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Health and Human
Services

Mental health defender Programs

**Presentation to the
Judicial Commission on Mental Health**

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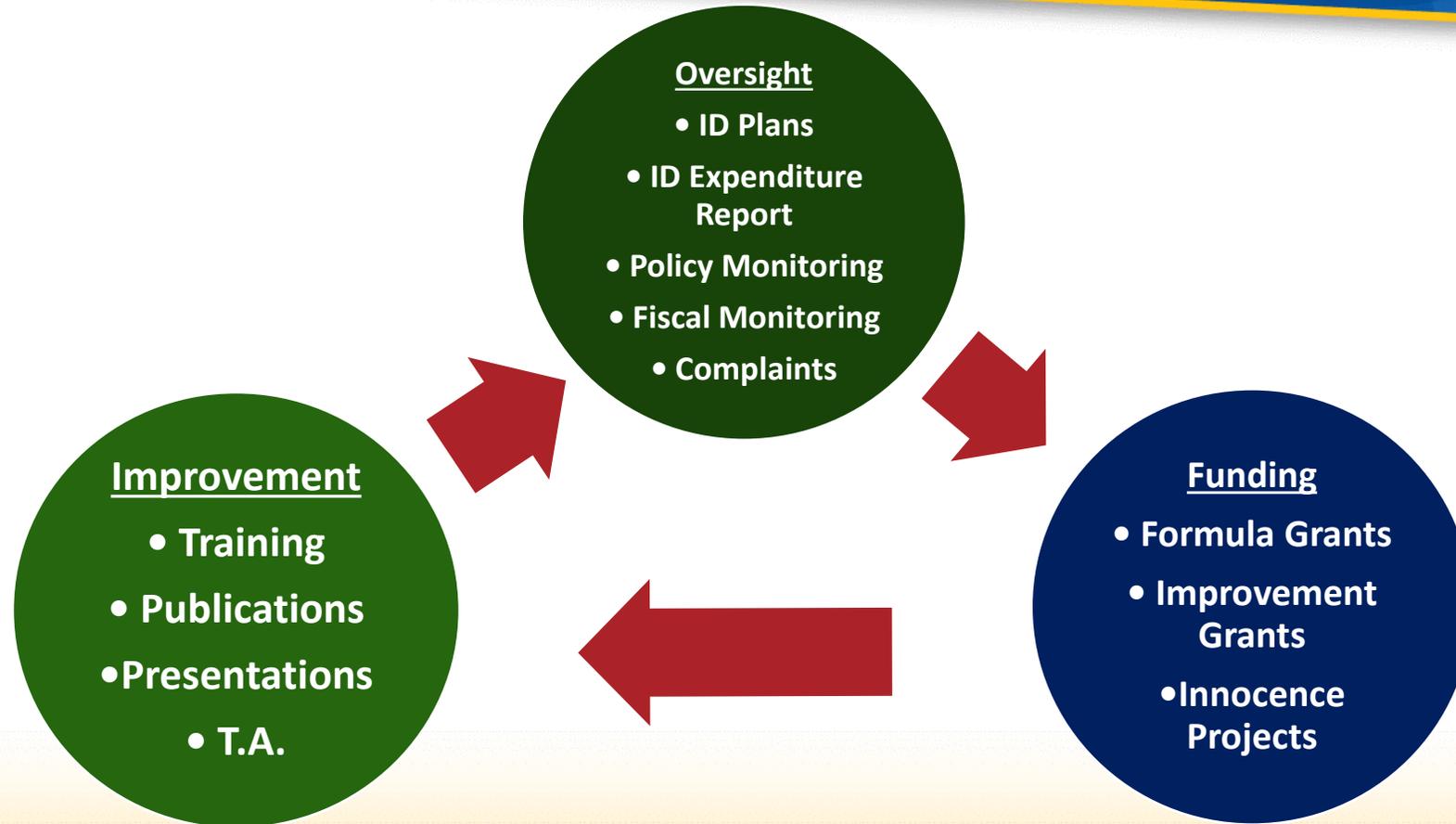


Protecting the right to counsel, improving public defense.

What TIDC does



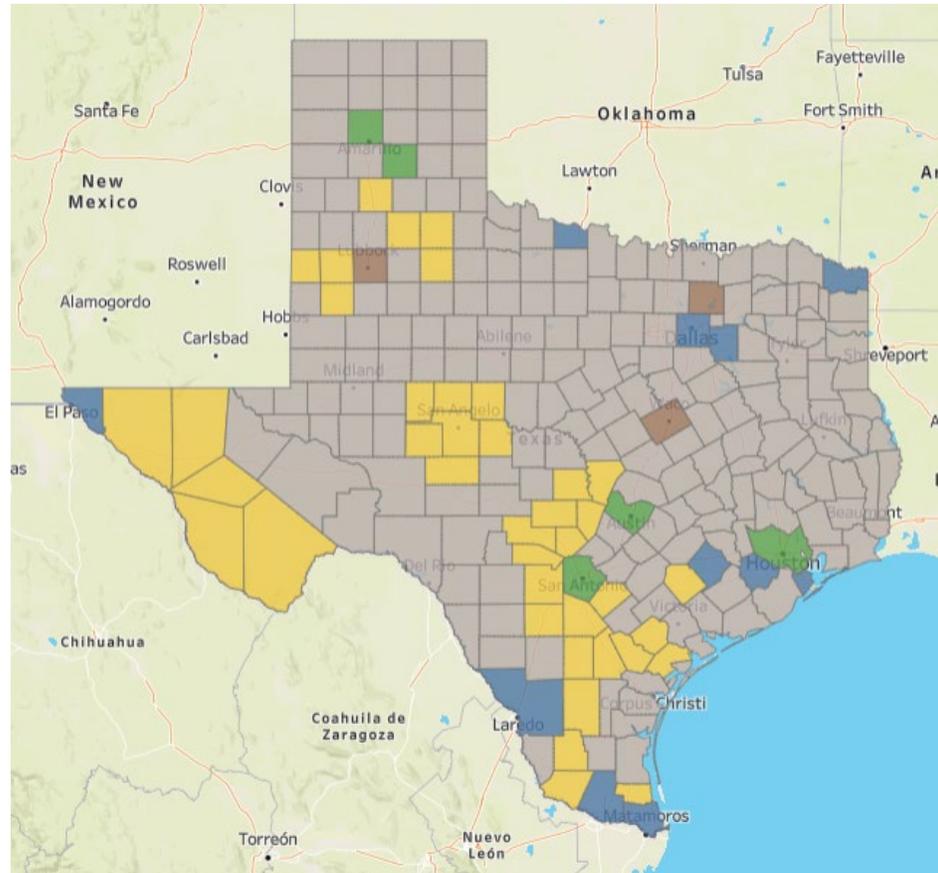
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63 of Texas' 254 counties are, or soon will be, served by a public defender and/or a managed assigned counsel office



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Type(s) of Office

- Managed Assigned Coun...
- No PDO or MAC
- PDO and MAC
- Regional PDO
- Single County PDO



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Public defenders are connectors



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Mental health defender programs

Specialized Mental Health Defender Programs

Can be Public Defender or Managed Assigned Counsel

Specially trained lawyers coordinate with social workers to represent defendants with mental illness.

Programs help stabilize defendants and link them with treatment and resources.

Can generate cost savings through diversion from jail, reduced recidivism



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Recent mental health grants

- **Galveston Misdemeanor Mental Health Public Defender (\$735,334)**
- **McLennan County Mental Health Managed Assigned Counsel Program (\$169,280)**



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Spotlight: Galveston county MMHPDO



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- Defendants represented by the office are assigned a case worker to perform mitigation case work and to engage with the GCC in developing a treatment plan.

**Source: Galveston County Justice
and Mental**

**Health System Modernization
Project**

**Year Progress Report for April
2021 to April 2022**

Early results of the office

- Request were made for MH PR bond or reduced bond amounts for all 152 cases
- 15 (10%) were granted.

Source: Galveston County Justice and Mental Health System Modernization Project: Yearly Project Report for April 2021 to April 2022



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Early results of the office, cont.

Out of 152 appointments from April 2021 – April 2022, the office made:

152 mental health referrals (100%)

15 counseling services referrals (10%)

2 medical (not mental health) referrals (1%).

17 basic needs referrals (housing, employment, transportation) (11%)

3 financial services referrals (4%)

12 substance abuse treatment referrals (8%)



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Why create a mental health defender program?

Reduce

Jail Populations

Reduce

Unnecessary Competency Evaluations

Reduce

Recidivism

Improve

Quality of Representation, Case Outcomes

Improve

Efficiency of Courts, Case Processing



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Mental health defenders reduce jail days



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- **Ft. Bend Co. Mental Health Public Defender's Office:** The office reduced jail days from 56.9 days to 19.4 days for misdemeanor defendants with mental illness. Savings ranged from \$32.26 per case to \$734.51 per case.
- **Wichita Co. Public Defender's Office:** An estimated 730 jail bed days were averted in the first 15 months of the program by identifying mentally ill defendants sooner and sending them more quickly to North Texas State Hospital. This saved the county an estimated \$48,000.
- **Collin Co. Mental Health Managed Counsel Program:** The program saved the county an estimated \$176,133 in 2013 and \$630,406 in 2014 by reducing jail bed days for clients released on mental health personal bonds and reducing jail days for clients who need to be restored to competency. Additional jail savings that weren't quantifiable include savings in multi-county cases due to effective case management and early case disposal.
- Source: [Texas Mental Health Defender Programs, TIDC](#)

Mental health defenders reduce unnecessary competency evaluations



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- **Collin Co. Mental Health Managed Counsel Program (MHMC):** Stakeholders reported that the program saved the county money because fewer competency evaluations were being requested thanks to MHMC attorneys being better trained and experienced in recognizing competency issues.
- **Wichita Co. Public Defender's Office:** The office saved the county an estimated \$37,500 in the first 15 months of the program due to fewer competency exams being requested.
- Source: [Texas Mental Health Defender Programs, TIDC](#)

Mental health defenders reduce recidivism



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- **Travis County Mental Health Public Defender (MHPD):** For clients with disposed cases between FY2009-2013, 39 percent of MHPD clients were rearrested, as compared to 50 percent of defendants represented by counsel from the mental health wheel.
- Source: [Texas Mental Health Defender Programs, TIDC](#)

Public defenders reduce recidivism



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- **Dallas County Mental Health Public Defender (DCMHPD):** six months after case disposition, the office's clients experienced significantly lower rates of recidivism compared to a control population not represented by the office.
- Re-arrest rates for DCMHPD clients with schizophrenia and major depression were about two-thirds lower than the control group, and about half lower for persons with bipolar disorder. Recidivism was still significantly lower 18 months after case disposition for persons with schizophrenia who were represented by the DCMHPD.
- Source: [Texas Mental Health Defender Programs, TIDC](#)

Mh defenders improve representation and case outcomes (1 of 2)



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- **Ft. Bend Co. Mental Health Public Defender's Office:** Over 85% of the office's clients who were surveyed reported being satisfied or very satisfied with the quality of the office's services.
- **Harris Co. Public Defender's Office (HCPDO):** Misdemeanor dismissals were almost five times more likely for HCPDO clients with mental health diagnoses than for a similar group of defendants with assigned counsel.
- Source: [Texas Mental Health Defender Programs, TIDC](#)

Mh defenders improve representation and case outcomes (2 of 2)



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- **Travis Co. Mental Health Public Defender Office:** Clients were more likely to receive dismissals compared to assigned counsel on the mental health wheel. The office received dismissals in 47% of their cases, compared with 19% of assigned counsel cases. The office also provides training opportunities on mental health issues to members of the private bar, including those on the mental health wheel.
- **Capital Area Private Defender Service (CAPDS; Travis Co.):** In the first quarter of FY2018, CAPDS reported completing 30 attorney requests for mitigation assistance, which can result in cases being dismissed or other favorable case dispositions. The office has provided many mental health CLEs and trainings for its panel attorneys, investigators, and mentees. The social workers also host an annual CAPDS Resource Fair in the courthouse to expose court personnel to available social services for diversion, pretrial services, probation, and reentry.

Source: [Texas Mental Health Defender Programs, TIDC](#)

Mh Defenders improve efficiency of courts and case processing



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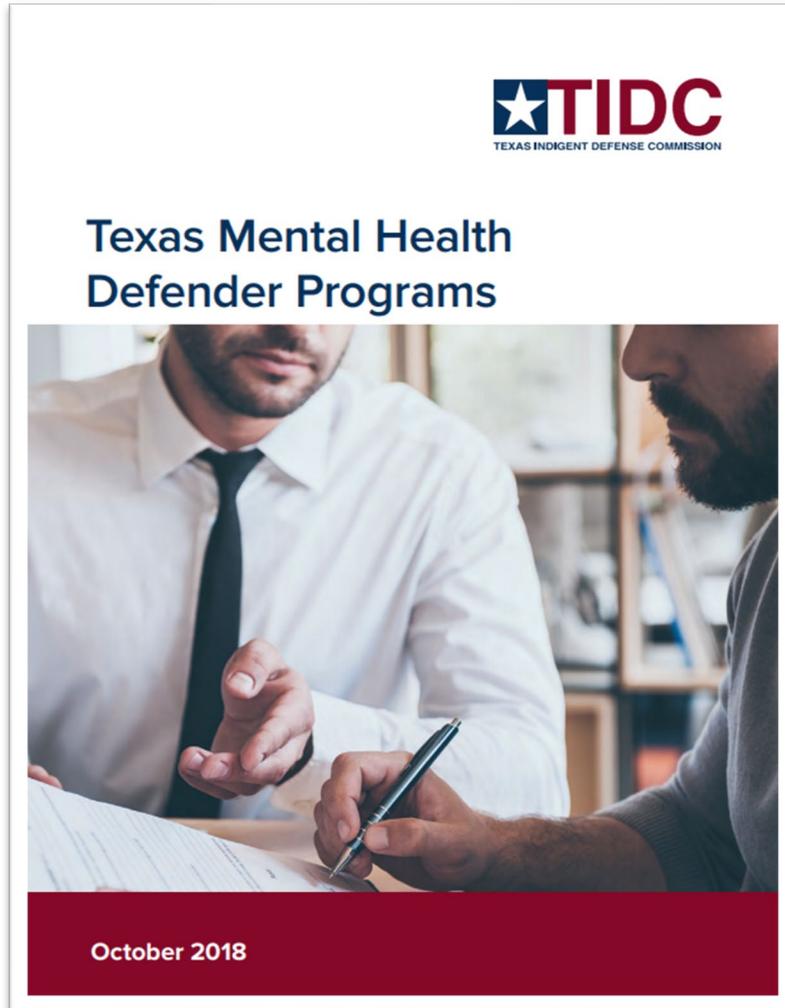
- **Collin Co. Mental Health Managed Counsel Program (MHMC):** The office identified various cost savings that were not quantifiable but nonetheless occurred due to efficiencies created by the office. The office noted jail and medical cost savings due to effective case management, expedited dispositions, and release of defendants; transportation, jail, and court savings due to MHMC acting as a liaison with the state hospital; and medical savings due to MHMC court liaison activities.
- **Travis Co. Mental Health Public Defender (MHPD):** The office's cases were disposed quicker, on average, than assigned counsel cases. The MHPD disposed a case in an average of 51.09 days, while assigned counsel took an average of 91.49 days, a difference of 40.40 days per case. Wichita Co. Public Defender's Office: The mental health case manager saved the county approximately \$7,500 by reducing time that private appointed counsel spent on cases involving defendants with a mental illness.

Source: [Texas Mental Health Defender Programs, TIDC](#)

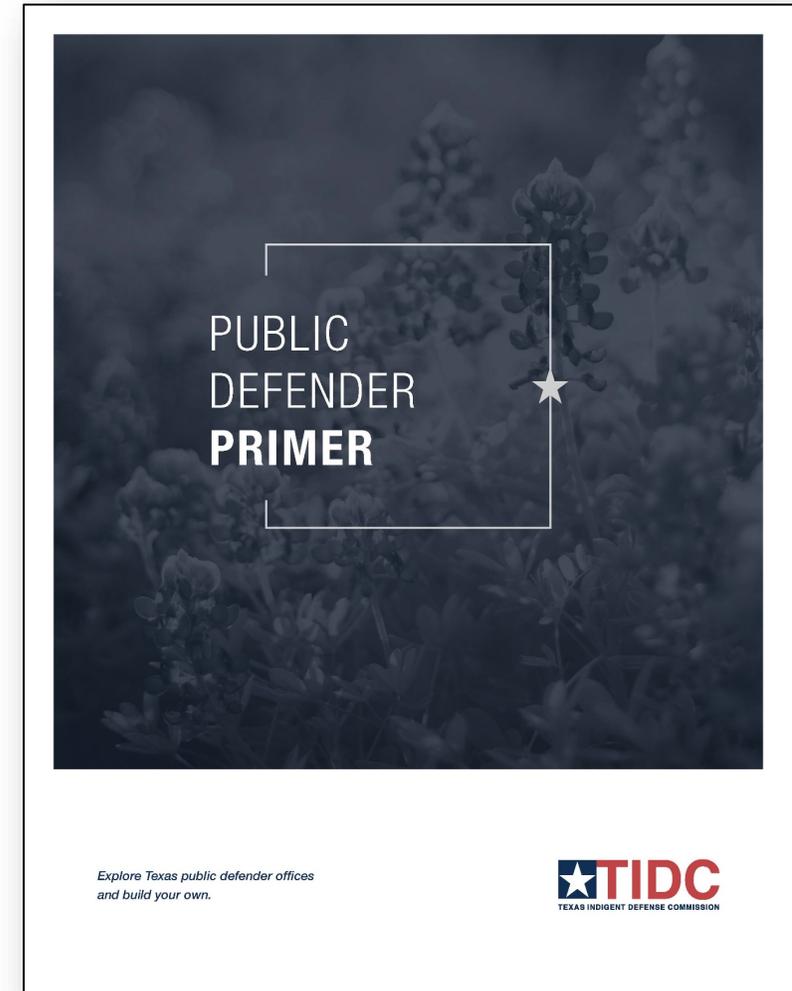


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Helpful publications



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