

**STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC SAFETY
OFFICE OF THE ATTORNEY GENERAL**

**SFY2023/24 Operation Helping Hand Expansion
Grant Program**



**PROGRAM ADMINISTRATION
AND GUIDELINES**

June 2023

STATE OF NEW JERSEY
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PROGRAM ADMINISTRATION AND GUIDELINES

I. ADMINISTRATION

This document has been compiled to assist in the application, program development, and implementation processes, as well as the reporting and compliance requirements, of the State Fiscal Year (SFY) 2023/24 Operation Helping Hand (OHH) Law Enforcement Expansion Grant Program.

The State of New Jersey, Department of Law & Public Safety, Office of the Attorney General (OAG) received funds from the SFY2023 and 2024 State Fiscal Budgets to administer the OHH initiative. A total of \$300,000 of the available funding will be awarded to NJ Transit, for use by August 31, 2025.

Under the OHH initiative, NJ Transit is eligible to receive grant funding to continue and enhance programs in five designated transit hubs with outreach to outlying areas as needed. The OHH model centers on law enforcement playing an active role in identifying individuals with substance use disorders and—together with community partners—serving as a point of entry for treatment and/or recovery support services. The OHH model may be adapted to meet NJ Transit's unique structure, but the program design must involve coordination and collaboration between NJ Transit officers, recovery specialists, and addiction professionals to connect individuals suffering from the disease of addiction with treatment and/or recovery support services.

The OHH model originated in Bergen County, where law enforcement would offer to immediately connect opioid users who were arrested in operations at known drug hot spots to treatment and/or recovery support services. Now that OHH has expanded to all 21 counties in New Jersey, there are many different forms of the OHH model, including identifying individuals at-risk for drug overdoses using law enforcement data and other resources, and then sending teams of law enforcement officers, recovery specialists, and other healthcare partners to offer these individuals recovery and treatment options—without making any arrests.

In 2022, under the SFY2021 OHH Expansion Grant Program, NJ Transit adapted the OHH model in five designated transit hubs (Newark Penn Station; Walter Rand Transportation Center; Atlantic City Bus Terminal; Trenton Transit Station; and Hoboken Transit Station) to meet NJ Transit's unique circumstances by launching a program partnering NJ Transit officers with addiction professionals to do direct outreach in designated transit hubs during scheduled weekly hours with the aim of connecting interested individuals to treatment or services. NJ Transit also partnered with Newark Municipal Court and Newark Community Solutions to divert individuals

in Newark Penn Station who commit low-level offenses motivated, in part, by substance use out of the criminal justice system and into recommended services in lieu of formal prosecution.

Under the SFY2023/24 OHH Expansion Grant Program, NJ Transit may continue and enhance its existing non-arrest program model, or develop a new OHH program model. For example, using available NJ Transit intelligence and the Overdose Detection Mapping Application Program (ODMAP), NJ Transit may identify individuals believed to have substance use disorder that have passed through the five designated transit hubs and outlying areas as needed, and then send NJ Transit officers, recovery specialists, healthcare partners, and other community partners to meet with these individuals about recovery and treatment options at their homes or the sites of the opioid incidents—without making any arrests. Also, NJ Transit may expand its efforts to divert low-level offenders out of the criminal justice system by partnering with and connecting individuals to other diversion programs, such as the Opt for Help and Hope Program.¹ NJ Transit is encouraged to increase the frequency of its operations and/or incorporate and improve on its existing models using lessons learned from the SFY2021 OHH Expansion Grant Program.

Based upon NJ Transit intelligence and ODMAP, OAG continues to identify the following five transit hubs to be the locations of NJ Transit’s OHH programs:

- (1) Newark Penn Station (Newark)
- (2) Walter Rand Transportation Center (Camden)
- (3) Atlantic City Bus Terminal (Atlantic City)
- (4) Trenton Transit Station (Trenton)
- (5) Hoboken Transit Station (Hoboken)

The OAG Grant Operations Office will award, administer, and monitor the subaward made under the OHH initiative, in cooperation with OAG’s Office of the New Jersey Coordinator for Addiction Responses and Enforcement Strategies (NJ CARES). Staff from OAG will be available to provide technical assistance during the award process and subaward period.

The base funding allocation for NJ Transit is \$300,000.

The funding is for a 24-month period from September 1, 2023, through August 31, 2025.

All inquiries concerning the grant award process should be addressed to:

¹ Opt for Help and Hope, which DLPS announced in 2022, is a prosecutor-led municipal drug court program that will pilot in six Municipal Courts in NJ. It is aimed at connecting low-level non-violent municipal court defendants whose offenses are motivated by substance use to services and offering them an opportunity to have their charges downgraded or dismissed if they meaningfully engage in services. See <https://www.njoag.gov/tag/the-opt-for-help-and-hope-initiative/>

Office of the Attorney General
NJ CARES
124 Halsey Street
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Main No.: 609-433-4864
E-mail address: levyk@njdcj.org

II. APPLICATION REQUIREMENTS

A. NOTIFICATION OF PARTICIPATION

NJ CARES will provide the application and award package to NJ Transit via e-mail, no later than June 1, 2023.

B. SUBMISSION

The application and award package is due to NJ CARES by July 31, 2023. One copy of the application and award package must be submitted via e-mail to levyk@njdcj.org.

C. GRANT APPLICATION

The goal of the OHH Law Enforcement Expansion program is to provide NJ Transit with funding to continue and enhance its OHH program in the five designated transit hubs with outreach available to outlying transit areas as needed, whereby law enforcement officers play an active role in identifying individuals with substance use disorders and—together with community partners—serve as a point of entry for treatment and/or recovery support services.

Applicants must complete and return the following:

1. The Applicant Information Form
2. The Application Authorization
3. The Program Application Narrative
4. The Program Timeline of Deliverables/Milestones
5. Subaward Contract
6. General and Special Conditions
7. New Jersey Single Audit Requirements and Certification

III. PROGRAM GUIDELINES

- NJ Transit must propose an OHH program that must run in each of the five designated transit hubs, with outreach available to outlying areas as needed during at least one year of the grant program. The proposal should build on and enhance previous OHH efforts and initiatives. The proposal should also include a robust planning stage that contemplates the procurement of providers and staff for the operational period.
- If NJ Transit plans on continuing its existing model from the SFY2021 OHH Expansion Grant Program, it must propose a program that enhances that program and incorporates lessons learned from the SFY2021 OHH Expansion Grant Program.
- The proposed program must involve NJ Transit officers playing an active role in targeting individuals with substance use disorders and—together with community partners—serving as a point of entry for treatment and/or recovery support services.
- The proposed program must be based on Bergen County’s OHH model, but may be tailored to NJ Transit’s unique circumstances. Thus, although Bergen County’s OHH model involves arrests of substance users, NJ Transit may initiate a program that does not involve law enforcement making arrests.
- The proposed program must involve law enforcement affirmatively reaching out to individuals with substance use disorder. Law enforcement must be a point of referral to treatment and/or recovery support services.
- The proposed program should also involve a supplemental way for individuals with substance use disorder who are not ready at the time of the encounter to receive help, which may include officers providing individuals with outreach materials containing a 24/7 number that they may contact to receive connection to treatment and/or recovery services.
- NJ Transit will be responsible for implementing and effectuating a program similar to OHH in the five designated transit hubs with outreach available to outlying transit areas as needed, which includes the following: engaging and coordinating law enforcement and addiction community efforts; ensuring that appropriate levels of law enforcement are assigned to plan, manage, and implement the program; lining up recovery specialists, clinical professionals such as patient navigators, and treatment facilities that will have a suitable level of bed availability during the span of the initiative; navigating issues related to treatment coverage, and tracking participant outcomes.
- Funds **may not** be used to pay for substance use treatment. Funds may be used to connect individuals suffering from substance use disorder to care (but not to provide the care itself).
- Funds may be used to support the planning, establishment, and ongoing management and operation of OHH initiatives, which include, but are not limited to, paying for: overtime or comp time for law enforcement officers engaging in OHH activities; hiring staff, patient navigators, and recovery specialists to coordinate the initiative, track the participants,

provide transportation, and make follow-up calls to those individuals who do not want to participate at the onset of the program; necessary equipment, materials, and supplies, including personal protective equipment, sanitizing wipes, harm reduction products, food and beverages, pre-paid phones, and laptops for individuals being connected to care; transportation expenses; and refreshments and giveaways for educational and outreach efforts that promote the program.

- Funds may further be used on a case-by-case basis for purposes associated with assisting an individual in maintaining his or her sobriety in the long run, such as covering the cost of the GED or other educational pursuits and housing expenses when all other avenues are exhausted.
- The program narrative must include a proposed budget of what NJ Transit intends to use the funds to purchase.
- NJ Transit must make a representative available to OAG for any presentations or events OAG may run that involves OHH.
- NJ Transit must comply with data collection and reporting requirements specified at the time of grant execution.

IV. APPLICATION AUTHORIZATION

The submission of any grant application requires the signature of the applicant unit of government's Authorized Official (**see Application Authorization Form**) indicating that the application is authorized by the state agency. Signature indicates that the information provided within the application is truthful, accurate, and complete; the applicant intends to comply with all requirements regarding the use of grant funds; the applicant will use the grant funds to carry out the project as described in the application; and the applicant will comply with all data collection and reporting requirements specified at the time of grant execution.

The Authorized Official also acknowledges that they are responsible for authorizing expenditures and disbursing grant funds. The Applicant certifies that all grant funds will be used exclusively for the purposes specified in the grant award; and it will pay for all costs in excess of the grant award.

V. CIVIL RIGHTS COMPLIANCE

Applicants and their contractors are required to comply with the New Jersey Law Against Discrimination, N.J.S.A. 10:5-1 et seq. Applicants are expected to comply with all applicable New Jersey regulations, policies, and guidelines.

VI. DEBARMENT

Applicants and their subcontractors should not obtain goods and services from other agencies which are debarred, suspended or disqualified from doing business with the State of New Jersey.

Applicants are also expected to comply with state Executive Order No. 34 (March 17, 1976), and state circular letter OMB 93-13-GSA regarding debarments, suspensions & disqualifications. The State Department of Treasury has an online, searchable database of those individuals, corporations, and agencies who are debarred from conducting business with the State of New Jersey: <http://www.state.nj.us/treasury/revenue/debarment/index.shtml>. In the performance of any grant, subrecipients cannot conduct business with ineligible firms or individuals who are considered debarred, suspended, or disqualified.

VII. NEW JERSEY PENALTIES FOR CORRUPTION OF PUBLIC RESOURCES

While enacting ethics and government corruption reforms, the New Jersey Legislature enacted Public Law 2007, Chapter 158, which makes knowingly misusing public resources for an unauthorized purpose a crime. N.J.S.A. 2C:27-12. Under the Crime of Corruption of Public Resources, an individual commits a crime if (1) the public resource is subject to an obligation to be used to perform or facilitate the performance of a governmental function or public service, (2) a person knowingly uses a public resource for an unauthorized purpose, or (3) a person makes a material representation that is false to a government agency . . . to obtain or retain a public resource, or with the purpose to mislead or deceive any person as to the use or disposition of a public resource. *Id.* The Legislature defines a public resource as including grants awarded by the government. *Id.* Convictions under this act could result in a 20-year prison term and \$200,000 fine. *Id.* The Legislature also enhanced public corruption penalties under the Public Corruption Profiteering Penalty Act, N.J.S.A. 2C:30-8, which subjects individuals convicted under public corruption laws, including N.J.S.A. 2C:27-12, to fines up to \$500,000. Under N.J.S.A. 2A:32C-3, a person shall also be subject to civil penalty and treble damages for making false claims under New Jersey's False Claims Act.

VIII. SUBRECIPIENT OFFICIAL FILE

Subrecipients are required to maintain a master file for grant documents. The following documents must be available for on-site review by OAG program monitors and auditors:

- A. Copy of approved award package for the grant including: grant contract; Applicant Information Form; Program Narrative; Application Authorization; General and Special Conditions; copy of award letter; copy of deliverables; and related written approvals from OAG.
- B. Copies of all Requests for Reimbursements.

- C. Banking Information: Cash verification, receipts documentation, check register, canceled checks, and bank statements (if applicable).

IX. REPORTING PROCEDURES

A. PROGRAMMATIC REPORTS

- NJ Transit must keep track of all partnerships it makes, obstacles it encounters in coordinating the program, and strengths and weaknesses of each initiative it rolls out, and provide this information to OAG as requested in quarterly and final progress reports and on an ad hoc basis.
- NJ Transit must keep track of each individual's participation in the program, engagement in services, and progress towards recovery for the length of the funded program, and provide this information to OAG using the data collection guidelines provided at the time the award is executed. Finalized data collection for all OHH initiatives is due to OAG at the conclusion of the grant period and on an ad hoc basis.

B. FINANCIAL REPORTS

- Subrecipients are required to submit Reimbursement Requests that coincide with agreed upon Deliverables.
- Reimbursement Request Forms with signatures should be sent via e-mail to NJ CARES, at levyk@njdcj.org. For each funding request, a separate State of New Jersey Payment Voucher must be submitted.

X. AUDIT REQUIREMENTS

The Subrecipient must comply with audit requirements located in the State Treasury Department, State Circular, Single Audit Policy for Recipients of Federal Grants, State Grants and State Aid, 15-08- OMB, 2 CFR Part 200, Subpart F, Audit Requirements (2 C.F.R. § 200.500, et seq.), and the Government Accountability Office's Generally Accepted Government Auditing Standards (also known as the Yellow Book).

1. If the Subrecipient expends Federal and/or State financial assistance of \$100,000 or more, but less than \$750,000 of Federal or State financial assistance during their fiscal year (including federal pass-through funds), it must have either:
 - a. A financial statement audit performed in accordance with Government Auditing Standards (Yellow Book), or

- b. A program specific audit performed in accordance with 2 C.F.R. § 200.500, et seq., and state policy.
 2. If the Subrecipient expends Federal or State financial assistance, (including funds received from the Federal Government or federal funds passed through state agencies) of \$750,000 or more during their fiscal year, it must have:
 - a. A single audit performed, or
 - b. A program specific audit performed in accordance with 2 C.F.R. § 200.500, et seq., and state policy.
 3. If the Subrecipient receives less than \$100,000 of State and/or Federal financial assistance, no audit is required.

The Subrecipient must maintain a bookkeeping system, records, and files to account for all monies spent implementing the project. While a preferred system is not specified, the Subrecipient is expected to conform to accepted accounting standards.

XI. MONITORING OF PROGRAM PERFORMANCE

- A. The Subrecipient must assure that performance goals are being achieved.
- B. The Subrecipient shall inform OAG of the following types of conditions which affect program objectives and performance as soon as they become known:

Problems, delays, or adverse conditions which will materially impair the ability to attain program objectives, prevent meeting time schedules and goals, or preclude the attainment of project work units by established time periods. This disclosure shall be accompanied by a statement of the action taken, or contemplated, and any OAG assistance required to resolve the situation.
- C. OAG may, at its discretion, make site visits to:
 1. Review program accomplishments and management control systems.
 2. Provide such technical assistance as may be required.
 3. Perform fiscal reviews to ensure grant funds are being properly expended in a timely manner.