



MEMORANDUM

To: Galveston County Commissioners' Court
From: Miriam Moran, Director of Grants Administration
Court Date: May 11, 2026
RE: Mental Health Public Defender's Office
FY 2027 Mental Health Public Defender Enhancement Grant Application

BACKGROUND

The Texas Indigent Defense Commission provides grant funding and technical support to counties to develop and sustain quality, cost-effective indigent defense systems. The Texas Legislature appropriated funds for grants to create or expand Mental Health Defender Programs. Eligible programs will be new or existing public defender offices or managed assigned counsel programs providing specialized representation of indigent defendants with a mental illness. Grants may expand the capacity of existing mental health defender programs, establish mental health defender programs in counties currently without these programs, and/or sustain effective mental health defender programs. See TIDC's publication Texas Mental Health Defender Programs for program examples.

Galveston County was awarded a multi-year improvement grant in FY 2021 for personnel and construction of a new Mental Health Public Defender's Office. Since 2021, Galveston County received continuation grants for personnel on a depreciating ratio.

SUMMARY

This application is in response to the overwhelming response and referral rate to the MHPDO that current places the office over the best-practice limit for the current staffing level. With this application, Galveston County requests continuation for a fourth mental health public defender position as well as a fourth mental health case worker to meet current demands.

The application is under the Texas Indigent Defense Commission's Multi-Year Improvement Grant program, but TIDC personnel requested we submit a one-year application to start. The grant program has a depreciating-ratio match requirement of 60/40 in year one that decreases 20% each subsequent year.

TIDC required the continuation application be submitted as soon as possible making this ratification necessary.



RECOMMENDATIONS

Professional Services requests the Court consider ratification of the submission of the FY 2027 Galveston Mental Health Public Defender Enhancement Project Application to the Texas Indigent Defense Commission and authorize the County Judge to sign supporting resolution.

Galveston County Resolution
TIDC Indigent Defense Improvement Grant Program
Fiscal Year 2027

WHEREAS, under the provisions of the Texas Government Code § 79.037 and Title I of the 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, the Commissioners Court authorizes the county's participation in this grant program and the attached grant application for the Galveston County Misdemeanor Mental Health Public Defender's Office to assist the county in the implementation and the improvement of indigent criminal defense services in this county; and

WHEREAS, Galveston County Commissioners Court has agreed that in the event of loss or misuse of TIDC grant funds, Galveston County Commissioners Court assures that any such lost or misused funds will be repaid in full to the Texas Indigent Defense Commission.


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

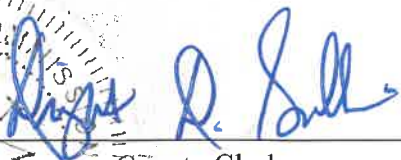
BE IT FURTHER RESOLVED that Thomas J. Wooten is designated as the Program Director and contact person for this grant and the County Auditor is designated as the Financial Officer for this grant.

Adopted this 11th day of May, 2026.



Mark A. Henry



Attest: 
County Clerk

Galveston County

Galveston County Misdemeanor Mental Health Public Defender's Office

ID: R-2026-07246

Thomas J. "Jay" Wooten

Requested: \$145,764

Created: 4/20/2026

Status

Draft

▼ **Table of Contents**

- Grant Information**
- Budget**
- Upload Documents**

▼ **Summary - Internal**

Amount Requested: \$145,764.00
Amount Recommended: (Original)

▼ **Contact Information**

GALVESTON COUNTY

722 Moody, 2nd Floor
 Galveston, TX 77550
Tax ID: *Not Listed*
Phone: *Not Listed*
Website: *Not Listed*

Grant Contact: Thomas J. "Jay" Wooten (*Thomas.Wooten@galvestoncountytx.gov*)

Chief Executive: Mark Henry (*Mark.Henry@co.galveston.tx.us*)

Finance Contact: Sergio Cruz (*Sergio.cruz@galvestoncountytx.gov*)

Which type of grant are you applying for? Continued Multi-Year Improvement Grant

What fiscal year are you applying for? 2027

Program Title: Galveston County Misdemeanor Mental Health Public Defender's Office

Introduction (Executive Summary):

GCOMMHPDO represents all defendants charged with a class A or B misdemeanor, in Galveston County, and diagnosed with a SMI-- including representing these defendants at any Tx.C.C.P Art. 17.032 and other bond hearings. The office has a team of 4 lawyers and 4 social workers that allows for effective and efficient indigent defense delivery. GCOMMHPDO zealously and effectively represents this unique population in court, while linking them to appropriate treatment and medications and much needed wrap around services to help them escape the revolving door of our criminal justice system.

Problem Statement:

First, Galveston County has implemented a mental health court. This court initially only handles felony defendants with SMI. However, Galveston County did not want to wait that long to start addressing the misdemeanor population. There is overwhelming agreement in the County, Judicial Criminal Justice Coordinating Advisory Council and Commissioners' Court that we need a more effective and comprehensive approach in making sure that the jail is no longer the defacto mental health treatment center for Galveston County. We believe that establishing the GCMMHPDO will form a solid foundation to address and remedy this quagmire. Judge Mallia, the former Mental Health Court judge, had researched Fort Bend County's Mental Health Public Defenders' Office and believes its success could be duplicated in Galveston County on the misdemeanor level.

Our statistics show that there are a high number of misdemeanor defendants with mental illnesses in our county jail that need to be more effectively represented. About 20 percent of jail intakes in Galveston County are identified as potentially mentally ill per the Texas Commission on Jail Standards required screening intake forms. Research done by the MMHPI as part of the modernization project, found that between January to May 2019 the Gulf Coast Center conducted 737 mental health assessment after a magistrate notification. 45% (333) of those were for misdemeanor defendants and 57% (190) of those 333 were classified as potentially having a SMI or Priority Population. This is about 67 misdemeanor defendants assessed monthly as mentally ill during that period, with more than half of them potentially having severe mental illnesses.

Second, Galveston County has recently streamlined its bonding process for Tx C.C.P. 17.032 mental health bond hearings. We now meet all requirements related to the release of mentally ill persons on PR Bond to community treatment. What we do not have are defense attorneys who are well versed and trained in this process to increase the success of the intent of the law. Having the GCMMHPDO represent misdemeanor defendants at these hearings would greatly increase the likelihood of the granting of a PR bond with conditions of bond for treatment and appropriate medications. GCMMHPDO would have the resources to quickly determine what are the most appropriate resources and treatments available for the defendant. In addition, the mental health public defender would be well versed in not only the law but the terminology of the treatment and medications to make very appropriate and convincing arguments to the judge. This would also increase the judge's comfort level in granting the PR bond. The reality is that attorneys in private practice who are appointed to represent defendants with SMIs do not have the resources or time to represent them as effectively as a mental health public defender.

An audit by the Texas Indigent Defense Commission showed that misdemeanor arrestees in Galveston County that can afford to pay bail and fight their cases from the outside are six times likelier to have their charges fully dismissed. Felony cases show similar patterns in case outcomes. For example, a felony arrestee who cannot afford to pay bail is four times likelier to be sentenced to more than a year in prison and half as likely to be sentenced to probation or deferred adjudication.[1]

Misdemeanor defendants with an SMI will have a substantial advantage if out on a PR bond rather than remaining in jail because they will be able to get better treatment and other resources that will stabilize them. That will help them aid in their defense or even convince the prosecutor and/or judge that proceeding with the criminal case is not in the best interest of the defendant or society. This also saves our county money because housing defendants with SMIs cost the county more money than housing a defendant without a SMI.

Statistics demonstrate nationwide that defendants with mental health diagnoses stay in jail longer and are more likely to get jail sentences at disposition.[2] The GCMMHPDO will provide prompt legal resources to advocate for MH PR Bond release. Then, the staff social workers will work to determine the most appropriate outcome for the case that will increase public safety, decrease resource utilization, and connect defendants to community resources for long term treatment instead of allowing them to get stuck in a revolving door of incarceration.

Galveston County is submitting this grant application to address the two problems above that can only be addressed through a GCMMHPDO. In addition to addressing these two challenges, we have made great strides in laying a solid foundation that will assure the success of a GCMMHPDO and addresses broader mental health issues in our county.

Galveston County has been involved in a justice system modernization project since 2017 with the assistance of the Meadows Mental Health Policy Institute (MMHPI) Justice Policy team headed by Dr. Tony Fabelo. In August of 2018 this team proposed the creation of a "Limited Scope Public Defender Office" as part of the improvement plan. The proposal included a division for representing mentally ill defendants. The Galveston judiciary at the time was not ready to move forward with that proposal. But with the creation of a Mental Health Court headed by and funded by the county, judicial stakeholders have since appreciated the value of this initiative.

Galveston County has made tremendous progress in the modernization of its justice system under the MMHPI project. Progress is documented every year by the MMHPI. Building on the initial report of April 2020, here are the MMHPI documented accomplishments:

1. Continued institutionalization of the County and Judicial Criminal Justice Coordinating Advisory Council (referred to as the Coordinating Council) with addition of a project management system that will guide the development of the GCMMHPD. During the period of the COVID-19 emergency, the Coordinating Council is meeting in conference call every Friday to review different issues and troubleshoot the improvements necessary to continue progress with the initiative while addressing emergency related issues;
2. Development of data analyses to guide reviews and discussions by the Coordinating Council with many research reports provided to the council during the year;
3. Successfully addressed issues raised in the federal court case, Aaron Booth vs. Galveston County, with the federal court dismissing the main complaints against the county related to pretrial issues
4. National search and hiring of Personal Bond Office Director;
5. Approval of operational plan and county funding for enhancements to the Personal Bond Office to help in the expansion of pretrial services in the county;
6. Improvements in mental health jail screening protocols;
7. Implementation of CCP 17.032 Personal Bond release protocols for mentally ill persons in jail that qualify for this process;
8. Development of a Bench Manual for CCP 17.032 hearings;
9. Creation of the first Galveston County Mental Health Court;
10. Use of Mental Health Court to consolidate CCP 17.032 Hearings;
11. Gulf Coast Center (local mental health authority) jail staff expansion to support CCP 17.032 process and Mental Health Court;
12. On-going information technology Improvements, including the eventual implementation of the TechShare electronic magistration portal with risk assessment integrated into the portal (in-progress);
13. Streamlining of Magistration documents in One Model Form; and
14. Development of court Automated Exception Reports to assist court administrators in managing the flow of cases (in- progress).

[1] MMHPI, June 26, 2019 Report to the Galveston Coordinating Council, "MH Population Assessment Analysis, Screening and Assessment Issues and MH Court Plan."

[2] Meadows Mental Health Policy Institute, Galveston Justice System Modernization Project, Year Two Annual Report, April 2019 to March 2020, published March 18,2020.

Objectives:

Full case representation will be available to defendants with a serious mental illness (SMI) diagnoses who are charged with a class A or B misdemeanor. In addition, high quality representation will be available at C.C.P. Art. 17.032 mental health bond hearing and other bond hearings to increase the likelihood of receiving a PR Bond with specialized conditions of bond.

The full case representation for these defendants would begin with referrals from magistrates who receive indications that defendants have a mental health diagnosis, and jail LMHA staff doing the mental health screening and assessments.(CCQ and 16.22 evaluations) If appropriate, the defendant's case would be assigned the GCMMHPDO. Early intervention for competency matters, compliance with CCP 17.032, psychiatric referrals and evaluations could begin immediately after the magistrate process.

Between filing and disposition, the staff mental health caseworkers will assist with verification of a mental health condition, contact and coordinate with family members, make referrals to community resources, assist with re-entry planning, and aid the defense attorney in advocating for the defendant.

The objectives for full case representation are:

1. Increased coordination and communication with the jail staff, pretrial services (if applicable), judges, the district attorney's office, and Gulf Coast Center (Galveston County's local mental health authority). This continues to be accomplished by the GCMMHPDO.
2. Increased use of mental health social workers on these cases. This would begin immediately upon cases being referred to the GCMMHPDO. This continues to be accomplished by the GCMMHPDO.
3. Reduced jail time/bed utilization following disposition through increased community sentences, increased dismissals, and decreased length of jail time sentences; Was noticeable after the first 6 months of the opening of the GCMMHPDO. This continues to be accomplished by the GCMMHPDO.
4. Increased connection to care following jail release of any kind (bond or post sentence). To begin

immediately upon cases being referred to the GCMMHPDO; and,

5. Connections to social safety net benefits, if applicable. To begin immediately upon cases being referred to the GCMMHPDO. This continues to be accomplished by the GCMMHPDO.

The objectives of the representation at C.C.P. Art. 17.-32 bond hearings are:

1. Increase the percentage of pretrial releases through bond reductions; Was noticeable after the first 6 months of the opening of the GCMMHPDO.
 2. Increase the percentage of personal recognizance bonds; Was noticeable after the first 6 months of the opening of the GCMMHPDO.
 3. If current literature is correct, the above should lead to an overall decrease in incarceration sentences through much higher rate of dismissals.
 4. A decrease in pretrial bed use at the Galveston County Jail. Was noticeable after the first 6 months of the opening of the GCMMHPDO.
- All or the foregoing continues to yield these afore mentioned results.

Activities

Describe the specific activities the applicant will conduct if awarded a grant. The activities should support the objectives.

1. ***Include detailed instructions of step-by-step procedures that will take place to implement the program and the resources needed to complete each task.***
2. ***Make sure to incorporate the required elements for the types of programs listed on Attachment C.***
3. ***Include start-up tasks and the ongoing program activities that staff will perform to implement the program.***
4. ***Write this section so that outsiders know exactly what the applicant plans to do.***
5. ***Provide justification related to effectiveness and/or economy of the activity proposed. Include supporting research on this activity if available.***
6. ***Describe whether existing staff and/or contractors will perform tasks, reports, etc. or if new staff positions will be created to implement the program. If the program will be implemented through a contract, include information on the selection process.***
7. ***If the proposed program implements a new component into an existing process or program, clarify how the new process is different from existing programs.***

Activities - Startup (Year 1 Only):

Ongoing Activities:

1. Continue to collaboratively work with the judiciary, integrate the GCMMHPDO into the indigent defense plan including proportion of cases the office will be assigned and the client eligibility criteria, e.g. following protocol wherein the GCMMHPDO is set up to represent defendants with the most severe mental illnesses.
2. Continue to collaboratively work with the 3 County Court at Law Judges to help plan and implement the office.
3. Continue to collaboratively work with the Galveston County Community Supervision and Corrections Department to help implement and work with the office.
4. Continue to collaboratively work with the County Justice Administration Office to help implement and work with the office.
- Continue to collaboratively work with the newly created Personal Bond and Collections Office to help implement and work with the office.)
5. Continue to collaboratively work with the County Sheriff's Department's Jail and Corrections Division to help implement and work with the office.
- 6 Continue to collaboratively work with the IT Department, determine case management software options that will allow the office to collect and maintain files and also allow for data extraction for future research and reporting to share with TIDC.
- 7 Continue to zealously represent our assigned clients at bond hearings- seeking to have our clients released on non fee mental health and pre-trial release bonds to allow connection to services as soon as possible.
8. Continue to zealously represent our assigned clients seeking to get their cases dismissed.
9. Continue to provide direct access to mental health services, when possible, upon release from incarceration.
10. Continue to provide support to our assigned clients by helping them attend court and MH appointments via county transportation.

Evaluation:

The evaluation will be conducted by the Meadows Mental Health Policy Institute (MMHPI) Justice Policy team of Dr. Tony Fabelo. Dr. Fabelo has extensive experience evaluating public defender offices in Texas. He has completed evaluations of the Harris County Public Defender Office in 2013 and most recently, in May 2020, an

extensive evaluation of the indigent defense system in El Paso County. Both included evaluations of the mental health components on those offices.

The first evaluation will be a qualitative one, to determine the implementation efficiency of the office and to make recommendations for improvements. The review will determine if the office is following the appropriate "ten principles" for effective representation used in prior evaluations based on the American Bar Association guide. In a nutshell, the national and state principles call for the independence of defense counsel, control in the size of the caseloads and workload by defense to enable quality representation, providing training and support staff appropriate to assist counsel and monitoring for compliance with the standards. These principles have been found to have a positive impact on outcomes, but, only if they are enforced and monitored by the county or PDO. The first set of evaluation measures should revolve around setting up the office, hiring the staff, and integrating lawyers into either the case representation process or the C.C.P. Art. 17.032 mental health bond hearings process, the proper utilization of social workers, effective integration with the Galveston County Mental Health Court, Galveston County Personal Bond Office and with the mental health authority, the Gulf Coast Center (GCC).

TIDC grant measurements are aggregate measures to be tracked and reported on a monthly basis, such as:

- Number of people booked into jail identified as mentally ill with a class A or B misdemeanor as highest charge; Number of people booked into jail identified as mentally ill referred to the GCMMHPDO
- Number of people booked into jail identified as mentally ill referred to the GCMMHPDO and represented by the GCMMHPDO
- Number of people represented by GCMMHPDO and released on bond per CCP 17.03
- Number of people with cases disposed by the GCMMHPDO
- Number of cases disposed by GCMMHPDO
- Number of people the GCMMHPDO social workers met with during the month, and
- Number of people whose case a GCMMHPDO contracted investigator worked on during the month

The qualitative evaluation will also determine if the office is able to track these basic measures as required by the grant. The evaluation is expected to be done once the office is operational and stable with the appropriate staff. This should be at the end of year one of operation.

The outcome evaluation can only be done after year two of operation. The MMHPI team is already working on the modernization of different components of the Galveston County pretrial, judicial, and mental health system. The MMHPI will work with the different agencies and the Galveston County Information Technology department to track the defendant-based information of those defendants represented by the GCMMHPDO. Defendant information includes demographic and criminogenic information, the original bond amount set at magistration and actual amount paid along with time, date, place, magistration information, and case disposition information. The information would also include matching of records with the GCC to determine the extent to which the defendants connected to the GCC and the level of services that they received and for how long. Finally, the TechShare Magistration Portal and the Personal Bond Office Risk Assessment process should be operational by the time the GCMMHPDO is fully operational and this should also allow for an examination of risk levels for those represented by the GCMMHPDO.

The quantitative evaluation will examine the following:

- How GCMMHPDO Defendant case dispositions compared with general patterns for those represented by assigned and retained counsel
- Defendants connections to GCC, level of care and time in care
- Defendants released on 17.032 bonds compared to released prior to needing a 17.032 hearing (released before 96 hours in jail)
- Time of social workers and investigators and the potential impact on final disposition, and
- Length of stay in jail for those represented by the GCMMHPDO and proportion released on pretrial bond or personal bond and/or increased use of 17.032 MH bond release compared to prior baseline patterns

All evaluations will be presented by the MMHPI to the GCCC Committee and the GCMMHPDO Chief in a joint meeting. The GCCC Committee and the GCMMHPDO Chief will discuss what is working, what needs improvement and an action plan for the areas that need improvement. The GCCC Committee will be responsible for making sure all action plans are implemented by the Chief. Thereafter, Outcome Evaluations should be performed at least every three years.

Future Funding:

Galveston County is dedicated to carrying on all of the afore mentioned programs after grant funding is exhausted.

Budget

Budget Narrative and Budget Form

Applicants must submit the online budget form. Budgets must clearly state the costs to implement and sustain the operation of the program. The budget narrative should justify 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 detail and justify all budgeted expenses. This narrative must correspond to the activities section.
- iii. Indicate in the budget and narrative the non-reoccurring start-up costs for multi-year grants.
- iv. Indirect costs are allowable but the application will not be considered competitive if above 10%. Preferred applications will include little or no indirect cost requirements.
- 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 TIDC in writing. Otherwise, the equipment costs will not factor into the total project cost after the first year of funding.
- vi. Budget line items must include detailed basis of cost explanations in the budget narrative.

Budget Narrative:

- o The salary for the chief's position is in parity with a chief's position in the Galveston County Criminal District Attorney's Office with 15 years experience. The Chief will be responsible for supervising the attorneys and staff and running the office
- o The salaries for the 3 assistant public defenders are in parity with an assistant district attorney in the Galveston County Criminal District Attorney's Office with at least 3 years experience. Therefore, these salaries will be in line with in the American Bar Associations 10 Principles of a Public Defense Delivery System for an attorney with at least 3 years experience
- o The salaries for the 3 caseworkers are competitive salaries according to TIDC
- o The salary for the support staff is a competitive salary according to TIDC
- o Fringe Benefits including health insurance costs are the same for all other Galveston County employees
- o The travel and training line item is to cover travel to seminars and conferences and local travel to interview witnesses or meet with clients to pay for required professional training for the attorneys and staff. It is also for educational opportunities that will help improve the quality and level of service and performance.

Total Program Budget: \$145,764.00

Grant Reimbursement Percentage Requested: 20

▼ Upload Documents

Instructions for uploading documents:

Resolution/Internet Submission Form –Counties applying for grants must also submit the Resolution/Internet Submission Form (See Attachment A) in order for the Commission to consider the application. The resolution must be adopted by the County Commissioners Court, signed by the applicant's authorized official, and uploaded to the online grant application. Nonprofit organization applicants should submit a resolution adopted by their governing board authorizing the application and additional documentation of county support and coordination.

- The adopted resolution is the official authorization for the grant request. It names the grant officials required in Texas Administrative Code § 173.301. It is also a pledge to take legal responsibility for the appropriate expenditure of grant funds. Finally, it certifies that the applicant will abide by all relevant rules, policies, and procedures if TIDC awards grant funds to the applicant.
- The Internet Submission Form is a separate form located on the bottom of the Resolution Form. The Internet Submission Form must contain the 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.

Judicial Support—The judiciary is responsible for each county's Indigent Defense Plan. Applications must include letter(s) of support from the judges who will participate in or implement the program (See Attachment B). Attachment B is a sample form and must be edited to describe the level and type of commitment the judges will provide to the specific program in the application.

Additional Requirements for Public Defender or Managed Assigned Counsel

Programs—Applicants must provide an **Oversight Board Plan** describing the membership positions, board structure, and board responsibilities. (Note: Applicants are not required to name individual board members in the application, but rather board member positions, such as "member of the defense bar," "community member," or "law professor focused on criminal law.") Applicants must also provide a **Leadership Selection Plan** that outlines the recruitment and selection of the program's chief defender. See TIDC guidance in A Guide to Public Defender Oversight Boards, Texas Chief Defender Sample Hiring Rubric, and Sample Chief Public Defender Job Description.

Other Supporting Documents—Additional material such as timelines, data collection cooperation agreements, letters of support, additional budget detail, or other supporting documents must be uploaded in the online application form before the application due date. Nonprofit applicants must also submit organizational information, including articles of incorporation, documentation of current nonprofit status, and list of members of the governing board, and documentation of county support and coordination.

Additional Requirements for Technology Grant Requests—Budget narratives for technology projects must include detailed basis of cost information. In addition, TIDC has issued Functionality and Data Guidelines for Indigent Defense Technology Projects that should be carefully reviewed when preparing software-related grant applications. Applications should address the extent to which the proposed project is consistent with the guidelines, as well as the reasons for any departures from the guidelines.

[Click here to download the Improvement Grant Resolution Template.](#)

[Click here to download the Documentation of Judicial Support and Cooperation Template.](#)

--Other Supporting Document

Documentation of Judicial Support (New Only)

Leadership Selection Plan (New MAC/PD Only)

Oversight Board Plan (New PD/MAC Only)

Resolution/Internet Submission Form

Supplemental Budget Documents

GRANT DOCUMENTS

Articles of Incorporation (non-county applicants only)

Audited Financial Statements (non-profits only)

County support and coordination documentation (non-county applicants only)

Current nonprofit status documentation (non-county applicants only)

Governing Board Member List (non-county applicants only)

ORGANIZATION DOCUMENTS