

**Remarks before the Administration and Regulation Subcommittee
Governor's Office of Drug Control Policy
Mark J. Schouten, Director
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The Governor's Office of Drug Control Policy is an independent office within Iowa state government responsible for three things: (1) coordinating drug control effects within the state, (2) administering federal grant moneys dealing with drug and alcohol control, and, (3) developing policy to deal with these same problems.

I. History and Statutory Foundation for ODCP.

The predecessor to the Office of Drug Control (ODCP) was the Governor's Alliance on Substance Abuse GASA. GASA was created by executive order in 1987 as part of the Department of Public Health.¹ In 1989, the Legislature created Chapter 80E and moved GASA from Public Health to the new drug enforcement and abuse coordinator and gave it independent status.² Later, the Legislature changed the office's name to the Governor's Office of Drug Control Policy, to more accurately reflect the purpose of the office.

The drug policy coordinator³ directs the Office of Drug Control Policy and also serves as the chairperson of the Drug Policy Advisory Council.⁴ The Coordinator is appointed by the Governor, serves at his pleasure and with a salary set by the Governor, and is subject to Senate confirmation. The immediate past ODCP director was Gary Kendell and other GASA/ODCP directors include Marvin Van Haften, Bruce Upchurch, Charles Larson, Sr., General F.E. "Mike" Forrest, and Almo Hawkins.

The ODCP is authorized by Iowa Code §80E.1(2)(a) and the same legislation that changed its name in 2000 consolidated three councils with advisory

¹ Executive Order No. 32, Gov. Terry E. Branstad (July 7, 1987). The executive order explains the purpose of GASA to:

promote the development of a comprehensive and coordinated state effort in the implementation of services for alcohol and drug abuse prevention, intervention and treatment, and to promote the development of programs which enhance the justice system's response to the drug-involved offender.

The initial alliance was to be composed to twenty members plus and administrator, all appointed by the Governor.

² H.F. 225, 73rd G.A. ch. 225 (1989 Session).

³ Iowa Code §80E.1(1).

⁴ Iowa Code §80E.1(2).

responsibilities into the fifteen-member Iowa Drug Policy Advisory Council. The Drug Policy Advisory Council includes the following agencies and organizations:

- Department of Corrections
- Department of Public Health
- Department of Human Services
- Department of Public Safety
- Department of Education
- Department of Human Rights
- Iowa County Attorneys Association
- Judicial Branch
- Substance abuse treatment and prevention experts
- Iowa Peace Officers Association
- Iowa State Sheriffs and Deputies Association

II. ODCP's Three Statutory Functions.

The legislative mandate for the coordinator as described in Iowa Code Chapter 80E is to coordinate and monitor all substance abuse and drug enforcement programs in the State.⁵ As such, the ODCP's mission is three-fold: (1) coordinating drug control efforts, (2) administering grant programs, and (3) developing drug control policy. In carrying out these overall functions, ODCP works in three areas: (1) drug control—which primarily involves matters of law enforcement, (2) drug and alcohol prevention or demand reduction activities, and, (3) substance abuse and alcohol treatment efforts.

As part of its coordination function, ODCP fosters collaboration among many public and private stakeholders to address issues of substance abuse and treatment affecting many Iowans. At the State level, ODCP works with the membership of the Drug Policy Advisory Council on topics within the individual members' areas of expertise. ODCP also works with several local, federal and private groups—including the Attorney General's Office, Iowa National Guard, law enforcement agencies, prosecutors, non-profits, community coalitions and businesses—on initiatives to reduce substance abuse.

ODCP has forged a number of public-private alliances, leveraging local investments in anti-drug efforts statewide. As an example, the Partnership for a Drug-Free Iowa/Face It Together generates hundreds of thousands of dollars per

⁵ Iowa Code §80E.1(2)(a).

year in anti-drug public service media support and offers a drug free workplace program to Iowa businesses. ODCP's support of community anti-drug coalitions, through grants and assistance, dates back to the Iowa SAFE Community Program and continues today with members of the Iowa Alliance of Coalitions for Change (AC4C).

Its interaction with these other knowledgeable groups helps ODCP formulate its annual report entitled Iowa's Drug Control Strategy, a unified and comprehensive blueprint for substance abuse prevention/treatment and drug enforcement. The Strategy is submitted annually to the Governor and Legislature, for policy and program consideration.⁶

As part of its second function, grant administration, ODCP's goal is to fairly and independently award federal grants to recipients whose needs are consistent with Iowa's drug control strategy. Currently, ODCP administers a total of nearly \$10 million in federal grants, supporting drug and crime control programs in nearly three-quarters of Iowa's counties.

Some of the federal grants ODCP administers include:

- Byrne Justice Assistance Grant
- Residential Substance Abuse Treatment
- Project Safe Neighborhoods
- Meth Hotspots Enforcement
- Drug Endangered Children
- Bulletproof Vest
- Forensic Sciences
- Drug Interdiction
- Drug Diversion
- Pseudoephedrine Tracking
- Substance Abuse Help Center
- Preventing Underage Drinking on College Campuses
- Prescription Drug Abuse Alert

Most grants administered by ODCP come from the U.S. Department of Justice. In addition to formula/block grants, ODCP works to secure federal discretionary grants for targeted needs in Iowa. The office is constantly monitoring federal grant funding sources.

⁶ http://www.iowa.gov/odcp/drug_control_strategy/Strategy.pdf

Among local efforts ODCP supports with federal grant funding, perhaps none is as critical to the safety of Iowa citizens as drug task forces. The office supports twenty multi-jurisdictional task forces that promote collaboration by local, state and federal agencies, and constitute the front line in drug enforcement in communities throughout Iowa. Over the last year, Iowa's drug task forces seized approximately 4.5 tons of illegal drugs, valued at more than \$49.5 million, and 517 firearms. ODCP also provides federal grant funding to offender drug treatment and community crime prevention programs.

The third function of ODCP is *policy development*. As part of this function, ODCP advises the Governor and the Legislature—and occasionally members of Congress—on policy changes to reduce drug trafficking, manufacturing and abuse. One example of successful ODCP-initiated state policy change is the 2005 Pseudoephedrine Control Act that regulated a key meth precursor, resulting in a roughly 80% reduction in the number of meth labs in Iowa since then.

III. Response to Specific Questions.

1. *What is the core mission of your department?* The ODCP written mission is to:

Serve as a leader and a catalyst for improving the health and safety of all Iowans by promoting strategic approaches and collaboration to reduce drug and alcohol use and related crimes.

The operative word in the ODCP mission statement is “catalyst” since its grant activities allow it to encourage promising prevention, treatment, or enforcement projects through the grants it administers on behalf of the federal government. Likewise, through its work with the Drug Policy Advisory Council (DPAC) ODCP approaches the questions of substance and alcohol abuse from a broader perspective and in a way that may cut across traditional boundary lines.

2. *What is the effect of Senate File 2088 (State Government Reorganization Act) on your Department?* The State Government Reorganization Act has had no effect on ODCP.

3. *How many employees do you have?* The ODCP has 8.0 FTE's.

4. *How many merit employees?* We have 6.0 FTE's who are merit employees and two who are at-will.

5. How many employees are covered under collective bargaining agreements? Five of the eight FTE's are covered by the AFSME collective bargaining agreement.

6. How many department FTE's are federal funded? All eight ODCP positions are supported by federal funding, to one degree or another, based on duties. In total, the funding split for ODCP staff is about 80% federal and 20% state.

7. Have there been any recent reclassifications of individuals in your department? How many and what were the changes? None.

8. Does your department receive federal funds? If so, what is the state match? We receive federal grant administration funds that we use to pay a portion of all eight of the offices' salaries and benefits. We aim for an 80/20 percent division of federal/general fund dollars and maintain time records so that we can justify this division to federal auditors who might question this allocation of personnel costs. We have one ODCP grant for residential substance abuse treatment (\$8,228) where ODCP uses general fund dollars to provide the state's administrative match. Otherwise, all other matches for federal grants ODCP administers are paid by the ultimate grant recipients.

9. Can the divisions within the department be merged to create greater efficiencies? No, our office is a single unit of state government.

10. How much department revenue comes from other state agencies? The office receives no fees or revenues from other agencies, with the exception of the DARE criminal surcharge which comes from the Judicial Branch as a fee paid by criminal defendants at sentencing. This amount is used to fund statewide DARE efforts.⁷

11. How much department revenue is fee based? None.

12. For FY2011, describe the department's current budget situation. Do you expect any savings? The current general fund budget for FY 2011 was \$357,866.

⁷ Iowa Code §911.1. Iowa Code §602.8108 directs the State Court Administrator to deposit the amounts collected in the general fund where they are appropriated to ODCP for us by the "drug abuse resistance education [DARE] and other programs if directed for a similar purpose".

HF 2531 reduced the total 2011 budget by 3%, for a total reduction of \$11,012. I have been told that we are now operating at a rate that is close to our budgeted amount, with only one line item, facility rental for a DARE Ceremony in April, which is the only item that is underutilized.

13. For budget line items that have only used 10-20% of their allocations so far, do you expect any savings? Only the DARE rental fee falls within this category.

14. How does House File 45 (Taxpayers First Bill) impact your department? We estimate the effects of this bill will include increased/decreased costs for the following:

- A \$240/mo. decrease in the general fund cost to the office for a portion of individual and family health insurance (§§ 6, 11),
- A \$1000 decrease in the budget amount for a reduction for supplies purchased (§7),
- A \$500 decrease in the budget amount for in-state travel (§7(3)).

15. Were any American Recovery and Reinvestment Act (ARRA) funds used in FY 2011? In FY 2011 we distributed some five million dollars American Recovery and Reinvestment Act (ARRA) as part of the ODCP's grant program. We expect to distribute an additional \$1.5 million in FY 2012, concluding our use of ARRA grant funds.

16. Did the Department receive any Appropriations Transfers in FY 2011? No, we have received no appropriation transfers in FY 2011.