Grant Number: 212-24-D09
Grantee Name: Wichita County
Program Title: Wichita County Public Defender's Office - Juvenile Section
Grant Period: 10/1/2013-9/30/2014
Grant Award Amount: $45,019

The Texas Indigent Defense Commission (herein, the Commission) has awarded the above-referenced grant to Wichita County (herein, the County) for indigent defense services. The authorized official named on the grant application must sign this Statement of Grant Award and return it to the Commission by October 15, 2013. The grantee will not receive any grant funds until this notice is executed and returned to the Commission. Funding is provided as listed in the categories in the table below:

<table>
<thead>
<tr>
<th>Direct Costs</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1) Personnel (Total Number of FTEs: 1)</td>
<td>$48,000</td>
</tr>
<tr>
<td>2) Fringe Benefits</td>
<td>$20,000</td>
</tr>
<tr>
<td>3) Travel and Training</td>
<td>$3,000</td>
</tr>
<tr>
<td>4) Equipment</td>
<td>$0</td>
</tr>
<tr>
<td>5) Supplies</td>
<td>$400</td>
</tr>
<tr>
<td>6) Contract Services</td>
<td>$0</td>
</tr>
<tr>
<td>7) Indirect Costs</td>
<td>$0</td>
</tr>
<tr>
<td>Total Proposed Costs</td>
<td>$71,400</td>
</tr>
</tbody>
</table>

Less Cash from Other Sources- County Match $26,381
Total Amount Funded by Commission $45,019

Standard Grant Conditions:

- The authorized official for the grantee accepts the grant award.
- The authorized official, financial officer, and program director, referred to below as grant officials, must comply with the terms of the grant as written in the Request for Applications issued on October 19, 2012, including the rules and documents adopted by reference in the Commission’s Grant Rules in Title 1, Part 8, Chapter 173, Texas Administrative Code.
- The grant officials understand that a violation of any term of the grant may result in the Commission placing a temporary hold on grant funds, permanently deobligating all or part of the grant funds, requiring reimbursement for funds already spent, or barring the organization from receiving future grants.
- Disbursement of funds is always subject to the availability of funds.
- The grant officials agree to follow the grant terms contained in the “Required Conditions and Report” contained in Attachment A.
- Any indigent defense plan documents submitted to the Commission must continue to meet all grant eligibility requirements.
- The judges hearing criminal and juvenile matters must amend the Indigent Defense Plan for their respective courts to include the program funded under this award and submit it to the Commission by December 31, 2013.

The authorized official for this grant program has read the preceding and indicates agreement by signing the Statement of Grant Award included below.

Signature of Authorized Official

Name & Title (must print or type) 9-16-2013
Required Conditions and Reports

Method of Calculation

The budget appearing in the Statement of Grant Award was developed under the assumptions that the grant be based on a 12-month period. The schedule provides the county twelve months of funds at each of the original agreed upon funding levels. If the county has a delayed start in the first year (FY2014), it may necessitate an adjustment in future years to allow the county to fully expend grant funds. The intention is to follow a declining schedule of 80 percent in the first year; then, 60 percent in the second year; then, 40 percent in the third year; and 20 percent in the final year of the Commission support. The grants will remain on a fiscal calendar (October to September), but future awards will reflect any needed modifications to implement this policy.

Program Requirements

In addition to the program requirements stated in the Request for Applications (RFA) these specific program requirements apply to this funded program (Note: If the County contracts the public defender office to a non-profit corporation or governmental entity, then the corporation or governmental entity will ensure the following are performed):

- The County will submit reports to obtain reimbursement of expended funds based on actual expenditures. The reimbursements will be proportional to the county’s required match.

- This grant requires quarterly progress reports to provide information on the effectiveness of the program. The Commission grants administrator will construct an on-line progress report that best reflects the actual work performed in this program and is consistent with the FY2013 application as edited and agreed to. The County will be able to request modifications to the on-line report when the performance measures are determined to not accurately reflect the work performed.

- The County must provide a plan of data collection by the first progress report that includes a list of data elements that capture the work performed under this program or impact on the county’s compliance with the Fair Defense Act. This County must submit data collection agreements from county offices or departments to provide this data to the program director on a regular basis to measure the impact of this program.

- The County or its designee must provide to the Commission staff the minimum job requirements and a full job description of the FTE positions specified under this project before positions are publicly posted.

- Equipment costs listed in the first year start-up budget will not be carried forward into subsequent years of funding. If the County selects a non-profit corporation the proposal and the contract must include the method for funding equipment to operate the Public Defender Office that does not require the start-up costs to be included in the contract beyond the first year.

- The County will develop a written policy that includes a formal intake process for this program. The policy must include: 1) a procedure to refer clients from courts, public defender attorneys, and the private bar; 2) a method to screen and/or assess the defendants who are referred for representation under this program; and 3) a set priority population criteria to determine which clients are to be represented if referrals are greater than caseload capacity. The priority population criteria may include factors of mental health, mental retardation, institutionalization history, medical history, seriousness of the offense, impact on the community, or other factors related to the alleged crime or personal history of the defendant. The Chief Public Defender may allow exceptions but all exceptions to the policy from the intake process must be documented and maintained.

- The County will provide a written plan on how it will coordinate with, and not duplicate the work of, existing mental health systems. The plan must demonstrate how the County will identify and incorporate available mental health screening, assessment, treatment, and community services available to the defendants served by the grant program. The plan must also address how the positions funded under this grant will fit into the County’s methods of operation for the identification of mentally ill arrestees and for providing assessment, treatment and bonding options to these arrestees under Article 16.22 and Article 17.032 of the Texas Code of Criminal Procedure.
a. Application Form
Counties Represented: Wichita
Fiscal Year: 2013
State Payee Identification Number: 17560011987
Division To Administer Grant: Constitutional County Judge and/or Office of the Public Defender
Program Title: Mental Health Social Worker
Requested Grant Amount: $45,019
Financial Officer: Deborah A. Stevens
Program Director: James A. Rasmussen
Mailing Address: 900 7th Street; Rm 202; Wichita Falls, TX 76301

b. Introduction (Executive Summary)
Wichita County through the Wichita County Public Defender's Office submits this application for funding to create the position of a Mental Health Case Manager. We envision this position manned by an individual with professional qualifications actively and exclusively managing indigent clients suffering from mental illness as well as those persons with mental retardation. The primary goal/activity being to screen or identify indigent individuals with mental health issues entering the county jail population and released on bond for enhanced legal representation by the public defender who may be (1) promptly diverted from jail to a suitable mental health care facility or program outside the criminal justice system (2) appropriately helped while awaiting trial or disposition or, if necessary, (3) successfully treated within the community supervision system in order to avoid revocation and recidivism. The Case Manager would serve the public defender by providing specialized case management for the defense team as a professional "watchdog" for these individuals.

c. Problem Statement
In recent years the Office of the Public Defender in Wichita County has represented and observed a sizeable number of indigent individuals suffering from mental illness or mental retardation and has identified a need for an individual with professional training to operate within the local indigent legal system to screen and monitor the delivery of mental health services to these individuals. This need is indicated by the significant number of persons with known mental health problems.

The Wichita County Sheriff's Office ("WCSO") studied 1,483 jail inmates admitted to the Wichita County Jail during the months of January and July 2011. Out of this population, 473 individuals, or 31.89%, had positive CCQs, or Continuity of Care Queries, meaning that those individuals have "a current or past history of state mental health care." The WCSO further indicated that during calendar year 2011, 1,141 Wichita inmates received psychotropic medication while in the Wichita County Jail. This medication consisted of 2,243 individual prescriptions.

The Wichita County Community Supervision and Corrections Department ("CSCD") reports that from December 2008 to September 2010 at least 226 individuals under their supervision were identified as receiving state-funded mental health services. Nearly all of these services are provided locally by the Helen Farabee Mental Health and Mental Retardation Center ("MHMR"). The number of people under supervision during that time frame was 1,805 persons. Thus, according to CSCD 12.5% of those individuals on community supervision received state mental health treatment. The CSCD currently maintains a 40-person mental health caseload with a 20-person waiting list.

The Biennial Report of the Texas Correctional Office on Offenders with Medical or Mental Impairments statistics indicate that in December 2010 31.58% of the Texas Department of Criminal Justice ("TDCJ") population were former MHMR clients. The December 2009 percentage for the same population showed 28.90% to be former MHMR clients. Thus, the number of individuals entering the prison system with a mental health history is trending upward and these statistics evidence the fact that Wichita County's percentage of mentally ill inmates is comparable to TDCJ figures and there is no reason to believe that those offenders entering TDCJ do not have roughly the same level of mental health histories.

The foregoing populations comprise only those persons with a known history of state mental health services and do not include persons that may have received private, rather than state, mental health treatment and those individuals who are manifesting illnesses or mental health problems for the first time as well as those persons suffering from continuing mental health disorders who simply have never been diagnosed or received state mental health treatment.

Individuals suffering from mental illness or mental retardation are frequently in and out of jail and their illnesses or conditions and the difficulties associated with representing these clients prolong their incarceration while awaiting trial or disposition. The attorneys with the Office of the Public Defender (most of whom carry over 200 cases at a time), as well as those private attorneys who act as assigned counsel, do their very best to identify, consider and address mental health concerns but they are not properly trained or able to assist their clients with these complicated issues and must focus their efforts on the client's legal problems.
The need exists for an individual with professional training to manage the mental health issues of this significant number of indigent clients and also to identify those undiagnosed individuals who may be in need of diagnosis and treatment.

d. Objectives
The objective to be achieved by the Mental Health Case Manager position is to assist the public defender's office and assigned counsel in the early recognition and identification of those indigent clients who suffer from mental illness or mental retardation; and then work with counsel in achieving a successful disposition of the clients' criminal cases—a disposition that takes into account the mental health needs of the client.

In some cases it will be appropriate to seek a disposition that diverts the clients from the criminal justice system entirely in favor of treatment. The Case Manager will be aware of and have working partnerships with those persons and entities treating and assisting the diverted client. In other cases, it will be necessary for the Case Manager to work with jail officials and local agencies on behalf of the public defender and assigned counsel concerning client-management problems and to monitor the delivery of services and resources to those individuals who must remain in jail, stand trial or await a more formal disposition. The Case Manager will also examine the services and mental health needs of clients who face post-conviction and community supervision revocation proceedings.

Other important goals of the program would be to help counsel ensure that indigent clients are stabilized on medication, reconnected with families and/or support systems, and making sure they have adequate housing and transportation in order to avoid missing court appearances and attorney appointments. The Mental Health Case Manager will act as a liaison between the public defender and assigned counsel and persons or entities providing mental health resources. Measurable goals include shortening the time of incarceration, the time between arrest and disposition and reducing recidivism.

Finally, the Case Manager position will be responsible for indigent attorney training. The Case Manager will periodically instruct public defenders, private attorneys, judges and prosecutors on matters of mental health and its relationship to the criminal justice system.

e. Activities
1. A The County/MHMR oversight committee would be selected to will determine the specific position responsibilities and qualifications and a procedure to advertise for, interview and hire the Mental Health Case Manager. The Case Manager would possess either a bachelor's or master's degree in social work, psychology or a comparable field and preferably would be licensed by the State of Texas.
2. The A selection committee to recommend a candidate may would consist of the county judge, public defender, one district or county court at law judge, the MHMR Director and one representative of the private bar from the court-appointed counsel list.
3. The County and Helen Farabee MHMR will work out an agreement concerning the employment status of the Mental Health Case Manager and/or the working relationship between the entities to operate during the grant period as well as a client confidentiality agreement, as may be necessary for conflict-free representation.
4. The Mental Health Case Manager would be hired in the public defender office according to the committee developed procedure and any support staff would be hired by the Case Manager.
5. The position would be selected and equipped. Office space is available for use by the Case Manager at either the MHMR Center and the County Courthouse or Courthouse Annex or both.
6. The County will provide the Case Manager with access to appropriate county information such as jail access information, district and county clerks' computer database as well as the central magistrate's database. Appropriate resources would be provided by MHMR.
7. The Case manager will initiate contact with the local mental health providers, the WCSO, the local law enforcement agencies, local state agency offices (e.g. CPS and APS) and establish, as may be possible, partnerships with these and other relevant entities.
8. The oversight committee, county and the public defender's office will set up a program to gather data for measurement and evaluation of the Mental Health Case Manager program. A program for recording and reporting all relevant data will be prepared.
9. The Case manager will establish a screening and evaluation process and begin functioning and handling clients.
10. The Case manager will provide case management services to the client indicated by the policy and plan on behalf of the Public Defender Office and assigned counsel when appropriate.

f. Evaluation
The ability to evaluate will be at the heart of this program. Thus, it will be important to determine statistically and maintain data of the following:

1. Number of indigent clients screened and identified by the Mental Health Case Manager;
2. The number of persons that are diverted for initial treatment or returned to treatment outside the criminal justice system;
3. The amount of time in days that an indigent mental health client remains in custody at the jail;
4. The number of clients who continue treatment after disposition through the Wichita CSCD;

5. The number of attorneys who receive training in the identification and handling of clients with mental health issues.

6. The recidivism rate of those persons handled by the Mental Health Case Manager.

7. Conduct a survey of stakeholders and report the summary and analysis to the commission about the processes and representation provided to mentally ill offenders.

**g. Future Funding**

Wichita County is committed to improving the criminal justice system of Wichita County as it relates to those persons with mentally illness and persons with mental retardation who are accused of crimes.

The amount of funding requested includes one-time expenditures and start-up costs such as equipment furniture etc. The funding will comply with the TIDC Discretionary Grant policies and rules especially regarding county matching funds (20% the first year, 40% the second year, 60% the third year and 80% the fourth year). This grant, if approved, will be reviewed each year during the county budget process for future funding needs.

It is believed that at the conclusion of the multi-year grant program that the Public Defender, local judges and the commissioners' court will evaluate the success of the program and the feasibility of expending General Fund dollars to continue the program.

**h. Budget Narrative and Budget Form**

**Personnel**

The personnel costs include 2 1 new staff members–to operate and perform the mental health case manager function–the Mental Health Case Manager and one staff person/secretary. The staff position may be handled by contract services, if necessary. Salary and benefits of the Case Manager would be approximately $65,736.00. The cost of the staff person/secretary or contract services would be $26,400.00.

**Travel and Training**

Travel and training expenses include the training of attorneys, mental health staff, WCSO staff and other law enforcement officials. The start-up cost is $5,000.00.

**Equipment**

This would include at least 2 computers, a printer/copy machine and associated software. This one-time cost would be $19,000.00.

**Supplies**

Necessary supplies would include office supplies as well as furniture, filing cabinets and associated items. The total cost would be approximately $6,000.

**Timeline for Reporting and Fund Distribution**

Reports will be submitted on-line over the Internet.

<table>
<thead>
<tr>
<th>Reporting Period</th>
<th>Type Report Due</th>
<th>Date Report Due</th>
<th>Fund Distribution Date</th>
</tr>
</thead>
</table>