 or the end of the grant period, whichever is later.

Civil Rights Liaison

A civil rights liaison who will serve as the grantee's civil rights point of contact and who will be responsible for ensuring that the grantee meets all applicable civil rights requirements must be designated. The designee will act as the grantee's liaison in civil rights matters with CJD and with the federal Office of Justice Programs. Enter the Name of the Civil Rights Liaison:

Yvette R. Maldonado, Risk Management

Enter the Phone Number for the Civil Rights Liaison [(999) 999-9999 x9999]:

281-341-8630

Enter the Address for the Civil Rights Liaison:

301 Jackson St. Richmond, TX 77469-3108

Each applicant agency must certify to the specific requirements detailed above as well as to comply with all requirements within the PSO Funding Announcement, the *Guide to Grants*, the *Grantee Conditions and Responsibilities*, any authorizing or applicable state and federal statutes and regulations to be eligible for this program.

X I certify to <u>all</u> of the application content & requirements.

Project Abstract:

This project is called the Expedited Drug Testing for both the Expedited Narcotics Docket (END) and Drug Court (CARD) in Fort Bend County. This application seeks reimbursement of expedited narcotics testing for smaller felony drug possession offenses on the Fort Bend County Expedited Narcotics Docket and for Fort Bend County's Drug Card named CARD. These offenses specifically exclude delivery and manufacture offenses. END Docket: The Fort Bend County Board of District Judges approved a direct file order that will put low-level narcotics cases on a compressed timetable for disposition. The goal of this project is to use a specialized docket with a visiting judge to speed up dispositions of these cases. The goal is a disposition in 90-120 days with a tailored treatment plan. If the defendant will not accept the treatment option, the judge will send the case and it's associated lab report back to the original district court for a traditional docket setting. The desired outcome is to move small drug cases (with defendants willing to take responsibility for their actions) to a quicker disposition with more customized treatment options, while clearing dockets (particularly trial dockets) for the Fort Bend County District Courts to try higher-degree felony jury trials like sexual assaults, burglary of habitations, and robberies. The END Docket is designed to get individuals into treatment shortly after the offense date, as that Defendant is probably more amenable to treatment at that time. Drug Court (CARD): The Fort Bend County Drug Court is a collaborative effort of the bench, bar (prosecution and defense), probation department, treatment providers and law enforcement. This Court is designed for moderate to high risk offenders charged with a felony offense and the underlying circumstances of the offense involve substance abuse. These voluntary participants are screened by probation and enter a three phase Drug Treatment program if accepted. These cases usually last from 11-18 months. This program is a chance for addicts to learn skills to control their illness, to make a better life, and to begin to explore their potential as a drug free individual. Upon successful completion of the program, the State will dismiss the participant's case. CARD's caseload from 10/1/2020 until 9/30/2021 was 81 clients. However the total number of participants typically fluctuates with 50-60 as the optimal target per the Fort Bend County Community Supervision Department. A lab test is necessary to ensure that these Defendants receive justice upon entering into and participating in Drug Court. The current wait for DPS lab tests is over a year. This period of time was significantly lengthened with the Covid pandemic and Texas Winter Freeze in 2021. For cases on these dockets, we send seized contraband to NMS for expedited qualitative testing using gas chromatography. Each test costs \$120 per test. Predicting cases referrals during this pandemic is difficult. We anticipate 150 pieces of seized contraband will need qualitative testing. Again, this our best estimate based on where things stand during this pandemic and assumes current conditions will persist during the entire grant cycle.

Problem Statement:

We cannot reasonably move these smaller drug possession cases to a disposition (either plea or trial) without a lab test. DPS typically takes over 12 months to return results. By the time we receive the lab report back from DPS, the window of opportunity has closed to get willing defendants to a quick disposition with tailored treatment options on the Expedited Narcotics Docket and the Drug Court (CARD). The backlog of small possession cases will continue to clog district court dockets and divert resources away from crimes with victims.

Supporting Data:

The END Program has over 100 active cases. Around 50 have already been closed by entering into a plea bargain or diversion program with customized treatment planning. Some cases, after evaluation by the probation department showing a deeper addiction, have been transferred to Fort Bend County's Drug Court (CARD) and can be ready for disposition (and treatment) sooner with the same expedited lab reports. CARD's caseload from 10/01/2020 until 9/30/2021 was 81 clients. However, the total number of participants fluctuates with 50-60 being optimal per our probation department.

Project Approach & Activities:

The goal of the program is to identify issues in each case that can be addressed with either substance abuse treatment or through other community services that can help prevent the individual from engaging in further criminal behavior. The screening tools this docket will use include The Substance Abuse Subtle Screening Inventory (SASSI), Texas Christian University Drug Screen 5 and the Texas Risk Assessment System (TRAS). We will also screen individuals to determine the need for mental health services, educational and vocational services, and housing needs. The program will utilize the Texas Work Force Commission, the Literacy Council of Fort Bend, Texas State Technical College, Wharton County Junior College, and the Fort Bend County Behavioral Health Department. The program will use Fort Bend Regional Council, Turning Point and Bay Area Recovery for substance abuse treatment and Texana, the Local Mental Health Authority, for mental health treatment.

Capacity & Capabilities:

Fort Bend County has a well developed criminal justice system that already includes specialty courts in addition to END and CARD. The Court will be staffed with deputy district clerks, court-appointed and retained counsel, staff from Fort Bend County Community Supervision and Corrections Department (CSCD), assistant district attorneys, a visiting judge from the 11th Administrative Judicial Region (Judge Susan Brown), Judge Tameika Carter of the 400th District Court and all the other court staff necessary to run the docket. We are committed to eventually having recovery coaches and other community services available for those who wish to accept responsibility and begin a customized treatment program.

Performance Management:

The overall goals are to quickly evaluate and appropriately place drug offenders that are willing to accept responsibility in an individualized treatment program on an expedited basis. The END docket will match needs to resources for those who remain on the docket during supervision and appropriately place other offenders in Fort Bend County's Drug Court (CARD), Mental Health Court, Veteran's Court, inpatient treatment or whatever diagnostic testing the Fort Bend County CSCD indicates is appropriate. Those who are placed directly to CARD from a regular felony docket will also utilize grant funds for expedited qualitative testing.

Target Group:

The Expedited Narcotics Docket and CARD target defendants with low level felony narcotics cases for quick disposition with tailored treatment options. Appropriate cases on the END docket will be moved to specialized dockets (including CARD) to allow more resources for District Court Judges to try other higher degree violent offenses. The program excludes delivery and manufacture cases.

Evidence-Based Practices:

The process the Expedited Narcotics Docket mirrors the successful re-integration court model employed in Harris County. The use of customized treatment options applied after pre-disposition assessment led to lower recidivism for individuals with small drug offenses. As the END docket continues to operate, we are collecting information for evaluation and improvements. CARD is a standing Drug Court that has proven record of success.

Project Activities Information

Introduction

This section contains questions about your project. It is very important for applicants to review their funding announcement for guidance on how to fill out this section. Unless otherwise specified, answers should be about the EXPECTED activities to occur during the project period.

Selected Project Activities:

ACTIVITY PERCENTAGE:		DESCRIPTION		
Crime Lab/Forensics	100.00	Expedited qualitative testing of narcotics for cases in the END Docket or Fort Bend County's Drug Court (CARD).		

CJD Purpose Areas

PERCENT DEDICATED	PURPOSE AREA	PURPOSE AREA DESCRIPTION
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Measures Information

Objective Output Measures

OUTPUT MEASURE	TARGET LEVEL
Document Examination: Number of pieces of evidence processed.	0
Firarms/Toolmarks: Number of pieces of evidence processed.	0
Forensic Biology: Number of pieces of evidence processed.	0
Material (Trace): Number of pieces of evidence processed.	0
Other: Number of pieces of evidence processed.	0
Seized Drugs: Number of pieces of evidence processed.	105
Toxicology: Number of pieces of evidence processed.	0

Objective Outcome Measures

OUTCOME MEASURE	TARGET LEVEL
Number of exonerations where grant- funded evidence was tested.	0
Number of pieces of evidence used in trials conducted.	0
Number of plea bargains obtained where grant-funded evidence was tested.	105
Number of successful convictions where grant-funded evidence was tested.	0

Custom Output Measures

Custom Outcome Measures

Resolution from Governing Body

Applications from nonprofit corporations, local units of governments, and other political subdivisions must include a <u>resolution</u> that contains the following:

- 1. Authorization by your governing body for the submission of the application to the Public Safety Office (PSO) that clearly identifies the name of the project for which funding is requested;
- 2. A commitment to provide all applicable matching funds;
- 3. A designation of the name and/or title of an authorized official who is given the authority to apply for, accept, reject, alter, or terminate a grant (Note: If a name is provided, you must update the PSO should the official change during the grant period.); and
- 4. A written assurance that, in the event of loss or misuse of grant funds, the governing body will return all funds to PSO.

Upon approval from your agency's governing body, upload the <u>approved</u> resolution to eGrants by clicking on the **Upload Files** sub-tab located in the **Summary** tab.

Contract Compliance

Will PSO grant funds be used to support any contracts for professional services?

Select the appropriate response:

X Yes

_ No

For applicant agencies that selected **Yes** above, describe how you will monitor the activities of the sub-contractor(s) for compliance with the contract provisions (including equipment purchases), deliverables, and all applicable statutes, rules, regulations, and guidelines governing this project.

Enter a description for monitoring contract compliance:

The contract with NMS is monitored each time an invoice is received from the lab. An Invoice Transmittal Form is generated within the DA's Office for each lab invoice received and then it is transmitted to the Auditor's Office for their Accounts Payable section to send payment to the lab. The Grant Accountant in the County Auditor's Office will submit a monthly report for reimbursement to CJD. Our County Auditor will monitor costs as they do for all DA's Office expenditures and requests for reimbursement. The DA's Office will keep the lab reports in their files. Should the lab (and we have no reason to indicate it would) submit vouchers without actually doing the work (dry labbing), it meets the elements of the crime of securing execution of a document by deception.

Lobbying

For applicant agencies requesting grant funds in excess of \$100,000, have any federally appropriated funds been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant loan, or cooperative agreement?

Select the appropriate response:



For applicant agencies that selected either **No** or **N/A** above, have any non-federal funds been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress in connection with this federal contract, loan, or cooperative agreement?

Select the appropriate response:

_ Yes

X No

_ N/A

Fiscal Year

Provide the begin and end date for the applicant agency's fiscal year (e.g., 09/01/20xx to 08/31/20xx).

Enter the Begin Date [mm/dd/yyyy]:

10/1/2022

Enter the End Date [mm/dd/yyyy]:

9/20/2022

Sources of Financial Support

Each applicant must provide the amount of grant funds expended during the most recently completed fiscal year for the following sources:

Enter the amount (in Whole Dollars \$) of Federal Grant Funds expended:

92377738

Enter the amount (in Whole Dollars \$) of State Grant Funds expended:

6782504

Single Audit

Applicants who expend less than \$750,000 in federal grant funding or less than \$750,000 in state grant funding are exempt from the Single Audit Act and cannot charge audit costs to a PSO grant. However, PSO may require a limited scope audit as defined in 2 CFR Part 200, Subpart F - Audit Requirements.

Has the applicant agency expended federal grant funding of \$750,000 or more, or state grant funding of \$750,000 or more during the most recently completed fiscal year?

Select the appropriate response:

X Yes

_ No

Applicant agencies that selected **Yes** above, provide the date of your organization's last annual single audit, performed by an independent auditor in accordance with the State of Texas Single Audit Circular; or CFR Part 200, Subpart F - Audit Requirements.

Enter the date of your last annual single audit: 9/30/2020

Debarment

Each applicant agency will certify that it and its principals (as defined in 2 CFR Part 180.995):

- Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of Federal benefits by a State or Federal Court, or voluntarily excluded from participation in this transaction by any federal department or agency;
- Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state, or local) transaction or contract under a public transaction; violation of federal or state antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property; or
- Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state, or local) with commission of any of the offenses enumerated in the above bullet; and have not within a three-year period preceding this application had one or more public transactions (federal, state, or local) terminated for cause or default.

Select the appropriate response:

X I Certify

_ Unable to Certify

If you selected **Unable to Certify** above, please provide an explanation as to why the applicant agency cannot certify the statements.

Fiscal Capability Information

Section 1: Organizational Information

*** FOR PROFIT CORPORATIONS ONLY ***

Enter the following values in order to submit the application

Enter the Year in which the Corporation was Founded: 0

Enter the Date that the IRS Letter Granted 501(c)(3) Tax Exemption Status: 01/01/1900

Enter the Employer Identification Number Assigned by the IRS: 0

Enter the Charter Number assigned by the Texas Secretary of State: 0

Enter the Year in which the Corporation was Founded:

Enter the Date that the IRS Letter Granted 501(c)(3) Tax Exemption Status:

Enter the Employer Identification Number Assigned by the IRS:

Enter the Charter Number assigned by the Texas Secretary of State:

Section 2: Accounting System

The grantee organization must incorporate an accounting system that will track direct and indirect costs for the organization (general ledger) as well as direct and indirect costs by project (project ledger). The grantee must establish a time and effort system to track personnel costs by project. This should be reported on an hourly basis, or in increments of an hour.

Is there a list of your organization's accounts identified by a specific number (i.e., a general ledger of accounts)?

Select the appropriate response: _ Yes _ No
Does the accounting system include a project ledger to record expenditures for each Program by required budget cost categories?
Select the appropriate response: _ Yes _ No

Is there a timekeeping system that allows for grant personnel to identify activity and requires signatures by the employee and his or her supervisor?

Select the appropriate response:

_ Yes _ No
If you answered 'No' to any question above in the Accounting System section, in the space provided below explain what action will be taken to ensure accountability.
Enter your explanation:
Section 3: Financial Capability
Grant agencies should prepare annual financial statements. At a minimum, current internal balance sheet and income statements are required. A balance sheet is a statement of financial position for a grant agency disclosing assets, liabilities, and retained earnings at a given point in time. An income statement is a summary of revenue and expenses for a grant agency during a fiscal year. Has the grant agency undergone an independent audit?
Select the appropriate response: _ Yes _ No
Does the organization prepare financial statements at least annually?
Select the appropriate response: _ Yes _ No
According to the organization's most recent Audit or Balance Sheet, are the current total assets greater than the liabilities?
Select the appropriate response: _ Yes _ No
If you selected 'No' to any question above under the Financial Capability section, in the space provided below explain what action will be taken to ensure accountability.
Enter your explanation:
Section 4: Budgetary Controls
Grant agencies should establish a system to track expenditures against budget and / or funded amounts. Are there budgetary controls in effect (e.g., comparison of budget with actual expenditures on a monthly basis) to include drawing down grant funds in excess of:
a) Total funds authorized on the Statement of Grant Award? _ Yes _ No
 b) Total funds available for any budget category as stipulated on the Statement of Grant Award? Yes No
If you selected 'No' to any question above under the Budgetary Controls section, in the space provided below please explain what action will be taken to ensure accountability.
Enter your explanation:
Section 5: Internal Controls
Grant agencies must safeguard cash receipts, disbursements, and ensure a segregation of duties exist. For example, one person should not have authorization to sign checks and make deposits. Are accounting entries supported by appropriate documentation (e.g., purchase orders, vouchers, receipts, invoices)?

Select the appropriate response:

CATEGORY	SUB CATEGORY	DESCRIPTION	OOG	CASH MATCH	IN- KIND MATCH	GPI	TOTAL	UNIT/%
Contractual and Professional Services	Non-DNA Forensic Testing	Reimbursement for expedited forensic testing of seized narcotics in cases assigned to the Fort Bend County Expedited Narcotics Docket and CARD program (Drug Court). The unit cost is \$120 for expedited testing at NMS. (150 est. tests)	\$18,000.00	\$0.00	\$0.00	\$0.00	\$18,000.00	0

If you selected 'No' to any question above under the Internal Controls section, in the space provided below

Is there separation of responsibility in the receipt, payment, and recording of costs?

please explain what action will be taken to ensure accountability.

Summary Source of Match/GPI:

Source of Match Information

Detail Source of Match/GPI:

DESCRIPTION

_ Yes _ No

_ Yes _ No

Select the appropriate response:

Enter your explanation:

Total Report	Cash Match	In Kind	GPI Federal Share	GPI State Share	
\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	

AMOUNT

MATCH TYPE

Budget Summary Information

Budget Summary Information by Budget Category:

CATEGORY	OOG	CASH MATCH	IN-KIND MATCH	GPI	TOTAL
Contractual and Professional Services	\$18,000.00	\$0.00	\$0.00	\$0.00	\$18,000.00

Budget Grand Total Information:

OOG	CASH MATCH	IN-KIND MATCH	GPI	TOTAL
\$18,000.00	\$0.00	\$0.00	\$0.00	\$18,000.00

Condition Of Fundings Information

Condition of Funding / Project	Date	Date	Hold	Hold Line Item
Requirement	Created	Met	Funds	Funds

You are logged in as **User Name**: sbourgeois