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FORT BEND COUNTY COMMISSIONERS COURT AGENDA REQUEST FORM

Return Completed Form to: Agenda Coordinator, County Judge's Office

Date Submitted: March 15, 2010	Submitted by: Stanford Polk, Supervisor Department: CSCD								
Court Agenda Date: March 23, 2010	Phone Number: 281-238-3236								
SUMMARY OF ITEM: The Community Supervision and Corrections Department (CSCD) is submitting a grant application for the Felony Drug Court (CARD), Misdemeanor Drug Court and the DWI Court Programs to the Office of the Governor, Criminal Justice Division (CJD). The total grant being requested is \$150,000 with no match funds. The total sum being requested is for the program participant's outpatient substance abuse counseling services. Only program participants with limited or no fiduciary resources will be eligible for services to be paid by grant funds. This grant will be designated as a County Grant approved by the County to be administered by the Fort Bend County CSCD for Fort Bend County criminal offenders. Copy of CJD Grant Application is attached.									
FINANCIAL SUMMARY:									
BUDGETED ITEM: YES NO Annualized Dollars: One Time (X) FUNDNG SOURCE: CJD Grant Recurring (X) Account Number: 100570999 Agency: 5701A Ac	x ctivity: G570-10CARD								
Instructions to submit Agenda Request Form:									
 Completely fill out agenda form: incomplete Agenda Request Forms may be submitted by 	y e-mail, fax, or inter-office mail, and all back-up information								
must be provided by Wednesday at 2:00 p.m	. to all those listed below.								
DISTRIBUTION:	County Judge's Office by 2:00 p.m. on Wednesday.								
Original Form Submitted with back up to Count									
If by E-Mail to ospindon@co.fort-bend.tx.us Distribute copies with back-up to all listed below	If by Fax to (281) 341-8609								
☐ Auditor (281-341-37)									
Budget Officer (281-344-39	54) 🔲 Comm. Pct. 2 (281-403-8009)								
☐ Facilities/Planning (281-633-702 ☐ Purchasing Agent (281-341-864									
Information Technology (281-341-452									
Other:	County Atty (281-341-4557)								

RECOMMENDATION / ACTION REQUESTED:

It is requested that Commissioners Court approve the CJD grant application for submission to the Office of the Governor, Criminal Justice Division with no match funds. Furthermore, it is desired that the County Judge be authorized to sign the grant application and any documents related to the grant application.

3-25-10 orig. ret. to Stanford at CSCD

RESOLUTION

Fort Bend County Felony Drug Court (CARD), Misdemeanor Drug Court and Misdemeanor DWI Court Programs

WHEREAS, the County Court of Commissioners finds it in the best interest of the citizens of Fort Bend County, that the Felony Drug Court (CARD), Misdemeanor Drug Court and the Misdemeanor DWI Court Programs be operated for the Fiscal year 2011; and

WHEREAS, the County Court of Commissioners agrees that in the event of loss or misuse of the Criminal Justice Division funds, the County Court of Commissioners assures that the funds will be returned to the Criminal Justice Division in full.

WHEREAS, the County Court of Commissioners designates Robert Hebert, Fort Bend County Judge as the grantee's authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency.

NOW THEREFORE, BE IT RESOLVED that the County Court of Commissioners approves submission of the grant application for the Felony Drug Court (CARD), Misdemeanor Drug Court and the Misdemeanor DWI Court programs to the Office of the Governor, Criminal Justice Division.

Passed and Approved this23	_ day of, 2010
ATTEST: Amban	Signed by: Mody Lottoge Grady Prestage Commissioner Precinct 2 Presiding Officer, Commissioners Court March 23, 2010
Dianne Wilson, County Clerk	
Grant Application Confirmation Number	

CJD Sample Resolution

COOPERATIVE WORKING AGREEMENT

This is to certify that the objectives of the grant application submitted to the Criminal Justice Division of the Office of the Governor have been reviewed and that it is mutually agreed to cooperate to whatever extent is necessary in carrying out the objectives described in this application.

In addition, if the outside organization has personnel assigned to the grantfunded project, that agency certifies that it is cognizant of the rules and regulations governing the operation of the grant and agrees to abide by any and all such rules or special conditions relating to the application.

Felony Drug Court (CARD), Misdemeanor Drug
Court, Misdemeanor DWI Court
Applicant's Organization
Project Title

Grady Prestage, Commissioner
Pct. 2, Presiding Officer of
Commissioners Court
Printed Name and Title of
Signature of the Applicant's
Date

Applicant's Authorized Official Authorized Official

Part II: Outside Organization

Fort Bend County District
Attorney's Office

Felony Drug Court (CARD), Misdemeanor Drug
Court, Misdemeanor DWI Court

Outside Organization Project Title

John Healey, District Attorney

Printed Name and Title of
Outside Organization's

Signature of the Outside
Organization's Authorized

Authorized Official Official

From:

<egrants@governor.state.tx.us>

To:

<werleann@co.fort-bend.tx.us>, <poikstan@co.fort-bend.tx.us>, <Tatyana.J...</pre>

Date:

4/1/2010 11:23 AM

Subject:

eGrants: Receipt of Certified OOG Grant Application - 1919104

The Office of the Governor (OOG) has received your certified submission for grant application number 1919104, titled Felony Drug Court (CARD), Misdemeanor DWI Court and Misdemeanor Drug Court by your agency's Authorized Official.

OOG will contact your agency via email if further information or revisions on your application are necessary. To access your user account and retrieve information related to this application request, please log on to eGrants at https://cjdonline.governor.state.tx.us.

Please Note: All grant-funding decisions rest completely within the discretionary authority of OOG. The receipt of an application for grant funding does not obligate OOG to fund the project or to fund at the amount requested.

From:

<egrants@governor.state.tx.us>

To:

<werleann@co.fort-bend.tx.us>, <polkstan@co.fort-bend.tx.us>, <Tatyana.J...</pre>

Date:

4/1/2010 11:23 AM

Subject:

eGrants: Certification Required for Submitted OOG Grant Application - 1919104

The Office of the Governor (OOG) has received your submission for grant application number 1919104, titled Felony Drug Court (CARD), Misdemeanor DWI Court and Misdemeanor Drug Court.

To complete the application submission process, the Authorized Official (AO) assigned to this application must certify the application. The AO must log on to eGrants at https://cjdonline.governor.state.tx.us, go to the 'My Home' page, locate the application that is in the status 'Pending AO Certification', click on the grant number, and proceed to the 'Submit Application' tab. The AO can certify the application by clicking on the 'Certify Official Application' button.

Please Note: Failure to certify and submit the application will result in a delay in the processing of your application.

Agency Name: Fort Bend County

Grant/App: 1919104 Start Date: 9/1/2010 End Date: 8/31/2011

Project Title: Felony Drug Court (CARD), Misdemeanor DWI Court and Misdemeanor Drug

Court

Status: Pending OOG Review

Narrative Information

General Approaches

- <u>Pre-adjudication</u> The defendant is diverted to the treatment program in lieu of prosecution before charges are filed or before final case.
- <u>Post-adjudication</u> The drug offender begins the drug court program after entering a plea of guilty or nolo
 contendere or having been found guilty, often as a condition of probation.
- Reentry Offenders completing sentences of incarceration or lengthy terms of residential treatment are ordered into the treatment program to facilitate their transitionand reintegration into society.
- <u>Civil</u> Participants enter the drug court program in relation to suits affecting the parent-child relationship, child welfare / CPS cases, child support cases, or other civil matters.

Select the general approach(es) this drug court fill follow below.

Select \underline{all} that apply:

X Pre-adjudication

X Post-adjudication

_ Reentry

_ Civil

_ N/A

Observation – The drug court team (judge, prosecutor, defense counsel, treatment provider, supervision officer, court coordinator, etc.) of a new program must observe at least one drug court staffing session and hearing, in Texas, prior to program implementation.

Policies and Procedures – The drug court will develop and maintain written policies and procedures for the operation of the program.

Information Sharing – The applicant will submit a copy of any project evaluations, evaluation plans, recidivism studies, or related reports that are completed during the grant period to CJD.

Jurisdiction - Provide the name of the court administering the Drug Court program (e.g., 999th Judicial District Court, Somewhere County Criminal Court, or City of Somewhere Municipal Court). If this has not been decided enter 'To Be Determined', or enter 'N/A' if this item does not apply.

County Court at Law #4 DWI Court, County Court at Law #3 Misdemeanor Drug Court, Felony Drug Court (CARD)

Drug Court Date - If the Drug Court has commenced operations, provide the date that this Drug Court was established.

Enter the date [mm/dd/yyyy]: 1/23/2002

Drug Court Type

• Adult - Programs serving adults (either pre-adjudication, post-adjudication, or reentry).

 <u>Family</u> - Programs serving parents who enter the drug court in relation to suits affecting the parent-child relationship, including child welfare / CPS cases, child support cases, or other civil matters. <u>Juvenile</u> - Programs serving juveniles (either pre-adjudication, post-adjudication, or reentry).
Select the type of drug court that will be operated: X Adult Family Juvenile N/A
Will the drug court accept DWI offenders ?
Select the appropriate response: X Yes No N/A
Presiding Judge - The presiding judge of a drug court funded with Drug Court funds must be an active judge holding elective office or a master. Is the presiding judge of the drug court an active judge holding elective office or a master?
Select the appropriate response: X Yes No N/A
Enter the name of the Presiding Judge for the Drug Court. If this has not been decided enter 'To Be Determined', or enter 'N/A' if this item does not apply.
Felony Drug Court (CARD):Honorable Judge Ross Sears, Misdemeanor DWI Court:Honorable Judge Sandy Bielstein, Misdemeanor Drug Court:Honorable Susan Lowery Enter the name, phone number and email address of the Drug Court Coordinator . If this has not been decided enter 'To Be Determined', or enter 'N/A' if this item does not apply.
Jim Syptak (Felony Drug Court and Misdemeanor Drug Court Coordinator) syptjim@co.fort-bend.tx.us 281-633-7243, Larry Elkins (DWI Court Coordinators) elkinlar@co.fort-bend.tx.us 281-243-4861. Note: The Drug Court Coordinator usually monitors the operation of the Drug Court, supervises Drug Court staff, participates in Drug Court judicial staff meetings, prepares and oversees Drug Court contracts with service providers, maintains data on Drug Court operations, and communicates with legal staff, government officials, social service agencies, and the public regarding matters of the Drug Court.
Has the drug court ever applied for federal funding ?
Select the appropriate response: X Yes No N/A
Has the drug court ever received federal funding ?
Select the appropriate response: X Yes No N/A

If you selected **Yes** above, provide the federal award amount, grant period [mm/dd/yyyy to mm/dd/yyyy], and explain how CJD funds will be used to support or expand the project and not replace existing funds.

Enter the federal funding description:

Fort Bend County Felony Drug Court (CARD) was awarded a federal grant in the amount of \$499,838.00. The grant period was 04/02/2002 through 03/13/2005. The federal grant expired on 03/31/2005. Fort Bend County will use CJD funds to continue to provide treatment services for participants involved in the Felony Drug Court (CARD), Misdemeanor Drug Court and the Misdemeanor DWI Court Programs. CJD funds will also be used to increase the number of participants served through these three programs.

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: Kent Edwards Enter the Address for the Civil Rights Liaison: 4520 Reading Road Suite A Rosenberg, Texas 77471 Enter the Phone Number for the Civil Rights Liaison: 2813418631

Certification

Each applicant agency will certify to the specific criteria detailed above under **Program Requirements** to be eligible for funding under the Drug Court Program Solicitation.

X I certify to <u>all</u> of the above eligibility requirements.

Problem Statement:

Please provide a detailed account in the Problem Statement section of the existing issues your project will target. Enter your problem statement:

Fort Bend County has limited substance abuse resources and individuals arrested for a drug-related or alcoholrelated offense usually return to their criminal activity and substance abuse habit upon release from jail. Without
the existence of the Drug and DWI Courts the local court system has limited mechanisms through which it can
effectively handle nonviolent drug offenders and offenders arrested for an alcohol related offense. Occasionally,
Community Supervision is unaware of an existing substance abuse problem which creates a lapse in time before
appropriate assessments and treatment services occurs. The Fort Bend County DWI Court and Drug Courts seeks
to alleviate this problem through early identification of substance abuse disorders, intensive substance abuse
treatment and court intervention.

Supporting Data:

Provide as much supporting data, to include baseline statistics and the sources of your data, which are pertinent to where the grant project is located and/or targeted. Do not use statewide data for a local problem or national data for a statewide problem.

Enter your supporting data:

The primary substances being abused in Fort Bend County are alcohol, crack cocaine, marijuana and prescription drugs. Other substances being abused include amphetamines, methamphetamines, PCP and opiates. Repeat offenses, as a norm, are the result of a lack of treatment services to effectively address the problem of substance abuse. According to the United States Census Bureau in the year 2000 Fort Bend County population was 354,452 and in year 2008 had an estimated population of 532,141, which indicates a growth rate of 50% in eight years. With the growing population in Fort Bend County, the need for additional and more intensive substance abuse treatment services also continues to grow. The State Office of Court Administration indicates that, in FY 2009, 6,439 misdemeanor criminal cases and 3,063 felony criminal cases were filed in Fort Bend County. Of the misdemeanor cases filed in FY 2009 38% were alcohol or drug related offenses and of the felony cases filed in FY 2009 27% were alcohol or drug related offenses. This percentage does not include theft or property crimes, which is commonly associated with substance abuse. Of the 11,907 criminal cases that were pending in Fort Bend County on 08/31/2009 27% were classified as alcohol or drug related offenses. According to the Fort Bend County Community Supervision and Correction Department's Offender Profile Data at the end of fiscal year 2009, 42% of individuals under direct supervision were placed on Community Supervision for an alcohol or drug related offense. In 2008, the Fort Bend Regional Council on Substance Abuse (one of the CSCD contracted providers) assessed 931 individuals and of that number, 812 (87%) were determined to have a chemical dependency problem requiring

treatment. A recent study completed by the Fort Bend County Community Supervision and Corrections Department indicates that the Misdemeanor DWI Court Program has a recidivism rate of .06% over a four-year period and the Felony Drug Court Program (CARD) has a recidivism rate of 14.5% over a three-year period.

Community Plan:

For projects that have a local or regional impact target area, provide information regarding the community plan need(s) that your project will address.

Enter your community planning needs:

Limited substance abuse treatment resources & services

Goal Statement:

Provide a brief description of the overall goals and objectives for this project.

Enter a description for the overall goals and objectives:

The goal of the programs are to reduce recidivism by providing an effective and accountable response from the criminal justice system that breaks the cycle of drug and alcohol addiction and criminality in our community. The programs are also designed to promote a sober and healthy lifestyle through brokering community treatment services and promoting community safety.

Cooperative Working Agreement (CWA):

When a grantee intends to carry out a grant project through cooperating or participating with one or more outside organizations, the grantee must obtain authorized approval signatures on the cooperative working agreement (CWA) from each participating organization. Grantees must maintain on file a signed copy of all cooperative working agreements, and they must submit to CJD a list of each participating organization and a description of the purpose of each **CWA**. Cooperative working agreements do not involve an exchange of funds.

For this project, provide the name of the participating organization(s) and a brief description of the purpose(s) for the **CWA(s)**. You should only provide information here that this project's successful operation is contingent on for the named service or participation from the outside organization.

Note: A **Sample CWA** is available <u>here</u> for your convenience.

Enter your cooperating working agreement(s):

Fort Bend County District Attorney's Office: provides prosecutors for cases assigned to the Drug and DWI Courts and serves as team members for each assigned Court.

Continuation Projects:

For continuation projects only, if your current or previous year's project is NOT on schedule in accomplishing the stated objectives, briefly describe the major obstacles preventing your organization from successfully reaching the project objectives as stated within your previous grant application. (Data may be calculated on a pro-rated basis depending on how long the current or previous year's project has been operating.)

Enter your current grant's progress:

The current project is exceeding objectives in regards to number of new enrollments, number of participants served, number of clients that successfully complete the programs and number of people assessed for eligibility. All other project objectives are on schedule in accomplishing reported output measures/goals.

Project Summary:

Briefly summarize the entire application, including the project's problem statement, supporting data, goal, target group, activities, and objectives. Be sure that the summary is easy to understand by a person not familiar with your project and that you are confident and comfortable with the information if it were to be released under a public information request.

Enter your summary statement for this project:

Fort Bend County has limited resources to effectively handle individuals arrested for a non-violent drug or alcohol related offense. Although there are existing alternatives through community supervision there is still a need for more intensive programs such as the CARD Program (Felony Drug Court), Misdemeanor Drug Court and the DWI Court. When individuals are placed on Community Supervision with an existing substance abuse problem, there is often a lapse in time before the problem is identified and appropriate assessments and referrals to treatment services occurs. The Drug Courts and the DWI Court immediately identifies individuals with a substance abuse problem and provides immediate assessments and referrals to treatment services. The primary goal of each program is to provide an effective and accountable response by the criminal justice system that breaks the cycle of drug and alcohol addiction and criminality in our community. The programs are also designed to promote a sober and healthy lifestyle through brokering community treatment services and promoting community safety while at the same time reducing recidivism. The primary focus of the Felony Drug Court Program (CARD) is on State Jail Felony and/or Third Degree non-violent felony offenders with the underlying issue being a substance abuse problem. Other felonies of other levels, including felony DWI, are considered on a case-by-case base. The Misdemeanor Drug Court focuses on individuals charged with a Misdemeanor Possession of Marijuana or a Misdemeanor Possession of a Controlled Substance. Other non-violent Misdemeanor charges are considered if the underlying circumstances of the offense involve substance abuse. The DWI Court Program focuses on individuals charged with a Misdemeanor class A DWI arrest. Class B Misdemeanor DWI offenders who have demonstrated a

significant substance abuse problem may be considered on a case by case basis depending upon program availability. Each program's operational guidelines include the ten key components as established by the National Association of Drug Court Professionals (NADCP). After an individual is arrested, a pre-trial interview is conducted and individuals are screened for possible referral to the CARD Program, Misdemeanor Drug Court or the DWI Court. Offenders who are currently on community supervision and have demonstrated a significant substance abuse problem may also be referred to the appropriate program with the courts approval. Once the criteria for admission to the program have been met, the participant will meet with the Drug Court Officer who will conduct an intake that will include a complete social and substance abuse history. Participants will be immediately referred for a Substance Abuse Evaluation with a designated treatment provider who will identify treatment needs and refer the participant to the appropriate treatment services. The treatment provider, Drug Court Officer and the program participant work together to develop an individual treatment plan. Participants will also be required to submit to random alcohol/drug screening. Each program activities consist of three phases with the exception of the CARD program, which consist of a Preliminary Recovery Exposure Phase along with the three phases. The participants are required to attend weekly court sessions, submit to random drug/alcohol testing, attend 12-Steps Meetings, attend substance abuse treatment, individual and/or family counseling, peer support meetings and aftercare group. Participants are also required to report to their assigned Drug Court Officer and are subject to monthly home/field visits by their assigned Drug Court Officer. Treatment and supervision requirements can be adjusted at any time during any phase to meet the participant's need, which may include referrals to residential substance abuse treatment. Graduated sanctions and incentives are utilized throughout the program phases to assist in the success of the participant. Participants are also assessed and referred to a cognitive behavioral program. Successful completion of each program is determined once the participants has completed all phases of the program, met all treatment goals and objectives and remained drug and alcohol free. These specialized programs where established as follows: felony drug court Janaury 2002, DWI court February 2006, Misdemeanor drug court March 2006.

Project Activities Information

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Selected	Project	Activitie	es:

ACTIVITY	PERCENTAGE:	DESCRIPTION
Drug Court - Adult	100.00	Provide court supervised substance abuse treatment to adult offenders as an alternative to traditional criminal or civil sanctions The programs are special "Problem-Solving" courts given the responsibility to handle cases involving drugusing/and DWI offenders through intense supervision, random alcohol/drug testing, alcohol/drug treatment and immediate sanctions and incentives. Initially, offenders are under daily contact from members of the Court Teams, which includes weekly court appearances and office visits with supervision officers. Participants are referred to drug/alcohol treatment within twenty fours hours of entering the program. Treatment options utilized by the Courts are intensive outpatient, supportive outpatient, individual counseling, 12 step meetings, psychological counseling and residential alcohol/drug treatment. With the exception of participatants in the DWI Court Program, all must complete Moral Reconation Therapy, which is a cognitive behavior program. Participants may also be referred to educational and job training based on individual needs. Graduated sanctions, including jail time, are imposed for noncompliance. Sanctions include admonishments by the court, more restrictive conditions, curfew, and phase demotion within the program. Electronic monitoring, jail time, community service, and prison for a day program, along with writing assignments are also utilized. Conversely, incentives are applied for continual compliance. Incentives include certificates of achievement, gifts and gift certificates, praise from the bench, court applause, less restrictive conditions within the program, promotion within program, and ultimate dismissal of the case if eligible. A defendant who has met his/her requirements for the week will be a Lifesaver for that week. Participants also participate in a monthly group social.

Geographic Area:

Fort Bend County

Target Audience:

The Felony Drug Court (CARD) targets non-violent offenders who are charged with a felony offense where the underlying circumstances of the offense involve substance abuse. The Misdemeanor Drug Court targets an individual charged with a Misdemeandor drug offense. The DWI Court targets individulas who have been charged with a subsequent misdemeanor DWI and first time offenders who through a screening process have been determined to have a serious problem with alcohol.

Gender:

Male and female offenders are eligible for the programs

Ages:

Age seventeen (17) or older

Special Characteristics:

Prospective participants should exhibit a level of committment to change behavior that is indicative of someone seeking to break the cycle of thier addiction and raise the level of thier ability to remain a law abiding citizen.

Measures Information

OUTPUT MEASURE		TARGET LEVEL	
Number of new enrollments in the program.	59	115	
Number of participants in the program. ("Participants" should include the number in the program at the beginning of the reporting period plus the number of enrollments - example: total number served.)	189	210	
Number of people assessed for eligibility to participate in the program.	352	575	

Custom Objective Output Measures

CUSTOM OUTPUT MEASURE	CURRENT DATA	TARGET LEVEL	

Objective Outcome Measures

OUTCOME MEASURE	CURRENT DATA	TARGET LEVEL
Number of participants employed or enrolled in school at time of drug court graduation (part time or full time).	45	75
Number of participants that earn a GED, high school diploma, or vocational training credential while in the program.	6	12
Number of participants that successfully complete the program.	50	82

Budget Details Information

Budget Information by Budget Line Item:

CATEGORY	SUB CATEGORY	DESCRIPTION	CJD	CASH MATCH	IN- KIND MATCH	GPI	TOTAL	UNIT/%
Contractual and Professional Services	Substance Abuse- Related Case Management, Counseling, Outpatient, and/or Treatment Services	Fort Bend County will contract with Fort Bend Regional Council to provide outpatient substance abuse counseling to include individual and group counseling and to	\$110,000.00	\$0.00	\$0.00	\$0.00	\$110,000.00	0

		be available to address and interpret clinical issues and questions that may arise. Fort Bend Regional Council is designated to serve the Misdemeanor DWI Court Program, approximately 50% of the Felony Drug Court Program and a portion of the Misdemeanor Drug Court Program.						
Contractual and Professional Services	Substance Abuse- Related Case Management, Counseling, Outpatient, and/or Treatment Services	Fort Bend County will contract with The Turning Point to provide outpatient substance abuse counseling to include individual and group counseling and to be available to address and interpret clinical issues and questions that may arise. The Turning Point is designated to serve approximately 50% of the Felony Drug Court Program and a portion of the Misdemeanor Drug Court Program.	\$40,000.00	\$0.00	\$0.00	\$0.00	\$40,000.00	. 0

Print This Page

Agency Name: Fort Bend County

Grant/App: 1919104 Start Date: 9/1/2010 End Date: 8/31/2011

Project Title: Felony Drug Court (CARD), Misdemeanor DWI Court and Misdemeanor Drug Court

Status: Pending OOG Review

Budget Summary Information

Budget Summary Information by Budget Category:

CATEGORY	CJD	CASH MATCH	IN-KIND MATCH	GPI	TOTAL
Contractual and Professional Services	\$150,000.00	\$0.00	\$0.00	\$0.00	\$150,000.00

Budget Grand Total Information:

TOTAL	GPI	IN-KIND MATCH	CASH MATCH	CJD
\$150,000.00	\$0.00	\$0.00	\$0.00	\$150,000.00

You are logged in as User Name: RobertHebert