

**FORT BEND COUNTY COMMISSIONERS COURT RESOLUTION IN SUPPORT OF
HOUSE BILL 2597
MENTAL HEALTH TREATMENT FOR INCARCERATION DIVERSION PILOT
PROGRAM IN FORT BEND COUNTY**

WHEREAS, Fort Bend County wants to divert persons that suffer from mental illness from our County Jail; and,

WHEREAS, Incarceration is expensive, inadequate and an inappropriate long-term solution for those that suffer from mental health issues; and

WHEREAS, Fort Bend County provides crisis intervention services through the Crisis Intervention Team (CIT) and Texana Center, but transitional housing and needed treatments are limited; and

WHEREAS, By providing immediate assistance through crisis treatment intervention and subsequent medium term or transitional housing, persons who suffer with mental health illness have a chance to gain the footing and life skills to re-enter society as productive and healthy citizens, rather than continue to cycle through the criminal justice system; and

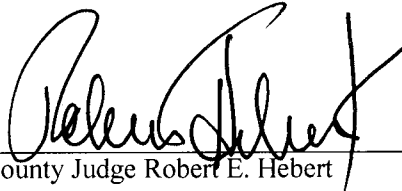
WHEREAS, Fort Bend County supports the creation of a Mental Health Treatment for Incarceration Diversion Pilot Program in Fort Bend County where the Texas Department of State Health Services, in cooperation with the Commissioners Court, shall establish and implement this program in Fort Bend County for the purpose of reducing recidivism and the frequency of arrests and incarceration among persons with mental illness in Fort Bend County;

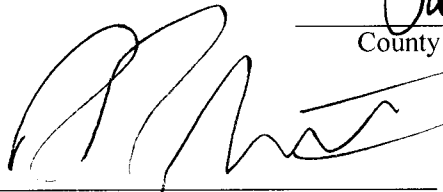
WHEREAS, the Commissioners Court of Fort Bend County, Texas, finds that this resolution encourages the safety and welfare of the general public and serves a public purpose;

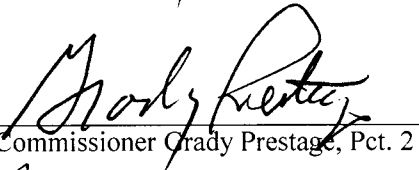
NOW, THEREFORE, BE IT RESOLVED THAT, Fort Bend County supports **HOUSE BILL 2597** for Mental Health Treatment for Incarceration Diversion Pilot Program, attached hereto as Exhibit A, for its citizens with mental illness in Fort Bend County and supports the passage of legislation by the State of Texas enabling the same.

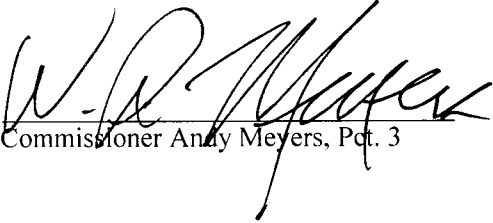
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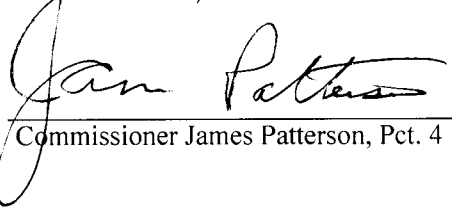
PASSED and ADOPTED by the Fort Bend County Commissioner's Court this 24th day of March, 2015.


County Judge Robert E. Hebert


Commissioner Richard Morrison, Pct. 1


Commissioner Grady Prestage, Pct. 2


Commissioner Andy Meyers, Pct. 3


Commissioner James Patterson, Pct. 4

ATTEST:


Laura Richard, County Clerk



EXHIBIT A

84R12877 GCB-F

By: Reynolds

H.B. No. 2597

A BILL TO BE ENTITLED
AN ACT

relating to the creation of a mental health treatment for incarceration diversion pilot program.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subtitle C, Title 7, Health and Safety Code, is amended by adding Chapter 580 to read as follows:

CHAPTER 580. MENTAL HEALTH TREATMENT FOR INCARCERATION DIVERSION
PILOT PROGRAM; FORT BEND COUNTY

Sec. 580.001. DEFINITIONS. In this chapter:

(1) "Commissioner" means the commissioner of the department.

(2) "Commissioners court" means the Fort Bend County Commissioners Court.

(3) "Department" means the Department of State Health Services.

Sec. 580.002. MENTAL HEALTH TREATMENT FOR INCARCERATION DIVERSION PILOT PROGRAM. The department, in cooperation with the commissioners court, shall establish a pilot program in Fort Bend County to be implemented by the commissioners court for the purpose of reducing recidivism and the frequency of arrests and incarceration among persons with mental illness in that county.

Sec. 580.003. CRIMINAL JUSTICE MENTAL HEALTH SERVICE MODEL. The commissioners court shall design and test through the pilot program a criminal justice mental health service model oriented toward facilitating treatment for persons with mental illness to reduce the recidivism and frequency of arrests and incarceration of persons with mental illness in Fort Bend County. The model initially must apply the critical time intervention principle described by Section 580.004 and must include the following elements:

(1) caseload management;

(2) multilevel residential services; and

(3) easy access to:

(A) integrated health, mental health, and chemical dependency services;

(B) benefits acquisition services; and

(C) multiple rehabilitation services.

Sec. 580.004. CRITICAL TIME INTERVENTION. The commissioners court, in applying the critical time intervention principle through the pilot program, shall endeavor to give persons with mental illness access to available social, clinical, housing, and welfare services during the first weeks after the person's release from jail.

Sec. 580.005. LOCAL SERVICES COORDINATION. In designing the criminal justice mental health service model the commissioners court shall seek input from and coordinate the provision of services with the following local entities:

(1) the Fort Bend County Sheriff's Office;

(2) the mental health division of the office of the district attorney of Fort Bend County;

(3) the Fort Bend County Mental Health Public Defender's Office;
(4) mental health courts;
(5) specially trained law enforcement crisis intervention teams and crisis intervention response teams;
(6) providers of competency restoration services;
(7) providers of guardianship services;
(8) providers of forensic case management;
(9) providers of assertive community treatment; (10) providers of crisis stabilization services;
(11) providers of intensive and general supportive housing; and
(12) providers of integrated mental health and substance abuse inpatient, outpatient, and rehabilitation services.

Sec. 580.006. PROGRAM CAPACITY. (a) In implementing the pilot program, the commissioners court shall ensure the program has the resources to provide mental health treatment for incarceration diversion services to not fewer than 10 individuals.

(b) The commissioners court shall endeavor to serve each year the program operates not fewer than 10 or more than 20 individuals cumulatively.

(c) Before the commissioners court implements the pilot program, the department and the commissioners court jointly shall establish clear criteria for identifying a target population to be served by the program. The criteria must prioritize serving a target population composed of members at high risk of recidivism and with severe mental illness. The commissioners court, in consultation with the appropriate entities listed in Section 580.005, may adjust the criteria established under this subsection during the operation of the program provided the adjusted criteria are clearly articulated.

Sec. 580.007. FINANCING THE PROGRAM. (a) The creation of the pilot program under this chapter is contingent on the continuing agreement of the commissioners court to contribute to the program each year in which the program operates services for persons with mental illness equivalent in value to funding provided by the state for the program.

(b) It is the intent of the legislature that appropriations made to fund the pilot program are made in addition to and will not reduce the amount of appropriations made in the regular funding of the Mental Health and Mental Retardation Authority of Fort Bend County.

(c) The commissioners court may seek and receive gifts and grants from federal sources, foundations, individuals, and other sources for the benefit of the pilot program.

Sec. 580.008. INSPECTIONS. The department may make inspections of the operation of and provision of mental health treatment for incarceration diversion services through the pilot program on behalf of the state to ensure state funds appropriated for the pilot program are used effectively.

Sec. 580.009. REPORT. (a) Not later than December 1, 2018, the commissioner shall evaluate and submit a report concerning the effect of the pilot program in reducing recidivism and the frequency of arrests and incarceration among persons with mental illness in Fort Bend County to the governor, the lieutenant governor, the speaker of the house of representatives, and the

presiding officers of the standing committees of the senate and house of representatives having primary jurisdiction over health and human services issues and over criminal justice issues.

(b) The report must include a description of the features of the criminal justice mental health service model developed and tested under the pilot program and the commissioner's recommendation whether to expand use of the model statewide.

(c) In conducting the evaluation required under Subsection (a), the commissioner shall compare the rate of recidivism in Fort Bend County among persons in the target population before the date the program is implemented in the community to the rate of recidivism among those persons two years after the date the program is implemented in the community and three years after the date the program is implemented in the community. The commissioner may include in the evaluation measures of the effectiveness of the program related to the well-being of persons served under the program.

Sec. 580.010. CONCLUSION; EXPIRATION. The pilot program established under this chapter concludes and this chapter expires September 1, 2019.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2015.