

## **PUBLIC NOTICE**

### **LAW AND PUBLIC SAFETY**

### **OFFICE OF THE ATTORNEY GENERAL**

#### **Notice of Availability of Funds**

#### **2023-24 Opt for Help and Hope Grant Program**

**Take notice** that, in compliance with N.J.S.A. 52:14-34.4, and 42 U.S.C. §§ 241A, 247B et seq., the Department of Law and Public Safety (Department) announces the availability of the following non-competitive awards for the 2023-24 Opt for Help and Hope Grant Program. This program is funded with proceeds from a Final Consent Judgment entered against McKinsey & Company, Inc.<sup>1</sup>

Under the 2023-24 Opt for Help and Hope Grant Program, \$2,000,000 in formula grant funding will be offered to six identified county prosecutor's offices to establish standardized prosecutor-led diversion programs, treatment assessments, and recovery support, in six specified Municipal Courts as a pilot program that, if successful, could later be expanded. The purpose of the program is to offer early intervention for defendants whose offenses are non-violent, help establish additional pathways to recovery that saves lives, and minimize the deleterious impact that arrests and convictions can have on the stability needed to sustain recovery. While the Superior Court has been offering defendants charged with certain indictable offenses motivated by addiction an alternative to incarceration that focuses on treatment and rehabilitation for over 20 years, no comparable formal program exists in the Municipal Courts—despite the fact that most cases filed in New Jersey are heard in Municipal Courts.

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<sup>1</sup> A copy of the Final Consent Judgment may be found at: <https://www.nj.gov/oag/newsreleases21/McKinsey%20Final%20Consent%20Judgment%20-%20Final%20Parties%20Signed.pdf>

Each participating county prosecutor's office will be expected to establish a program that screens arrestees at the time of arrest, open Municipal Court cases at the launch of the program, and open cases again every three months, as long as the charges are for low-level, non-violent offenses that are motivated, in part, by substance use. Each assigned county prosecutor, working in conjunction with a municipal court prosecutor and/or municipal court staff, will be responsible for determining who is eligible to participate and enroll in the program, overseeing the cases in consultation with a municipal prosecutor as needed, and training local law enforcement on the program and the process to screen and enroll participants into the program. The county prosecutor's office must utilize peer recovery specialists to provide linkage to care and recovery support and a community-based treatment provider (CBTP) that is able to clinically assess individuals and provide necessary treatment and/or services. Contract-eligible CBTPs must be able to initiate, or have agreements to refer to other providers who can initiate, Medications for Opioid Use Disorder, including buprenorphine.

Six county prosecutor's offices will act as recipients and implement Opt for Help and Hope in the six selected Municipal Courts. The base funding allocation for each county prosecutor's office is \$333,333.

The Department, in consultation with the New Jersey Judiciary, Administrative Office of the Courts, has identified the following Municipal Courts as the sites for Opt for Help and Hope:

- (1) Central Municipal Court of Atlantic County aka Atlantic County Regional Court
- (2) Pemberton Municipal Court
- (3) East Orange Municipal Court
- (4) Hamilton Township Municipal Court
- (5) Paterson City Municipal Court
- (6) Franklin Township Municipal Court

Based upon the above, the following county prosecutor's offices have been identified as recipients for the grant funds:

- (1) Atlantic County Prosecutor's Office
- (2) Burlington County Prosecutor's Office
- (3) Essex County Prosecutor's Office
- (4) Mercer County Prosecutor's Office
- (5) Passaic County Prosecutor's Office
- (6) Somerset County Prosecutor's Office

The funding is for a 2-year period from March 1, 2023 through February 28, 2025. The Municipal Court program must run for at least a year with the remainder of the time anticipated for planning and development purposes.

NJ CARES will provide application and award packages to each county via e-mail, no later than November 1, 2022. The application and award packages are due back to the NJ CARES by January 16, 2023. One copy of the application and award package must be submitted via e-mail to [levyk@njdcj.org](mailto:levyk@njdcj.org).

Funding is provided on a reimbursement basis only and is contingent upon recipient award package submissions, compliance with grant conditions and approved deliverables, and satisfactory performance of services. Allowable costs for the grant funds include but is not limited to:

- overtime or comp time for law enforcement officers engaging in grant activities;
- hiring staff (i.e. an assistant prosecutor and grants manager) to coordinate the initiative, track the participants, provide/arrange transportation assistance, and have ongoing follow-up appointments with program participants;

- contracting with appropriate personnel/provider(s) who can provide recovery support services, clinical assessments, and treatment and recovery services to program participants;
- necessary equipment, materials, and supplies, including personal protective equipment and sanitizing wipes, and phones and laptops for program participants and personnel;
- food, clothing, hygiene products, and other necessities for program participants;
- harm reduction products for program participants and personnel;
- transportation expenses;
- securing and outfitting a space to meet with program participants;
- production of outreach materials and handouts; and
- refreshments and promotional items for outreach events that promote the program.

Additionally, recipients must comply with programmatic and fiscal reporting requirements for approval and/or reimbursement of costs incurred during the project period.

Please note that funding allocations and individual award amounts are subject to change. Recipients shall recognize and agree that both the initial provision of funding and the continuation of such funding under a grant agreement is expressly dependent upon the availability to the Department of funds appropriated by the State or Federal legislature from State and/or Federal revenue to such other funding sources as may be applicable. A failure of the Department to make any payment under a grant agreement or to observe and perform any condition on its part to be performed under a grant agreement as a result of the failure of the State or Federal legislature to appropriate funds shall not in any manner constitute a breach of a grant agreement by the Department or an event of default under a grant agreement because of the absence of available

funding appropriations. In addition, future funding shall not be anticipated from the Department beyond the duration of the award period set forth in a grant agreement and in no event shall a grant agreement be construed as a commitment by the Department to expend funds beyond the termination date set forth in a grant agreement.