

AGENDA ITEM

ARF-17715

REGULAR SESSION AGENDA

County Judge 14

Meeting Date: 05/05/2015

Texas Indigent Defense Commission Grant Application

Submitted By: Jenetha Jones, County JudgeDepartment: County JudgeType of Item: Discussion ItemRenewal Agreement/ NoReviewed by County YesAppointment:Attorney's Office:Multiple Originals Y/N?: Y

InformationSUMMARY OF ITEM

Take all appropriate action on Application and Resolution to the Texas Indigent Defense Commission for grant funding in the amount of \$20,000 to support a veterans court program for one year with no additional funds required by Fort Bend County, and authorize County Judge to sign all documents pertaining to the application.

SPECIAL HANDLING

Return Resolution to Jenetha to submit with grant by May 8 deadline.

AttachmentsVet Court ApplicationVet Court Resolution

2016 Fort Bend County Resolution
Indigent Defense Discretionary Grant Program

WHEREAS, under the provisions of the Texas Government Code Section 79.037 and Texas Administrative Code Chapter 173, counties are eligible to receive grants from the Texas Indigent Defense Commission to provide improvements in indigent defense services in the county; and

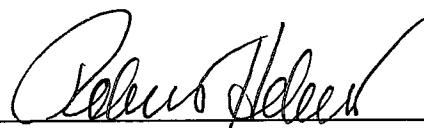
WHEREAS, this grant program will assist the county in the implementation and the improvement of the indigent criminal defense services in this county; and

WHEREAS, Fort Bend County Commissioners Court has agreed that in the event of loss or misuse of the funds, Fort Bend County Commissioners assures that the funds will be returned in full to the Texas Indigent Defense Commission.

NOW THEREFORE, BE IT RESOLVED and ordered that the County Judge of this county is designated as the Authorized Official to apply for, accept, decline, modify, or cancel the grant application for the Indigent Defense Discretionary Grant Program and all other necessary documents to accept said grant; and

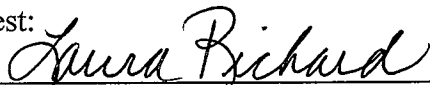
BE IT FURTHER RESOLVED that Judge Jeffrey A. McMeans is designated as the Program Director and contact person for this grant and the County Auditor is designated as the Financial Officer for this grant.

Adopted this 5 day of May, 2015.



Robert E Hebert
County Judge

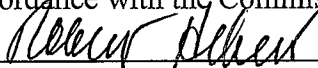
Attest:



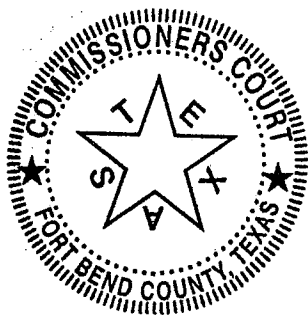
County Clerk

Internet Submission Form

After submitting the discretionary grant application on-line, the following Internet submission confirmation number was received #D201607920150216. This grant application submission was in accordance with the Commissioners Court Resolution above.



Robert E Hebert
County Judge

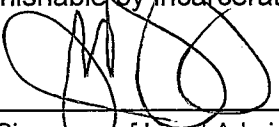


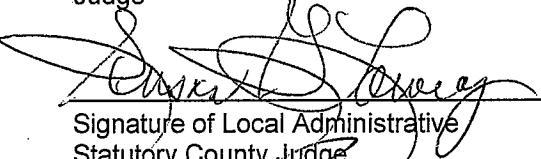
INDIGENT DEFENSE DISCRETIONARY GRANT PROGRAM COOPERATION AGREEMENT

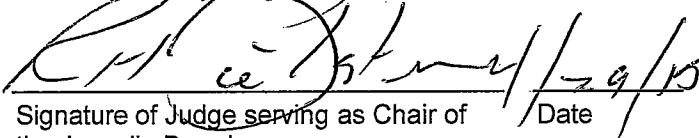
Fort Bend County has applied for a discretionary grant from the Texas Indigent Defense Commission to assist in funding the Fort Bend County Veterans Court Program. Implementation of this program will affect the courts below. The undersigned judges agree to support and participate with the program pursuant to the county's discretionary grant application to the Commission and any special conditions of the grant award to the county. This commitment includes participating in the data collection efforts required in the program, as well as utilization of the services to be provided by the program.

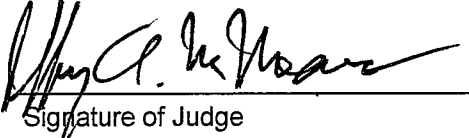
To be considered for funding this program cooperation agreement must be signed by the judges of all of the statutory county / district courts hearing criminal matters punishable by incarceration or juvenile matters in the county.

Acknowledged and Approved by all statutory county / district courts hearing criminal matters punishable by incarceration or juvenile matters in the county:

 4/29/15 James H. Shoemaker 43rd District Judge
 Signature of Local Administrative District Judge Date Printed Name and Title ~~Administrative District Judge~~

 4/29/15 SUSAN G. LOWERY CCL#3 ADMINISTRATIVE CCL JUDGE
 Signature of Local Administrative Statutory County Judge Date Printed Name and Title

 4/29/15 RITA BIELESTEIN Judge CCL#4
 Signature of Judge serving as Chair of the Juvenile Board Date Printed Name and Title

 5/1/15 JEFF McMEANS Judge CCL#2
 Signature of Judge Date Printed Name and Title

 Signature of Judge Date Printed Name and Title

 Signature of Judge Date Printed Name and Title

 Signature of Judge Date Printed Name and Title

FY2016 Fort Bend County Discretionary Grant Program Application

Official Requests for Applications (RFA) Notice on Texas Indigent Defense Commission website

(If a conflict exists between this webpage and the RFA, the RFA prevails.)

Steps in Application Process

- **Review the eligibility requirements** - Each year the Commission adopts specific measures as eligibility requirements for the discretionary grant funds. These measures are intended to encourage each county's compliance with statutory requirements or policy and standards adopted by the Commission. The compliance checklist maintained by the special counsel is shown below. Counties not meeting plan eligibility requirements should contact the Commission Special Counsel to resolve any compliance issues before May 8, 2015.

District Plan:	<u>Fort Bend District Court and County Court Plan</u>
County Plan:	<u>Fort Bend District Court and County Court Plan</u>
Juvenile Plan:	<u>Fort Bend Juvenile Board Plan</u>
County Plan Status:	Complete
The plan requirements appear to have been met.	

- **Notice to Proceed with Application** – The Grants Administrator will review all ISAs and provide a written Notice to Proceed with Application to those counties that best demonstrate that they meet the priority funding and other requirements contained in this RFA.
- **Internet Submission Required** – As with the ISA, all applications must be submitted using the Commission's Grant and Plan Management Website.
- **Resolution/Internet Submission Form** – The Resolution/Internet Submission Form (See Attachment A on RFA) must also be submitted in order for Commission staff to consider the full application. This form should be printed from the Commission's site, adopted by the County Commissioners Court, and signed by the applicant's authorized official before the deadline for applications.
 - The adopted resolution (available online) is the official authorization from the Commissioners Court for the grant request. It names the grant officials required in Texas Administrative Code Chapter §173.301. It is also a pledge to take legal responsibility for the appropriate expenditure of the funds, if they are awarded. Finally, it certifies that the information submitted in the application material is true and correct and that the county will abide by all relevant rules, policies, and procedures if awarded the grant funds by the Commission.
 - The Internet Submission Form is a separate form contained on the bottom of the Resolution Form. The Internet Submission Form must contain a confirmation number that will be generated when the application is submitted. The confirmation number may be completed by hand after the Resolution Form is approved by Commissioners Court and the application is submitted.
 - The complete Resolution/Internet Submission Form must be scanned and emailed or mailed to the Commission.
- **Court Commitment** – The judiciary is responsible for implementing indigent defense procedures within counties. Applications must include letter(s) of support from the affected judges who will participate in or implement the program (see Attachment B on RFA). Attachment B is a sample form and must be edited to describe the level and type of commitment the judges provide to the specific program in the application. All documents should be scanned and emailed or mailed together and be clearly labeled.
- **Supporting Documents** Additional material such as timelines, data collection cooperation agreements, general letters of support, or other documents that the county uses to support its application must be submitted to the Grants Administrator at the time of the final application. All supporting documents should be scanned and emailed or mailed together.
- **Due Date for Full Application** – All full applications, court commitments, and supporting documents must be submitted by 5:00 PM on May 8, 2015, on the website (<http://tidc.tamu.edu>). A confirmation number will be generated by the system for all online submissions. This is the number that needs to be entered in the Internet Submission Form portion (bottom) of the Resolution.

This form is completed using the information currently available to the Commission. Please review and make any corrections necessary.

Primary County Fort Bend
 Fiscal Year 2016

- Type of Grant: **Single-Year Discretionary Grants** - These are competitive grants - The single year discretionary grant pays up to 100% of an awarded activity on a reimbursement basis.
- Multi-year Discretionary Grants** - These are competitive grants that require a cash match as described below and are intended to last up to four years. A county will be required to re-apply for continued funding after each grant year. The multi-year discretionary grant fund will pay up to 80% of total project costs in the first year; 60% in the second year; 40% in the third year; and 20% in the fourth year. Awarded activities are funded on a reimbursement basis. The following application characteristics shall be given priority in deciding funding:
- Programs that provide direct services to indigent defendants.
 - Establishment of public defender offices.
 - Establishment of regional public defender offices.
 - Establishment of mental health defender services.

Select counties participating in the Discretionary ID Grant Proposal

Available Counties		Selected Counties
<div style="border: 1px solid black; padding: 2px;"> Anderson Andrews Angelina Aransas Archer Armstrong Atascosa Austin Bailey </div>	<div style="border: 1px solid black; padding: 2px; margin-bottom: 5px;">Add</div> <div style="border: 1px solid black; padding: 2px; margin-bottom: 5px;">Remove</div> <div style="border: 1px solid black; padding: 2px; margin-bottom: 5px;">Add All</div> <div style="border: 1px solid black; padding: 2px;">Remove All</div>	<div style="border: 1px solid black; padding: 2px;">Fort Bend</div>

State Payee Identification number

Division or unit within the county to administer the grant

Official County Mailing Address

Address (line 1)

Address (line 2 if needed)

City

State

ZIP

Program Title: The title should be unique to the program and simply describe its activity. Avoid titles that use only the term indigent defense (such as 'Indigent Defense of ____ County'). Use titles that provide meaning (such as 'Video Teleconferencing for ____ County' or 'Coordinator for Indigent Defense Services for ____ County'). (250 characters maximum)

Requested Grant Amount (from budget)

Officials Designated at the County Level

The County Judge and Financial Officer positions must be designated according to rule. The County Judge is the elected Constitutional County Judge for the county. The Financial Officer must be the County Auditor, or in the case of counties which do not have a county auditor, the County Treasurer. In order to streamline communications, all grant communication will be with the Program Director. If the information for these positions is out-of-date, click on Cancel, update these positions from the county home page, and then re-enter this application.

The County Judge is **Robert E Hebert**.

The Financial Officer is the County Auditor, **Robert Ed Sturdivant**.

Grant Officials

The Program Director must be an officer or employee responsible for the program operation or monitoring and who will

serve as the point-of-contact regarding the program's day-to-day operations. The Authorized Official must be authorized to apply for, accept, decline, modify, or cancel the grant for the applicant county. A county judge or a designee authorized by the governing body in its resolution may serve as the authorized official. The program director and the authorized official may be the same person. The financial officer may not serve as the program director or the authorized official. *Texas Government Code §173.301(a)*

Jeffrey A. McMeans
301 Jackson Street
Richmond, TX 77469

Program Director
phone: 281-341-4446
Fax: 281-341-4456
email: candi.hooper@fortbendcountytx.gov



Robert E Hebert
301 Jackson
Richmond, TX 77469

Authorized Official
phone: 281-341-8608
Fax: 281-341-8609
email: ann.werlein@fortbendcountytx.gov



Resolution / Internet Submission Form: Click on link to open new window with Sample resolution. This may be printed or copied (Ctrl+A, Ctrl+C) and pasted (Ctrl+V) into Word Processing software for editing. Please note that this link will be available on the confirmation page and will contain the updated information from the submission. It is recommended that you use that version, but this is available for preview. Word Version

Printable Indigent Defense Discretionary Grant Program Cooperation Agreement

Application Narrative

View Instructions

Introduction (Executive Summary)

Problem Statement

Objectives

Activities

Evaluation

Future Funding

Budget Narrative and Budget Form

View All Sections

2016 Intent to Submit Application



SELECT VIEW

2016 Fort Bend County Discretionary Grant Application Narrative
Fort Bend County Veterans Court Program
(Single-Year Grant)

- INSTRUCTIONS ONLY
- APPLICATION FORM
- INTRODUCTION (EXECUTIVE SUMMARY)
- PROBLEM STATEMENT
- OBJECTIVES
- ACTIVITIES
- EVALUATION
- FUTURE FUNDING
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b. Introduction (Executive Summary) - In one hundred (100) words or less describe the program and the main goals to be addressed. This **paragraph will be the abstract** of the project. Clearly state what the program will do and the broad goals that will be met if the program is funded. The summary will be most useful if it is prepared after the application has been developed in order to encompass all the key summary points necessary to communicate the project.

To help reduce the number of veterans in the Fort Bend County criminal justice system two court-appointed defense attorneys who specialize in veterans issues will represent the judicial needs of veterans in misdemeanor matters. These attorneys will assist veterans who are eligible to enroll in the Veterans Court Program, which is a treatment court designed to help returning veterans whose service connected problems result in an encounter in the criminal justice system. The court program is a collaboration using a non-adversarial approach to encourage compliance and completion of the program with the goal of helping veterans achieve a clean criminal record and restored life.

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Fort Bend County Veterans Court Program
(Single-Year Grant)

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c. Problem Statement - Describe the issue or problem the proposed activity is intended to improve or correct. Make a clear, concise, and well-supported statement of the problem to be addressed. Provide any formal or informal data collection and analysis related to the problem. Include information about affected populations, social and economic costs of the issue, and resources currently used.

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Hundreds of thousands of returning Iraq and Afghanistan veterans have Post-Traumatic Stress Disorder or traumatic brain injury, or depression, as a result of their service. Many veterans of past campaigns, from Vietnam to the Gulf War, to the Balkans and Somalia, also struggle with re-integrating into society. Many are reluctant to seek help; often they self-medicate.

Fort Bend County specifically, is facing exponential growth and along with that a number of veterans requiring services. The Veterans Administration has recognized this and met this challenge head-on by establishing two clinics for outpatient and basic services tied into the Houston Regional Center. One is in Richmond, and the other is in Katy. The Veterans Justice Outreach of the VA, a program started in recognition of the need for specialized treatment of veteran legal issues, has been tasked with outreach in Fort Bend and neighboring counties to help local governments create solutions to such problems as veterans returning home with Post-Traumatic Stress Disorder and Traumatic Brain Injury, and depression or other issues related to their service. Based on their own jail surveys, the estimates are that several hundred veterans eligible for service from all past conflicts [Vietnam to Afghanistan] pass through the Fort Bend County jail each year.

The Veterans Court provides those honorably or generally discharged veterans with the treatment to which they are entitled, and a court support staff to advise them and help them maintain their treatment while completing their terms of community supervision.

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- d. Objectives** - Develop clear targets and goals for the program to accomplish. State how the objectives address the problem stated above.
- i. Objectives must be related to the program in this application and the funds requested.
 - ii. Objectives must be time/date specific and measurable.
 - iii. Objectives are the basis for the evaluation and progress reports.
 - iv. Objectives must be consistent with the Problem Statement.

The goal for the Veterans Court Program (VCP) is to have a manageable docket of 20-25 veterans charged with misdemeanor offenses who will be represented by contract attorneys throughout their involvement with the court. Our projected range is for two attorneys working up to 10 hours each per month for the estimated time required to serve these veterans.

Those identified eligible veterans who are admitted to the court will receive a pre-trial intervention, deferred adjudication or community supervision. The Veterans Court is a three phase program with each phase requiring successful completion of a variety of activities before proceeding to the next phase. The Fort Bend County Veterans Court Program (FBC VCP) will consist of one court docket that will meet once per month.

The FBC VCP requires a commitment from the participant in the form of a Participant Contract developed for each veteran's specific needs by the veterans court program team and provided by the presiding Judge of the court with instructions and conditions to follow. The VCP is a minimum two year commitment, with the amount of time spent in the program determined by plea agreements and individual progress in treatment. While participating in the court, the Judge and representatives of the VCP team will closely monitor participation and progress in the recommended and agreed upon treatment. In addition, the VCP team will help access identified treatment counseling, case management, supportive housing and other services and services contingent upon specific needs and treatment recommendations.

The FBC VCP consists of three phases totaling up to 24 months. In addition to the phase requirements, the presiding judge reserves the right to set specific individual goals that must be accomplished before the next court appearance. The community supervision officer will review all goals prior to all court appearances and make recommendations based on completion and success. The Judge and the VCP team will be given progress reports on attendance and participation in the individualized treatment programs and other components of the treatment plan such as housing, case management and VA

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benefits. The Judge and the VCP team will review progress and address any problems that may arise. As progress is made in the program a participant's court appearances and treatment appointments may be reduced.

Treatment plans may include some or all of the following components with adjustments made as treatment needs change.

- Abstinence from illegal drugs and alcohol
- Medication compliance
- Participation in a substance abuse treatment program
- Participation in a behavioral health treatment program
- Participation in a self-help group or program
- Intensive or supportive case management services
- Supported or structured housing
- Education services
- Employment or vocational rehabilitation
- Regular appointments with a VA case manager
- Regular appointments with a psychiatrist
- Psycho-social or recreational program

Phase 1 - up to 6 months

Meet with community supervision officer for three face to face contacts per month, with one of the three contacts being in the field at the veterans home or other location. Review before the judge once per month and report to counselor per treatment plan.

Phase 2 - up to 6 months

Meet with community supervision officer for two face to face contacts per month, with one of the two contacts being in the field at the veterans home or other location. Review before the judge once per month and report to counselor per treatment plan.

Phase 3 - up to 12 months

Meet with community supervision officer once per month. Review before the judge once per month and report to counselor per treatment plan.

Upon successful completion and graduation of the program, the charges against the veteran are dismissed. In that situation, the District Attorney's Office will consider an agreed upon order of expunction, if appropriate and applicable. If the veteran fails to fulfill a requirement of the program, the veteran may suffer sanctions. Should the veterans' non-compliance continue while in the program, the veteran can be terminated from the court program and his or her pretrial diversion agreement (if applicable) will be revoked.

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Fort Bend County Veterans Court Program
(Single-Year Grant)

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- e. Activities** - Describe the specific activity the county will conduct if funded. The activities should support the objectives.
- i. Include detailed instructions of step by step procedures that will take place to implement the program and the resources needed to complete each task.
 - ii. Make sure to incorporate the required elements for the types of programs listed on Attachment C.
 - iii. Include **startup tasks** and actual **on-going program activities** that staff will have to perform to implement the program.
 - iv. Write this section so that outsiders will know exactly what the county plans to do.
 - v. Provide justification related to effectiveness and/or economy of the method proposed. Include supporting research on this activity if available.
 - vi. Describe whether existing staff and/or contractors will perform tasks, reports, etc. or if new persons will need to be hired. If contract, include information on selection process.
 - vii. If this program is being incorporated into an existing process or program, clarify how the process is different.

The veterans court program is modeled after the drug court model and is projected to handle misdemeanor cases. Team members from the Veterans Administration, probation department, the judiciary, veterans advocacy groups, the Fort Bend County district attorney's office, and the local bar will work together to restore a veterans standing outside of the criminal justice system. Once a veteran is identified as a candidate for the program through screening, assessment of their needs and approval for the program, they are represented throughout the judicial process by court appointed attorneys with the specialization of working with veterans. Two court appointed defense attorneys will cover an estimated docket of 20-25 cases where veterans will receive focused attention to help them complete the program. Those admitted to the program will receive pre-trial intervention, deferred adjudication or community supervision. The Fort Bend County Veterans Court Program will consist of one court docket that will meet once per month.

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**2016 Fort Bend County Discretionary Grant Application Narrative
Fort Bend County Veterans Court Program
(Single-Year Grant)**

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- f. Evaluation** - Develop reporting methods on how the proposed activity goals are measured.
- i. Evaluation must be linked directly to the objectives and activities. The evaluation must measure both the progress you make toward implementing the grant funded activity and the effect of the program once it is in operation.
 - ii. Measure the attainment of objectives in a specific and tangible manner (e.g., applications of indigency and request for appointed counsel will be accepted electronically and will be maintained in an online data management system);
 - iii. Measures must be quantifiable (e.g., count the number of requests received);
 - iv. Measures must be time specific (e.g., the applications and requests will be counted from February to January and reported monthly);
 - v. Measures must identify the manner in which they will be recorded for future review (e.g., a report or screenshot of the programming results, affidavit of acceptance of work, or summary database). Data collection cooperation agreements with other county offices and departments are strongly recommended so that the county can demonstrate it will be able to meet data collection and evaluation goals.
 - vi. The evaluation provides meaning to the program objectives. The measure of success is determined by the goals and objectives of the proposed activity. Write the method that milestones, accomplishments, and timelines will be tracked and recorded, including: Who will record, What they will record, and When they will record?
 - vii. Evaluations must demonstrate how the program impacts other county processes when applicable. The evaluation reports are submitted during and after the implementation phase and in accordance with UGMS. Evaluations are both fiscal and programmatic. Process evaluations may also be included.

It is anticipated that the Fort Bend County Veterans Court will seek an outside review of its performance and goals through a multi-disciplinary group that includes academics and professionals from some of the relevant core task groups, such as psychological professionals, legal, and community leaders in veterans advocacy. This is expected after a start-up period of one to two years, and during the interim the personnel in the court have been working closely with other established veterans courts to provide time-sensitive and practical feedback during the start up.

Self-reporting and tracking metrics have been in use since the first day of the court. The VA and local advocacy groups, as well as the probation professionals, have been keeping close track of the applicants, reasons for acceptance or rejection, their success, noting challenges, and proposing adaptive solutions to those challenges. That same data-driven decision making will be kept and updated for periodic self-evaluation as well as outside audits of the program.

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g. Future Funding - Include information on how the proposed activity fits into the county's long-term indigent defense financial systems.

The grant is designed to provide for one of the few costs for this court, which is not directly provided for by either VA or county budgets. The veteran, if qualified, is already entitled to all the services of the VA, and the county has already maintained court staff and personnel for this project out of current revenues. The additional work of the defense counsel is relatively small as a part of the county budget, but as it is directly related to indigent defense a grant from the IDC seemed most appropriate to fund this concept.

The county intends to apply for renewable grants for the attorneys from the IDC and from other local sources, including possibly The George Foundation, and the Bureau of Justice grants division in the future, and if the docket should grow in size. The Harris County Criminal Lawyers Association has awarded a grant of 1,200.00 dollars each to the attorneys who have essentially been volunteering pro bono over the past six months while this application process moves forward. That stipend was a one time non-renewable grant to help defray expenses but is an example of the kind of creative search for funding that the county and the court have employed.

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- h. Budget Narrative and Budget Form** - (A narrative is required in addition to completing the form.) Counties will submit an online budget form. Budgets must clearly state the cost to execute the program. The budget narrative justifies all expenses and must be consistent with the activities and objectives.
- i. Include all costs necessary to implement the proposed activity.
 - ii. Provide a narrative to justify all budgeted expenses. This narrative must correspond to the project design sections. Items in the budget not stated in the activity will be removed.
 - iii. Indicate in the budget and narrative the start-up costs or non-re-reoccurring costs for multi-year grants.
 - iv. Indirect costs are allowable, but may not be competitive if above 10%.
 - v. The equipment line requires a list of equipment to be purchased. All equipment must be purchased in the first year of the grant unless permission is granted from the Commission in writing. Otherwise, the equipment costs will not factor into the total project cost in subsequent years of funding.
 - vi. Do not budget expense items that are not part of the application.

Proposed Budget

Personnel Costs		\$20,000.00
Number of FTEs		
Salary	\$20,000.00	
Fringe Benefits		
Travel and Training		
Equipment		
Supplies		
Contract Services		
Indirect		
Total		\$20,000.00
Required County Match - If the grant request is for video-teleconferencing, you need to enter 50% of total as cash match.		
Total less County Match		\$20,000.00

Fort Bend County and the VA already provide all the services required for regular monitoring and assistance of the veterans, with the exception of the contract attorneys as outlined in prior sections. The \$20,000 budget is a careful estimate based upon similar contracts, dockets and hours needed from other counties with similar programs. It includes some money, approximately one thousand dollars, to help defray costs in training the attorneys on veteran and treatment court issues. This grant will permit attorneys who would otherwise have to conduct this effort on a pro bono basis to be paid a reasonable hourly rate [100.00 per hour] for their itemized work in and out of court. It would be adjusted as docket size increases or decreases and as the needs of the veteran client either increase or lessen.

All purchases will comply with the Fort Bend County Purchasing Policy and State of Texas Procurement Act. The administration of applicants and personnel will comply with all policies adopted by Fort Bend County.

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