

Annual and Expenditure Report

Fiscal Year 2015

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FY 2015 Commission

OFFICERS:

Honorable Sharon Keller	Chair – Presiding Judge, Court of Criminal Appeals
Honorable Olen Underwood	Vice-Chair – Presiding Judge, 2nd Administrative Judicial Region of Texas

EX OFFICIO MEMBERS:

Honorable Sharon Keller	Austin, Presiding Judge, Court of Criminal Appeals
Honorable Nathan Hecht	Austin, Chief Justice, Supreme Court
Honorable Sherry Radack	Houston, Chief Justice, First Court of Appeals
Honorable John Whitmire	Houston, State Senator
Honorable Royce West	Dallas, State Senator
Honorable Roberto Alonzo	Dallas, State Representative
Honorable Abel Herrero	Robstown, State Representative

MEMBERS APPOINTED BY GOVERNOR:

Honorable Olen Underwood	Conroe, Presiding Judge, 2nd Administrative Judicial Region of Texas
Honorable Jon Burrows	Temple, Bell County Judge
Honorable B. Glen Whitley	Hurst, Tarrant County Judge
Honorable Linda Rodriguez	Hays County
Mr. Anthony Odiorne	Burnet, Assistant Public Defender, Regional Public Defender Office for Capital Cases
Mr. Don Hase	Arlington, Attorney, Ball & Hase

STAFF:

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Sharon Calcote	Project Manager
Edwin Colfax	Grant Program Manager
Traci Cruz	Grant Coordinator
Jamie Dickson	Special Counsel/Policy Analyst
Marissa Kubinski	Executive Assistant
Joel Lieurance	Senior Policy Analyst
Wesley Shackelford	Deputy Director/Special Counsel
Debra Stewart	Fiscal Monitor
Joan Thomas	Publications Manager/Analyst
Sharon Whitfield	Budget and Accounting Analyst
Ashley Indelicato	Legal Extern
Jaret Kanarek	Law Clerk
Cory Dalton	Law Clerk

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December 31, 2015

Governor Greg Abbott
Lieutenant Governor Dan Patrick
Speaker of the House Joe Straus
Chief Justice Nathan Hecht
Texas Judicial Council

Ladies and Gentlemen:

It is our privilege to submit this report concerning the duties, activities, and accomplishments of the Texas Indigent Defense Commission in fiscal year 2015.

Texas continues to gain recognition as a national leader in indigent defense, due in part to the Commission's collaboration with counties to fund innovative approaches to improve indigent defense services. Although our counties still pay the lion's share of the cost of defending the poor, the Commission is grateful for increased state funding to improve indigent defense services across the state and to provide continued transparency and accountability. I want to thank Chief Justice Nathan Hecht and the Texas Judicial Council for their unwavering support and for the Council's resolution to the 84th Legislature in support of additional state funding for indigent defense.

In closing, the following pages not only detail this year's activities, they also highlight how some local jurisdictions are successfully implementing strategies for improving indigent defense services. With the support of the Texas Legislature, the Office of the Governor, county governments, and the judiciary, the Commission will continue its statewide exchange of ideas with all indigent defense stakeholders. While we recognize significant continuing progress in Texas, we continue to seek opportunities to build upon our success.

Sincerely,

Sharon Keller

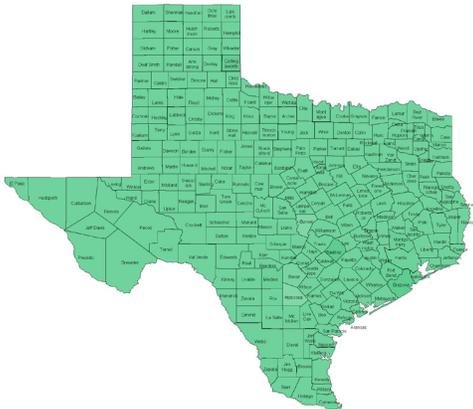


Mission and Duties

The Texas Indigent Defense Commission (Commission) provides financial and technical support to counties to develop and maintain quality, cost-effective indigent defense systems that meet the needs of local communities and the requirements of the Constitution and state law.

The Commission operates under the authority of a thirteen-member governing board and is administratively attached to the Office of Court Administration (OCA). Texas Government Code 79.037 identifies some of the Commission's key duties:

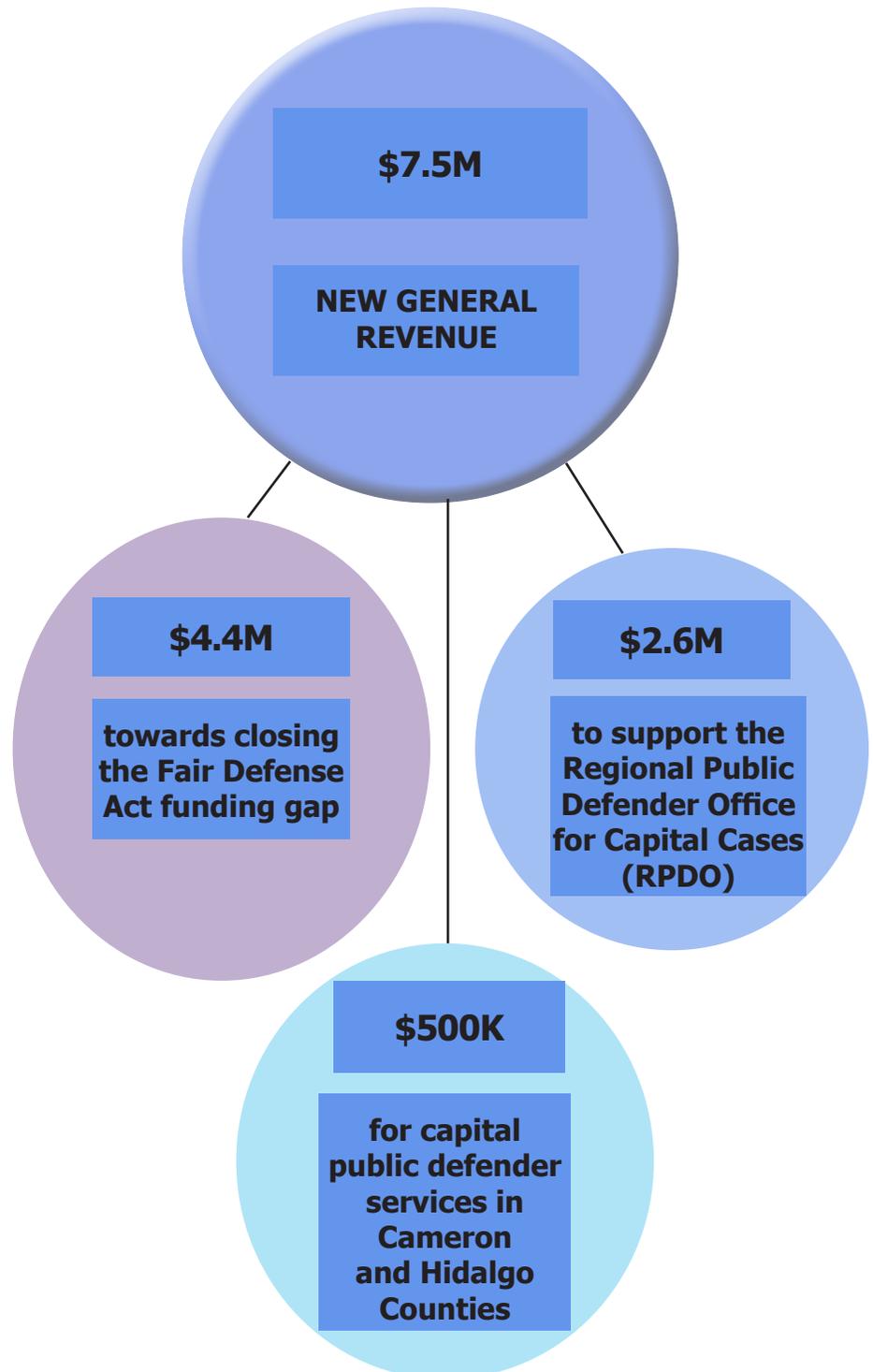
- **Assist** counties in improving indigent defense systems;
- **Promote** compliance by counties with requirements of state law relating to indigent defense;
- **Distribute** grants; and
- **Monitor** each county that receives a grant and enforce compliance with the conditions of the grant.



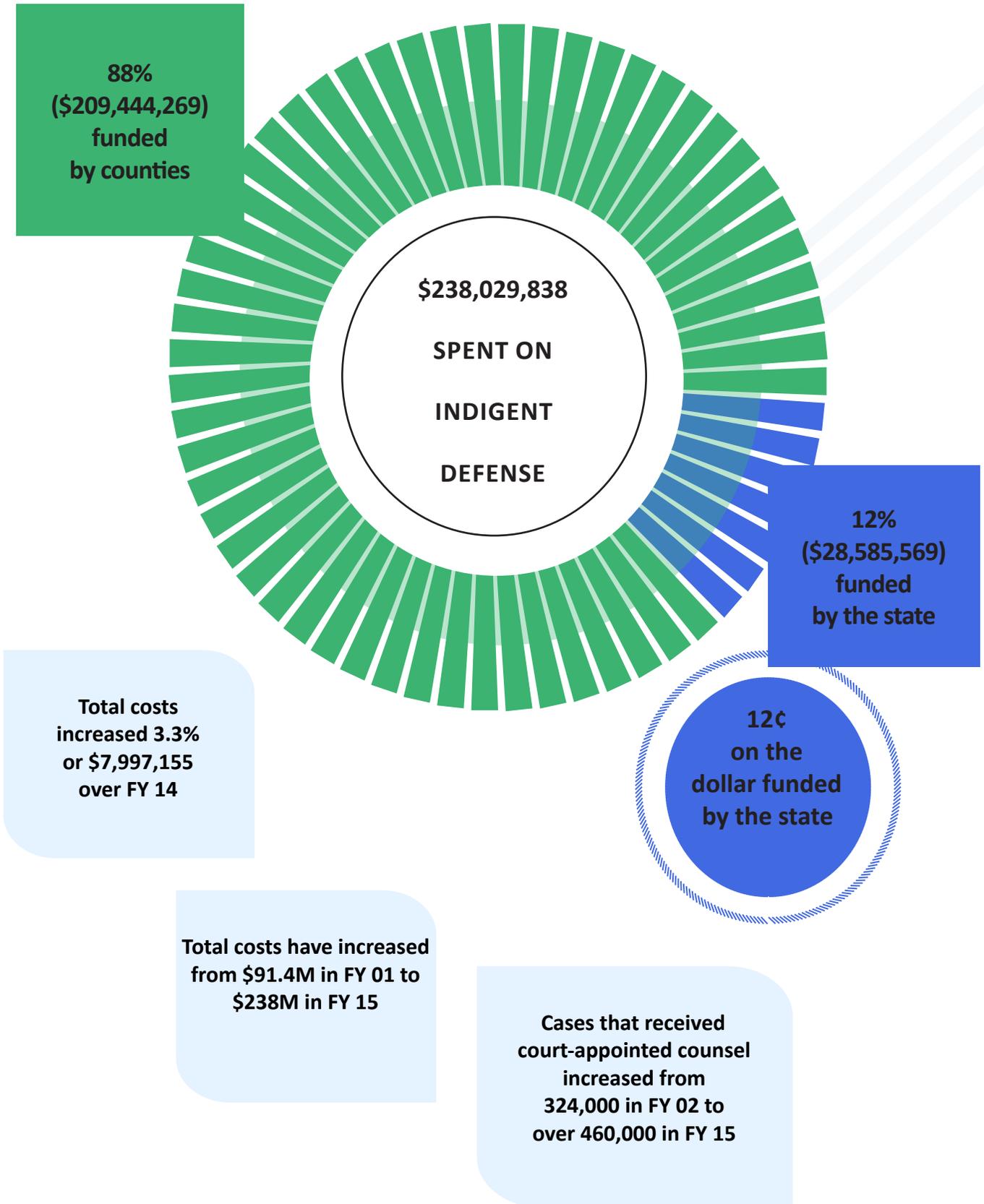
All Texas counties were awarded Formula Grants in FY 2015.

FY 2015 BUDGET NEWS

For the first time since the passage of the Fair Defense Act of 2001, the Texas Legislature provided new General Revenue for indigent defense for the upcoming biennium to augment the court fees and other dedicated funding sources that have funded the Commission since its inception. The \$7.5M in new General Revenue over the biennium represents a significant step toward the state sharing indigent defense costs more equally with counties.



INDIGENT DEFENSE IN CONTEXT



GRANT PROGRAM

Formula Grants

The Commission disbursed \$23.9 million in formula grants to 253 Texas counties in FY 2015 to help them ensure that all Texans can access constitutionally required legal defense services. Formula Grants are awarded annually to all qualifying counties. Award amounts are determined by the county's population and indigent defense spending. Formula Grant disbursements are detailed in the Expenditure Report.

Discretionary Grants

Discretionary grants encourage innovation, remedy non-compliance with the Fair Defense Act, or help counties facing extraordinary indigent defense costs. In FY 2015 the Commission awarded \$6.9 million in new and continuing discretionary grants to eighteen counties. Disbursements are detailed in the Expenditure Report.

Discretionary Grant Types

- *Competitive Discretionary Grants* assist counties in developing new, innovative programs or processes to improve the delivery of indigent defense services.
- *Technical Support Grants* assist counties with improving local indigent defense services through projects that build the knowledge base about indigent defense and establish processes that can be replicated by other jurisdictions.
- *Targeted Specific Grants* assist counties that have a challenge related to compliance with the Fair Defense Act.
- *Extraordinary Disbursement Grants* reimburse a county for extraordinary indigent defense expenses causing a financial hardship.

Discretionary Grant Programs Active in FY 2015	
<i>Statewide/Regional Program</i>	
Lubbock	Regional Public Defender Office for Capital Cases
<i>Technology and Process Improvement Programs</i>	
Bell	Functional Extensions for Multi-County Online Indigent Defense Management Software
Collin *	Indigent Defense Process Management & Technology
Comal	Client Choice Pilot Project
Denton	Process Improvement Project
Edwards	Video Teleconferencing
Harris *	Attorney Voucher Processing and Reporting System
Tarrant *	Implementation of Multi-County Indigent Defense Management Software
Williamson	Process Management Project
<i>Mental Health Programs</i>	
Bell	Mental Health Case Workers
Coryell	Mental Health Contract Defender
Kaufman	Mental Health Attorney/Advocate Team
Wichita	Mental Health Social Worker
<i>Managed Assigned Counsel Programs (MAC)</i>	
Collin	Mental Health MAC
Lubbock	Felony and Misdemeanor MAC
Montgomery	Mental Health MAC
Travis	Capital Area Private Defender Service
<i>Specialized Defender Programs</i>	
Dallas	Immigration/Criminal Law Program
El Paso	Problem Solving Court Attorney
<i>Programs Serving Rural Areas</i>	
Bee	Regional Public Defender (TRLA)
Dickens	Caprock Regional Public Defender Office
<i>Public Defender Programs</i>	
Burnet	Public Defender Office
El Paso	Public Defender Office expansion
Hidalgo	Public Defender Office - Juvenile Section
* Awarded in previous budget years	

GRANT PROGRAM HIGHLIGHTS

Regional Public Defender Office for Capital Cases (RPDO)

Capital defense “outside the box” is the approach of the Regional Public Defender Office for Capital Cases (RPDO) headquartered in Lubbock County. Jack Stoffregen, the Chief Public Defender, uses a team approach to capital defense that encourages innovative thinking. Each team consists of attorneys, investigators, mitigation specialists, and legal assistants working together as equal partners with a common goal.

Joining together to achieve a common goal is the core idea behind the RPDO. Counties join together through inter-local agreements with Lubbock County (which administers the program) and pay an annual fee to participate. In return, the program provides a well-qualified defense team to represent defendants charged with capital offenses. **In FY 2015, 128 counties throughout Texas participated in the program.** By sharing the costs of the office, counties achieve stability along with lower costs for capital representation.

14 cases
closed in
14 different
counties

\$1,607,163
cost savings to
counties in
FY 2015

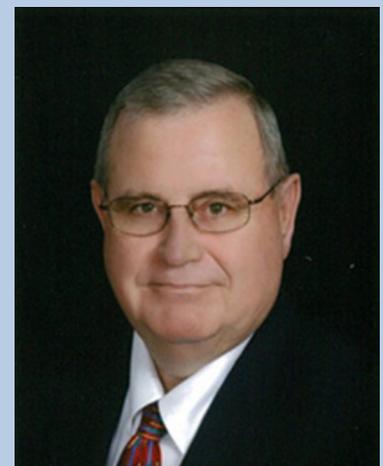


Looking ahead - For the FY 2016-17 biennium the legislature awarded \$2.6 million of General Revenue to the Commission to support the RPDO and reduce participation costs to counties. An additional \$500,000 was awarded to the Commission for capital public defender services in Cameron and Hidalgo Counties.



Regional Public Defender Office staff

“In the Texas criminal justice system no issue is more somber and critical than capital punishment. In a perfect world, the attorneys on both sides would be able to exercise their skill and diligence in the pursuit of justice without regards to monetary constraints. In the real world, however, the enormous expenses associated with a death penalty case can have a significant impact in the budgeting and taxing decisions faced by small and medium-sized Texas counties. Recently, Kaufman County was visited by horrible tragedies in the form of two high-profile capital murder cases. Fortunately, because of Kaufman County’s contract with the Regional Capital Defender’s Office, the cost to our taxpayers was greatly mitigated. More importantly, the principals involved were able to make crucial decisions about the prosecution of these cases without deference to what could have been a crippling price tag. No county wishes to be faced with a capital murder case anymore than a homeowner wishes to lose their residence to a fire. But, fires happen and the only prudent and conservative course is to maintain adequate insurance. That was Kaufman County’s goal in contracting with the Regional Capital Defender’s Office, and, in our time of loss and grief, they made good on their end.”



Kaufman County Judge
Bruce Wood

Capital Area Private Defender Service (CAPDS)

The Travis County judiciary, commissioners court, and defense community took an important step toward independence and quality assurance in indigent defense through the creation of the Capital Area Private Defender Service (CAPDS). With the help of a Commission discretionary grant the county implemented this new program for managing the appointment of private attorneys assigned to protect the rights of indigent defendants. The program is operated by the non-profit CAPDS under a contract with Travis County and has introduced new oversight, quality control, and professional development systems for private attorneys representing poor defendants. CAPDS qualifies and provides administrative oversight to a roster of approximately 250 criminal defense attorneys and provides training programs, resources, and mentoring for new lawyers.

Before CAPDS

about **43%** of the indigent assignments were
**made by judges from
the bench**



CAPDS has reduced bench appointments to under 3%

through the Attorneys of the Day system



Capital Area Private Defender Service staff

Indigent Defense Technology Grants

Several grants for indigent defense technology projects are enhancing transparency, streamlining processes, and encouraging compliance with the requirements of the Fair Defense Act.

TechShare Indigent Defense is an online indigent defense process management system that helps streamline the appointment and payment of attorneys representing poor defendants. The project is operated by the Texas Conference of Urban Counties TechShare program. Once a defendant's financial information is entered into the system it is analyzed with reference to the county's indigence standard and a recommendation is issued on defendant eligibility for an appointed attorney. The system then automates the appointment of the next qualified attorney from the county's appointment list based on the charged offense. Any exceptions must document the reason for the judicial override. Attorneys submit electronic fee vouchers, which are routed to judges for review and approval. The judge's reason for any variances in amount billed and amount approved are also documented. Approved vouchers are then sent electronically to the county auditor for payment.

This system was **originally developed in Bell County** through a Commission grant.

It is **now operational in eleven counties:** Bell, Coryell, Tarrant, Anderson, Montgomery, Medina, Real, Uvalde, Brown, Mills, and Victoria. In addition to streamlining processes, TechShare Indigent Defense captures comprehensive data regarding compliance with Fair Defense Act requirements, enhances transparency in indigent defense practices, reduces the risk of unfair appointment practices, and encourages uniform and fair procedures.

Collin County is using a grant from the Commission to **work with other Texas counties using Tyler Technologies' Odyssey system** to identify and enhance its indigent defense functionality. The new functionality will be available to all counties using Odyssey through a version update. Finally, Harris County is developing a new voucher processing system with the help of a Commission grant that automates and streamlines indigent defense appointments and payments and integrates court and financial data systems to facilitate accurate indigent defense data tracking and reporting. While the diversity of systems among Texas counties is significant, the Commission has funded these distinct technology strategies to best address the different needs and circumstances of the counties.

Rural Regional Programs

Rural regional public defenders provide important assistance to underserved counties struggling to maintain compliance with the Sixth Amendment and the Fair Defense Act. These areas are often poor and have limited access to qualified defense counsel. These programs ensure that defendants get access to quality representation early in their case within an organizational framework of professionalism and accountability. In FY 2015 the Commission funded two rural regional programs: the Bee County Regional Public Defender office (BPD) and the Caprock Regional Public Defender Office (CRPDO).

Bee County Regional Public Defender

Since its inception in 2009 the Bee County Regional Public Defender office (BPD) has become an integral part of the indigent defense system in the participating counties. The office ensures timely and fair appointment of counsel for indigent persons accused of a felony or misdemeanor offense in Bee, Live Oak, and McMullen Counties in south Texas. In order to assist the counties in complying with appointment timeframes, screeners from the program visit the jails almost daily to identify arrestees who may qualify for representation. This has resulted in extremely quick appointment of counsel after arrest, usually forty-eight hours or less. Through close communication with the jail and probation staff, BPD monitors inmates for pretrial relief and mental health treatment where needed. The office is operated through a contract with Texas RioGrande Legal Aid (TRLA), allowing BPD to provide clients with services relating to the collateral consequences of their criminal cases such as: immigration consultations, obtaining occupational driver's licenses, and referrals to social services and veteran benefits. The office has earned a reputation for quality and enjoys strong support from judges and county commissioners.

683 cases
closed,
of which
220 were
dismissals

26.9%
appointment
rate increase



Bee County Regional Public Defender office staff

"BPD strives to go above and beyond its contractual obligations and takes pride in being the go-to resource for the jurisdiction."

**Michelle Ochoa, First Assistant Public Defender
Bee County Regional Public Defender office**

"The Bee County Regional Public Defender office is a huge asset to Bee County. The attorneys help the docket run smoothly and are always prepared. The attorneys are dedicated, professional, and provide zealous advocacy to their clients. I am happy to have the BRPDO in my court."

**Judge Stephanie A. Silvas
Bee County Judge**



Caprock Regional Public Defender Office

The Caprock Regional Public Defender Office (CRPDO) currently serves a group of eleven underserved rural counties in northwest Texas, including Armstrong, Briscoe, Cochran, Dickens, Floyd, Hockley, Kent, King, Motley, Stonewall, and Swisher counties. One example of this is the implementation of digital discovery by the CRPDO in several of the participating counties. The success of the CRPDO is largely due to its work with Texas Tech Law's Clinical Program. With the assistance of third-year law students, the CRPDO provides representation for adults charged with felonies and misdemeanors, and for juveniles. The supervising attorney works with students to provide hands-on practice experience. The students take all types of cases and are involved with every aspect of them, providing a unique educational experience.

124 cases
closed, of
which 72
were dis-
missals

16.6%
appointment
rate increase



Caprock Regional Public Defender Office staff

Chief Defender Donnie Yandell on the success of the CRPDO program

"Due to the representation afforded indigent defendants in our region by the student attorneys, it is not uncommon for CRPDO to receive telephone calls from people all over Texas and outside of Texas requesting CRPDO represent them or a family member in their criminal matter. No better compliment could be given to a public defender office."

Regional Public Defender Legislation

[Senate Bill \(SB\) 1057](#) authored by Sen. Juan Hinojosa and sponsored by Rep. Abel Herrero provides statutory authority for the Commission to provide continuing state funding at up to 50 percent of the cost for regional public defender programs and permits the Commission to provide the funds directly to such defender programs rather than via a grant to a county.

Mental Health Managed Counsel Program (MHMC)

While mental illness has garnered increasing media attention lately, the struggles of many defendants in the criminal justice system is a long-standing problem. In Collin County the Mental Health Managed Counsel Program (MHMC) was created through a grant from the Commission to seek systemic solutions to get and keep mentally ill defendants out of the criminal justice system. Utilizing a team comprised of the jail medical department, MHMC, a Mental Health Court Judge, jail administration, local law enforcement agencies, and local mental health providers, client needs and concerns can be quickly addressed. As a result, the MHMC is able to complete competency evaluations quickly, keep all parties alert to client status, address needs for medication, and ensure the cases are addressed timely. In addition to the team approach at the county level, the program also uses a team approach internally. Case managers assist attorneys through mental health case management, mitigation strategy assistance, and defendant advocacy. The program has worked with various community service providers to have services lined up for clients upon release. With the assistance of dedicated county stakeholders the MHMC has been able to accomplish many things in the last three years:

- Created the Moral Reconciliation Therapy (MRT) program. MRT is a twelve-step program that guides participants to work toward increasing their self-awareness and developing skills that will increase their ability to examine past choices and to make better choices in the future.
- Established bi-weekly meetings with the jail medical department to address difficult cases and work on discharge planning.
- Created a document to serve as secondary identification that would be accepted by the Department of Public Safety and mental health providers so clients will not lose services upon release from jail.
- Implemented a mental health bond docket resulting in fewer jail days.
- Coordinated an annual Collin County Mental Health Symposium attended by attorneys, law enforcement officials, mental health providers, court personnel, and others.

2,711
individuals
served in
FY 14 - FY 15

Early identification
of mental illness:
FY 15 = 28% of all
inmates
FY 14 = 25% of all
inmates



Collin County District Judge John R. Roach, Jr.
describes the impact of the MHMC

“The creation of the Collin County MHMC Program was a watershed moment for processing the mentally ill through the criminal justice system. With a concerted effort of this office and other mental health stakeholders throughout the county we have been able to more efficiently identify those with mental illness and have established streamlined approaches in dealing with the specialized needs of these individuals. These efficiencies also have a positive financial impact on the system as a whole, saving taxpayers money; it has been a win-win.”

“We found in developing our program that we were missing the most basic piece of framework. There was little to no communication between the agencies interacting with our clients. The development of a team comprised of local police agencies, our county jail, mental health providers, and defense attorneys, has opened the door to creative and innovative alternatives resulting in positive outcomes for our clients.”

**Alyse Ferguson, Attorney Director at
Collin County Mental Health Managed Counsel**



Client Story

“Ms. X” has a very long history with mental illness and the criminal justice system. After inpatient treatment programs failed, she found herself homeless and cut off from her children. When she was arrested for felony theft, Ms. X was promptly identified as having mental health needs and appointed an MHMC attorney. She enrolled and completed the MRT program while in custody, and a plan for life after disposition was established. MHMC case management ensured she had placement at a shelter prior to release, and they coordinated her release with the jail so she could report directly to the shelter. Ms. X continued services with the local Grace to Change outpatient program, which not only addressed her addictions but also assisted her with finding permanent housing and obtaining gainful employment. Since her release Ms. X has helped other clients obtain employment, remained sober for a year and a half, completed the intensive outpatient program (IOP), continued aftercare, and is going back to school to become a substance abuse counselor. Her biggest success of all is the reunion with her children and getting to spend a great deal of time with her granddaughter.

Specialty Defender Programs

Dallas County

An essential part of an effective defense is consideration of collateral consequences the defendant may face upon conviction. In the U.S. Supreme Court decision in *Padilla v. Commonwealth of Kentucky* the court held that defense attorneys have a duty to fully advise clients of possible immigration consequences as a result of a criminal plea. Many defenders lack the expertise in this area of law to effectively comply with this requirement. Through a discretionary grant awarded by the Commission in 2013, the Dallas County Public Defender's Office created an immigration specialist position to help comply with the requirements of *Padilla*. The specialist advises defense attorneys and counsels non-citizen defendants about the immigration consequences of a guilty plea in the context of their criminal cases. She also provides trainings to judges, prosecutors, and local defense attorneys on various criminal justice and immigration issues. Having a knowledgeable attorney dedicated to immigration has decreased the processing time for non-citizen defendants and increased the awareness of immigration issues within the criminal justice system in Dallas County.



“Immigrants who are involved in the criminal justice system are often overlooked, underserved and yet subject to the harshest of treatment as they are punished both in the criminal context and then later in the immigration context. Advising non-citizens of the immigration consequences of criminal charges is more than a Sixth Amendment obligation, it is a way to protect what is often most important to our clients: the right to remain in the United States.”

Immigration Specialist Jordan Pollock

Client Story

When we met “Ms. Y” she was in a difficult time in her life. Although she had no previous criminal record, she had been arrested on a felony charge. She was the only person in her family without a legal immigration status, and she was under a great deal of stress. As the single mother of two U.S. citizen children she had grown up since infancy in the United States. After much negotiation, the defense reached an agreement with the District Attorney to reduce her felony charge to a misdemeanor, allowing her to apply for regular immigration status for the first time in her life.

El Paso County

In 2013 El Paso County was awarded a multi-year Discretionary Grant for the Public Defender’s Office to provide a designated attorney to represent individuals who have elected to participate in one of the county’s specialty courts. These specialty courts serve as an alternative to incarceration for many individuals who enter the criminal justice system struggling with drug or alcohol addiction or mental health problems, and sometimes with both addiction and mental illness. The specialty courts attorney not only represents the participants in court but also serves as a resource to the participant while he/she completes the terms of the program and probation. Additional time and knowledge is necessary to provide effective defense in the specialty court context and having a dedicated attorney at the Public Defender’s Office ensures that defendants will receive the attention necessary for success.

“Specialty Courts are creating important partnerships in the community that are addressing the rehabilitation of participants affected with addictions and mental illness—educating them and their families and linking them to resources—this in turn is benefiting communities by enhancing public safety and saving taxpayer money.”

Judge Robert Anchondo, County Criminal Court at Law #2, El Paso County



“I work as a Specialty Court attorney for some of the Specialty Courts in El Paso, and it is a draining, but extremely rewarding job to encourage participants and advocate for them along their difficult road to recovery.”

Specialty Court Attorney Edith Irigoyen

Client Story

“Mr. Z” was convicted of a DWI offense for the third time in 2013, making it a felony conviction. The judge in his case realized that Mr. Z is an alcoholic, so instead of prison time the judge gave him the opportunity to try treatment in the DWI Drug Court Treatment and Intervention Program. While in the program Mr. Z realized that if he did not change soon he would be following in the footsteps of his father and brother who had been lost to alcohol. The counseling offered to Mr. Z in the program allowed him to open up and grieve for his lost family members. It also provided him with the tools he needed to fight the demons of alcoholism. Mr. Z worked hard in the program, and he took advantage of counseling and used new coping skills to stay away from alcohol. In exactly one year he graduated sanction free—not a single violation while he participated in the program. Mr. Z is currently employed and completing the remainder of his probation term. He stays busy and focused and has plans to return to school. He is grateful for the opportunity he was given to participate in the DWI court program because it changed his life.

Client Choice Program

Providing new and stronger incentives for defense attorneys to be responsive to the interests of their clients is the guiding idea behind the Comal County Client Choice Pilot Program. The Commission provided Comal County with a technical support grant to design and implement a program that will allow indigent defendants to select the qualified attorney of their choice, rather than having attorneys appointed by judges or court administrators. To ensure that indigent defendants have ample choices of well-qualified attorneys, the project also includes training and a mentoring program for the private bar to enhance the organizational structure of the local defense community and ensure that defendants have ample choices of well-qualified attorneys. By providing indigent defendants with the option to choose their attorney, independence from the judiciary is enhanced and incentives for attorney performance will be realigned to make lawyers more directly beholden to the interests of their clients. These market-based incentives introduce a new dimension of accountability that is expected to improve representation and enhance attorney-client relationships.



Looking Ahead - A Preview of Programs Funded Through FY 2016 Discretionary Grants

Bexar County

Bexar County was awarded a FY 2016 Multi-Year Competitive Discretionary Grant to add a new division to their existing public defender office to provide defendants who suffer from mental illness access to defense counsel at the earliest stage of a criminal case—magistration hearings. Attorneys from the Bexar County Public Defender's Office will provide services to indigent defendants at the county's Central Magistration (CMAG) facility. Attorneys will counsel eligible arrestees on the magistration process, represent them before the magistrate, and facilitate their release on personal bonds with mental health treatment as a condition.

Fort Bend County

Fort Bend County was awarded a FY 2016 Multi-Year Competitive Discretionary Grant to expand their existing mental health public defender office to provide representation in a portion of regular felony and misdemeanor cases. The result will be a hybrid indigent defense system that relies on both appointed counsel and public defenders.

Expansion of Regional Public Defender Office (BPD)

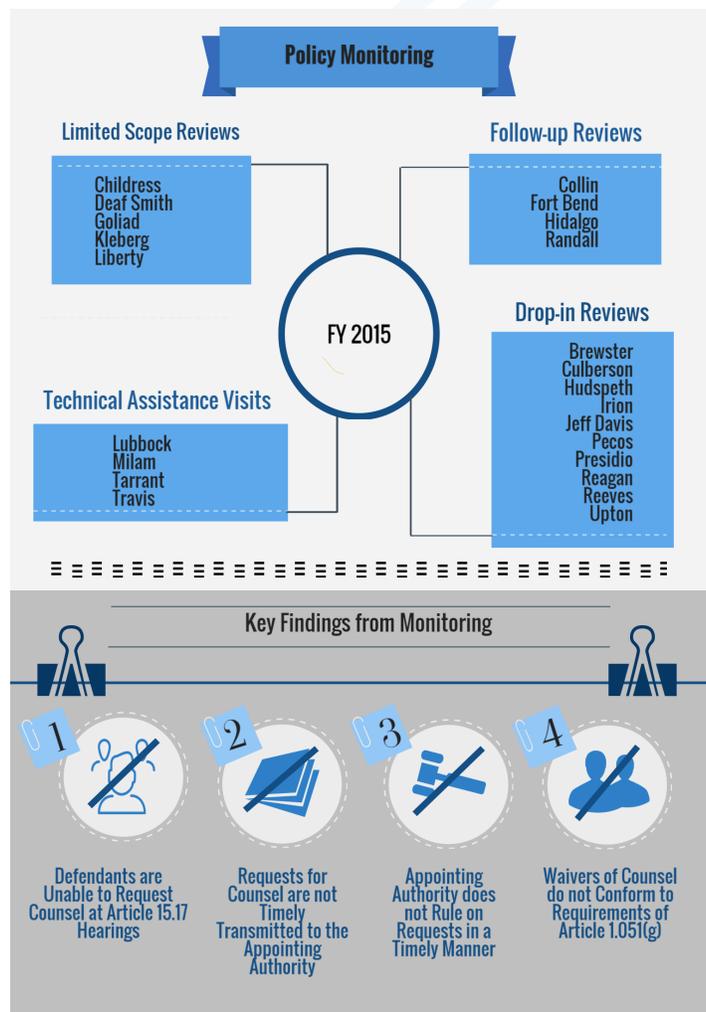
The Commission has expanded its support for rural regional public defenders serving a group of poor rural counties in south Texas with a new grant for Starr, Duval, and Jim Hogg counties. The program will be operated by Texas RioGrande Legal Aid and builds upon the success of their other public defender programs funded by the Commission in Bee, Live Oak, McMullen and Willacy Counties.

MONITORING PROGRAM

The Commission is required by Section 79.037 of the Texas Government Code “to monitor each county that receives a grant and enforce compliance by the county with the conditions of the grant.”¹ The Commission may only distribute funds “based on a county’s compliance with standards adopted by the board and the county’s demonstrated commitment to compliance with the requirements of state law relating to indigent defense.”² In response to this legislative directive the Commission has established policy and fiscal monitoring programs.

Policy Monitoring

Policy monitoring reviews examine whether indigent defense policies and practices are in compliance with state law. A county is selected for an on-site monitoring review based on a combination of objective risk assessment scores and geographical distribution. Alternatively, a monitoring review can be triggered by a request from an elected state or local official. On-site policy reviews measure whether: 1) Article 15.17 hearings are held within forty-eight hours of arrest and defendants are able to request counsel at the hearing; 2) the county’s indigent defense plan sets a financial standard of indigence in compliance with Article 26.04 of the Code of Criminal Procedure; 3) the jurisdiction has a method for tracking continuing legal education (CLE) hours of attorneys on the appointment list; 4) counsel is appointed within statutorily required times; 5) appointments are distributed in a fair, neutral, and non-discriminatory manner; and 6) attorneys are paid according to a standard payment process. The review also consists of an examination of caseloads and usage of support services such as investigators and expert witnesses.

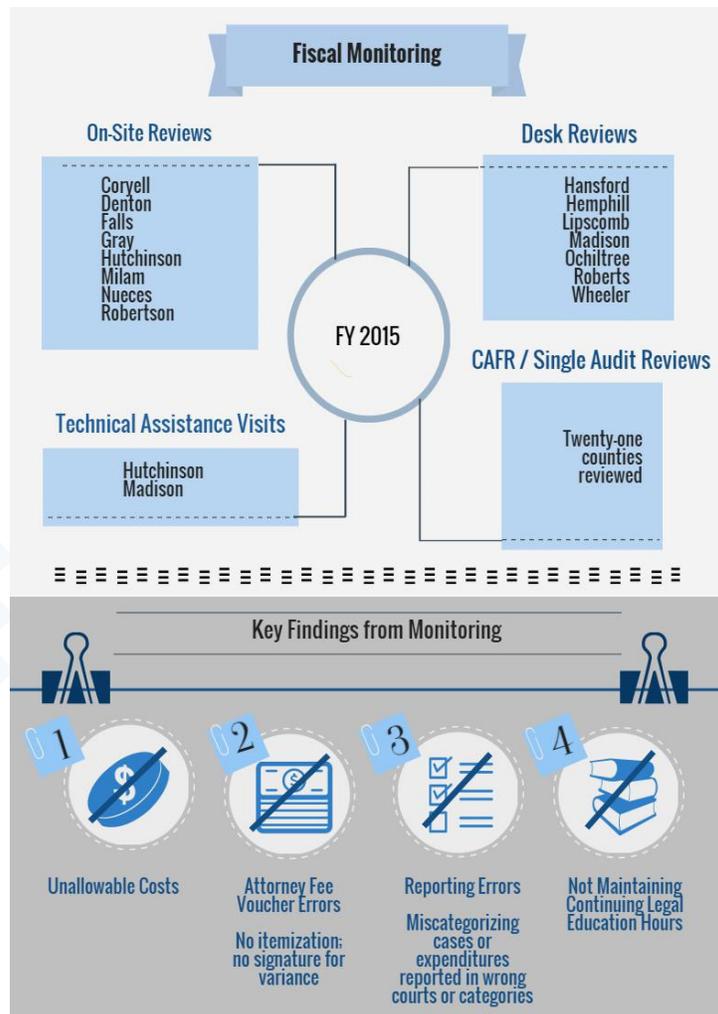


¹ Tex. Gov’t. Code § 79.037(a)(3).

² Tex. Gov’t. Code § 79.037(b).

Fiscal Monitoring

Each county is required to file the Indigent Defense Expenditure Report annually, which includes the number of indigent cases disposed in each court and their associated expenses. Staff conducted a thorough desk review of these reports, which are used to calculate formula grant awards. In addition, the Commission conducts on-site fiscal monitoring reviews to ensure that all Commission payments to counties are made in compliance with state law. A fiscal monitoring review includes interviews with local officials and staff and an examination of financial documents. The documents to be reviewed consist of attorney fee vouchers, general ledgers, accounting records, administrative expenses, and an inventory list of equipment purchased with grant funds (if applicable). The fiscal monitor also examines the approved public appointment list, attorney applications or required documents for appointment of counsel, and attorneys' continuing legal education (CLE) training hours.



El Paso County

In March 2014 El Paso County Commissioner Vincent Perez requested the Texas Indigent Defense Commission conduct a full monitoring assessment of El Paso County's indigent defense processes. Staff made two site visits to El Paso County to examine records from the court clerks' offices, the case management system, and the auditor's office. Staff also observed dockets, interviewed relevant persons involved in El Paso County's indigent defense system, and conducted a survey of court coordinators regarding practices for making in-court appointments of counsel. The final report was issued in November 2014 and made recommendations concerning the following: local methods for taking requests for counsel and ruling upon them in a timely fashion; methods for determining indigence; methods for ensuring attorneys were appointed in a fair, neutral, and nondiscriminatory manner; and methods for tracking data reported to the Commission. After the report was issued El Paso County criminal justice stakeholders met regularly to formulate detailed plans to address the recommendations. The result of this collaborative approach was an overhaul of the county's indigent defense system, setting in place a new process for the courts to promptly rule upon all requests for counsel and to appoint attorneys in a rotational manner. The changes included substantial additional staffing at the public defender's office, which was supported with a Commission grant of \$1.48 million over two years to cover some of the costs. Further efforts to improve the system are ongoing, including centralizing the magistration process and indigence screening through an expanded pre-trial services office.

"The TIDC monitoring assessment provided invaluable guidance to El Paso County that has helped improve and reform our local criminal justice system, particularly in the area of indigent defense. With the assistance of TIDC and its exceptional staff, our county has dramatically improved practices and processes at various levels and the county also established our first pre-trial department. TIDC has been a critical partner in helping El Paso County implement best practices from throughout the state and nation. As a commissioner, I am incredibly grateful for the tremendous public service that TIDC and its staff provide Texas counties."

El Paso County Commissioner Vincent Perez



"Policy changes made by the El Paso Council of Judges have advanced indigent defense in El Paso County, primarily in its development of the new 24/7 Pre-trial Services Department, which will provide 24-hour magistration of arrestees and will identify arrestees who are believed to be mentally ill early in the process. Despite a number of challenges, including an archaic federal court order which prohibited any changes in El Paso's outdated indigent defense plan, the administration of justice system in El Paso will utilize best practices for effective decisions and outcomes."

Judge Alma Trejo, Administrative Judge - El Paso Council of Judges

LEGISLATIVE DEVELOPMENTS

For the first time since the passage of the Fair Defense Act of 2001, the Texas Legislature provided new General Revenue for indigent defense for the upcoming biennium to augment the court fees and other dedicated funding sources that have funded the Commission since its inception. This is especially good news for Texas counties, which bear the majority of the burden of indigent defense funding. The Fair Defense Act provided more explicit guidance on how to comply with constitutional requirements. As a result of heightened awareness of these requirements, costs have increased upwards of 160 percent. Only a small fraction of this increased expense is covered through the GR-dedicated funds collected and distributed through the Commission's grant programs. The \$7.5 million in new General Revenue over the biennium represents a significant step toward the state sharing indigent defense costs more equally with counties. The General Revenue appropriation includes:

- \$4.4 million towards closing the Fair Defense Act funding gap;
- \$2.6 million to support the Regional Public Defender Office for Capital Cases (RPDO) currently serving 128 counties, which will reduce participation costs to counties; and
- \$500,000 for capital public defender services in Cameron and Hidalgo Counties.

The Commission is grateful to report that all four bills it endorsed were passed by the 84th Legislature and signed into law by Governor Greg Abbott:

[HB 3633](#) authored by Reps. Abel Herrero and Nicole Collier and sponsored by Sen. Royce West requires attorney fee repayment orders issued as a condition of community supervision be subject to an "ability to pay" requirement as exists when they are ordered as court costs elsewhere in the Code of Criminal Procedure. It also limits the amount to be repaid to counties to the actual cost of the legal services provided.

[SB 1353](#) authored by Sen. Juan Hinojosa and sponsored by Rep. Garnet Coleman permits the Texas Indigent Defense Commission to directly participate with the Conference of Urban Counties (CUC)-TechShare Indigent Defense Technology program.

[SB 662](#) authored by Sen. Jose Rodriguez and sponsored by Rep. Roberto Alonzo will expedite post-conviction relief to defendants who are not guilty, guilty of only a lesser offense, or convicted and/or sentenced under a statute found to be unconstitutional.

[SB 1057](#) authored by Sen. Juan Hinojosa and sponsored by Rep. Abel Herrero provides statutory authority for the Commission to provide continuing state funding at up to 50 percent of the cost for regional public defender programs and permits the Commission to provide the funds directly to such defender programs rather than via a grant to a county. The Commission board used this authority to provide funding directly to the Caprock Regional Public Defender Office at Texas Tech University, rather than via a pass-through grant to Dickens County.

Other significant indigent defense bills include:

[HB 48](#) authored by Reps. Ruth Jones McClendon, Jeff Leach, Abel Herrero, Joe Moody, and David Simpson and sponsored by Reps. Carol Alvarado, Marsha Farney, Jessica Farrar, Susan King, and Toni Rose, and by Sen. Rodney Ellis created the Timothy Cole Exoneration Review Commission under the auspices of the Texas Judicial Council and administratively attached to the Office of Court Administration. Timothy Cole was a student at Texas Tech University in 1985 when he was expelled after a student accused him of rape. He was convicted and died in prison in 1999, but another man's confession coupled with DNA evidence ten years later showed that Cole was innocent. Timothy Cole was the first Texan to be posthumously exonerated of a crime through DNA testing and was pardoned in 2010. The new commission named for him is charged with reviewing proven wrongful convictions where the exoneration occurred since January 1, 2010 and identifying the main causes of those convictions and making recommendations to prevent such tragedies from reoccurring in the future. A report of the findings is anticipated for December 2016.

Gov. Greg Abbott signing HB 48



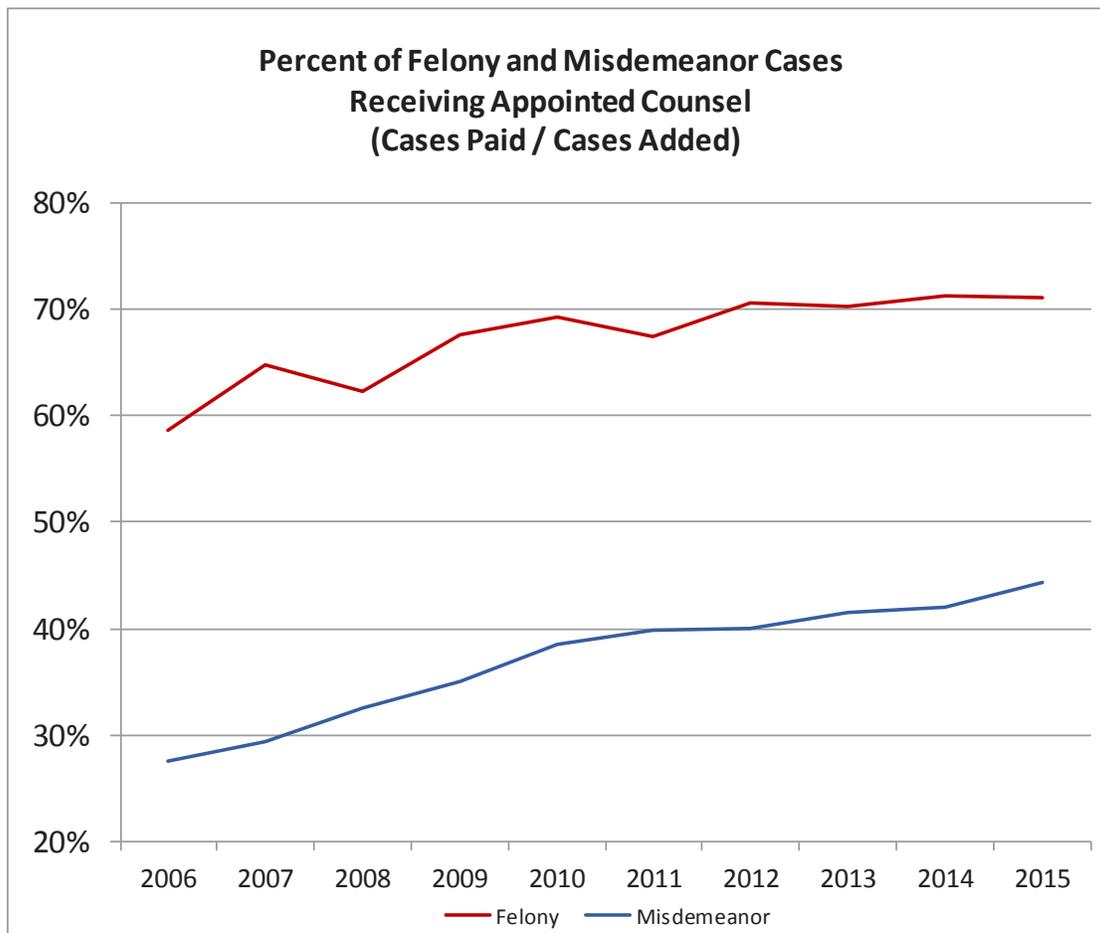
[SB 316](#) authored by Sen. Juan Hinojosa and sponsored by Rep. Jeff Leach requires courts to prioritize the appointment of an available public defender's office to make efficient use of such offices.

[SB 1517](#) authored by Sen. Kel Seliger and Sen. Royce West and sponsored by Rep. Garnet Coleman clarifies the procedures for appointment of counsel for a person arrested and jailed in a county based on a warrant issued by a different county, which has been confusing under previous law. The Commission published a [flowchart and bill summary](#) to assist in its implementation.

[SB 1743](#) authored by Sen. Juan Hinojosa and sponsored by Rep. Abel Herrero expands the powers and duties of the Office of Capital Writs to include representing a defendant in cases involving a forensic science issue and changing the name of the agency to the Office of Capital and Forensic Writs.

APPOINTMENT AND COST TRENDS

Texas jurisdictions have refined their methods for appointing counsel to poor defendants as a result of the more specific guidance in the Fair Defense Act of 2001 (FDA). Since the first year of the FDA, the number of cases that received court-appointed counsel has increased from approximately 324,000 cases in FY 2002 to more than 460,000 cases in FY 2015. Total state and local spending on indigent defense has increased from \$91.4 million in FY 2001 to \$238 million in FY 2015. According to data reported to the Texas Indigent Defense Commission and to the Office of Court Administration, the percent of misdemeanor cases receiving appointed counsel rose from 28 percent in FY 2006 to 44 percent in FY 2015. For felony cases, the percent of persons receiving appointed counsel has risen from 59 percent in FY 2006 to 71 percent in FY 2015.



For felony cases, the percent of persons receiving appointed counsel is defined as the total number of felony cases paid [as reported by county financial officers to the Commission for the fiscal year from October – September] divided by the total number of cases added [as reported by clerks as the total number of new criminal cases added for the district courts covering the fiscal year from September – August].

For misdemeanor cases, the percent of persons receiving appointed counsel is defined as the total number of misdemeanor cases paid [as reported by county financial officers to the Commission for the fiscal year from October – September] divided by the total number of cases added [as reported by clerks as the total number of new criminal cases added for the county courts covering the fiscal year from September – August].

Indigent Defense Expenditure Review

Every Texas county is required to report annually by November 1st on the number of indigent cases in each court and their associated expenses. Staff conducts a thorough desk review of the reports, which provide the basis for eligibility in all of the Commission's grant programs, both formula and discretionary. Reviews of county reports for FY 2013 through FY 2015 reveal the following data:

	FY 2013	FY 2014	FY 2015
Number of cases that received court-appointed counsel	Over 471,000	Over 464,000	Over 459,000
Total indigent defense costs	\$217.1 million	\$230 million	\$238 million

This is the second year the report includes the number of cases handled by and amounts paid to each attorney. Counties reporting figures for FY 2015 as of December 6, 2015 showed appointed case figures and amounts paid to 6,259 attorneys across all counties. Case totals per attorney varied from one to 1,353 criminal cases disposed with a median of 45 total felony and misdemeanor cases disposed across all counties. The amount paid to each attorney also varied widely from \$50 to over \$497,000 across all counties with a median of just over \$16,000.

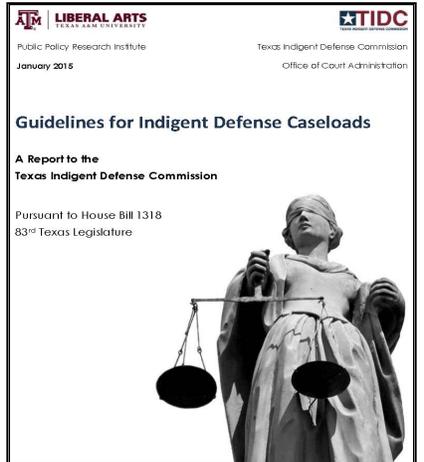
Attorney Practice-Time Reporting and Court Attorney Reporting

[House Bill \(HB\) 1318](#) passed by the 83rd Legislature requires all attorneys who accept appointments in adult criminal and juvenile delinquency cases to submit to each county an annual statement that describes the percentage of their practice time that is dedicated to work on those appointed cases. As of December 16, 2015, 3,653 attorneys had completed reports. The median percentage of practice time devoted to appointed criminal and juvenile cases across all counties was about 57 percent.

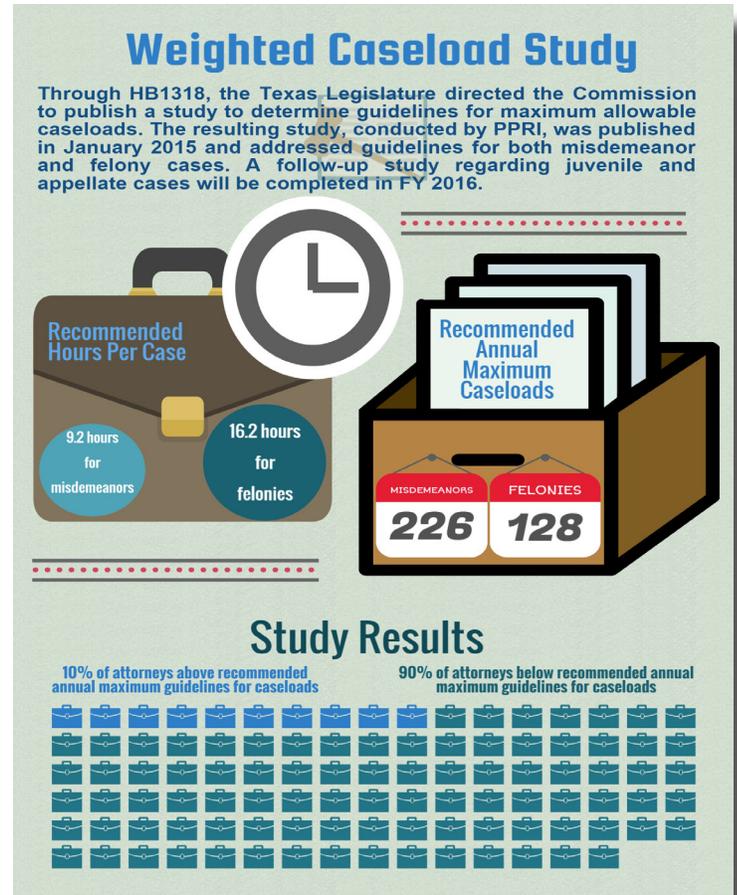
PUBLICATIONS, EDUCATION, AND RESOURCES

The Commission makes available indigent defense information that enhances understanding of the Fair Defense Act and provides tools and resources that can help improve indigent defense in Texas. The Commission serves this function in a number of ways, including through its website, trainings, presentations, site visits, studies, e-newsletters, and other outreach described below.

Weighted Caseload Study



➤ Looking ahead - The Commission has also partnered with Texas A&M University Public Policy Research Institute (PPRI) to conduct a weighted caseload study in appellate and juvenile cases to determine guidelines for establishing a maximum allowable caseload for an attorney handling juvenile and appellate cases that allows the attorney to give each indigent defendant the time and effort necessary to ensure effective representation. As with the initial weighted caseload study, the research is composed of two major parts: (1) attorney timekeeping to determine how much time IS currently being spent on different levels of cases; and (2) guided expert decision-making using the Delphi Process to determine how much time SHOULD be spent on cases with the goal of establishing recommended case limits. The study will be conducted and a report published during the period of May 1, 2015 to April 30, 2016. The time keeping process, Delphi process, and final findings will be summarized in an addendum to the initial report. Using the various data collected, PPRI will document the current amount of time attorneys spend on cases and present the recommended amount of time, as decided by the Delphi panels. The recommended amount of time will be used to develop yearly caseload recommendations for the state of Texas.



Texas A&M University Public Policy Research Institute staff

The Fair Defense Act and the Role of the Magistrate

Texas Indigent Defense Commission Executive Director Jim Bethke and Dr. Dottie Carmichael of the Public Policy Research Institute co-authored [The Fair Defense Act and the Role of the Magistrate](#), published in the February 2015 edition of *The Recorder, The Journal of Texas Municipal Courts*. The article is a refresher on the Fair Defense Act (FDA) passed in 2001 and highlights key changes to the FDA since the last publication.

E-Newsletters

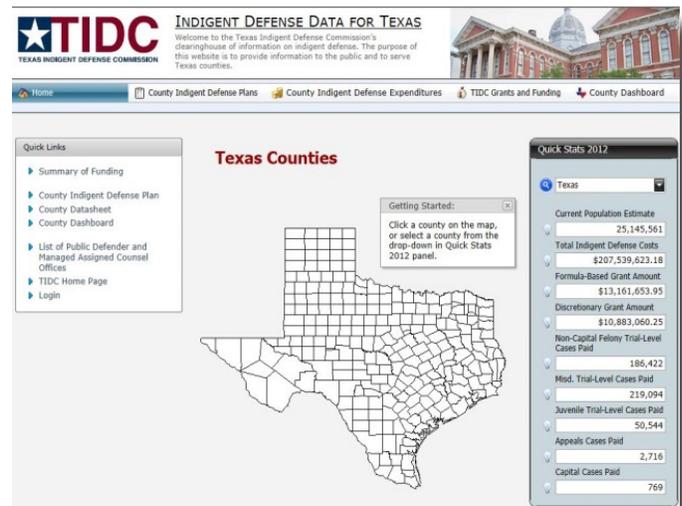
The Commission distributes an e-Newsletter to approximately 2,000 recipients after each board meeting (typically four times a year) to inform counties of indigent defense developments. The newsletter also highlights county success stories and Commission studies and publications. [Newsletters are archived](#) on the Commission's website.

Training

In FY 2015 Commission staff gave twenty educational presentations around the state totaling over twenty-five hours of training to more than 1,400 judges, county officials, and attorneys.

Resources

Comprehensive county and statewide indigent defense data is available on our county reporting and public data site at <http://tidc.tamu.edu/public.net>.



Commission Law Clerks

The Commission thanks Ashley Indelicato, Texas Tech University School of Law Extern, for her assistance during FY 2015. Ms. Indelicato assisted the director and staff on numerous projects that included drafting articles and case summaries, analyzing new laws, and updating publications with new legislation. The Commission is also grateful to law clerks Jaret Kanarek and Cory Dalton, 2L students from the University of Texas School of Law, for their assistance during the year. Mr. Kanarek and Mr. Dalton conducted legal research and worked on various agency publications and special projects.

Awards and Acknowledgments

On March 6, 2015 the Commission presented Bob Wessels with the **2014 Robert O. Dawson Indigent Defense Distinguished Service Award**. Mr. Wessels has worked with the Commission on many projects to improve indigent defense systems — as a presenter at Indigent Defense Workshops, as a member of the Discretionary Grant Review Team for several years, and as the facilitator for a Technology Strategic Plan meeting. Mr. Wessels also took the lead in assisting the Commission staff in developing the [Functionality and Data Guidelines for Indigent Defense Technology Projects](#). This award honors the late Professor Dawson for his exceptional contributions and symbolizes his lasting impact on the Texas Fair Defense Act and the Commission. The award recognizes outstanding service by a group or an individual to improve the way Texas provides counsel for its poorest citizens accused of crimes.



Commission Chair Judge Sharon Keller
and Bob Wessels

The Commission also acknowledged Lubbock County, Dickens County, and the Texas Tech University School of Law upon receiving the **Gideon Recognition** from the Commission at its March 6th meeting. The Commission established the [Texas Gideon Recognition Program](#) to commend local governments and others across Texas that seek to meet a high standard for indigent defense. The program was inspired by the 50th anniversary of the landmark U.S. Supreme Court case *Gideon v. Wainwright*. Counties may receive recognition for programs or achievements that demonstrate a significant level of innovation, such as a new solution to a problem, significantly streamlining a process, a measurable and significant increase in productivity, or improved service quality to indigent defendants or other stakeholders. For more information on these awards, see [Lubbock County, Dickens County, and Texas Tech University Recognized](#).



Honorable Bill McCay, Honorable Les Hatch, and Honorable Patti Jones from Lubbock County with Chair Sharon Keller

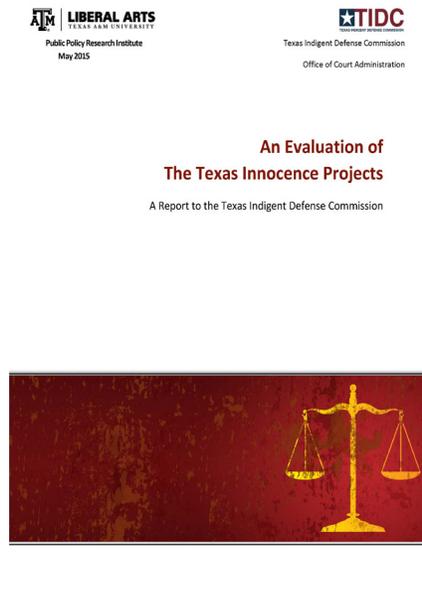


Chair Sharon Keller with Chief Public Defender Donnie Yandell of the Caprock Regional Public Defender Office, Texas Tech University School of Law students Brian Livingston and Kaelan Henze, and Dickens County Treasurer Sandy Vickrey

INNOCENCE PROGRAM

In 2005 the Texas Legislature directed the Commission to contract with four public law schools to operate innocence projects: the University of Texas School of Law, Texas Tech University School of Law, the Thurgood Marshall School of Law at Texas Southern University, and the University of Houston Law Center. These projects organize law students who work with attorneys to review claims of actual innocence from Texas inmates. The complete annual reports filed by the participating innocence projects, as well as previously filed Exoneration Reports and other information on the innocence program, are available on the Commission's website at [Innocence Program Overview](#).

In 2015 the 84th Legislature expanded funding for innocence projects to include two new public law schools at the University of North Texas Dallas College of Law and the Texas A&M University School of Law in Fort Worth. Strategies for building effective programs at the new schools will build on the work done by the Public Policy Research Institute's (PPRI) study released in May 2015, [An Evaluation of The Texas Innocence Projects](#).

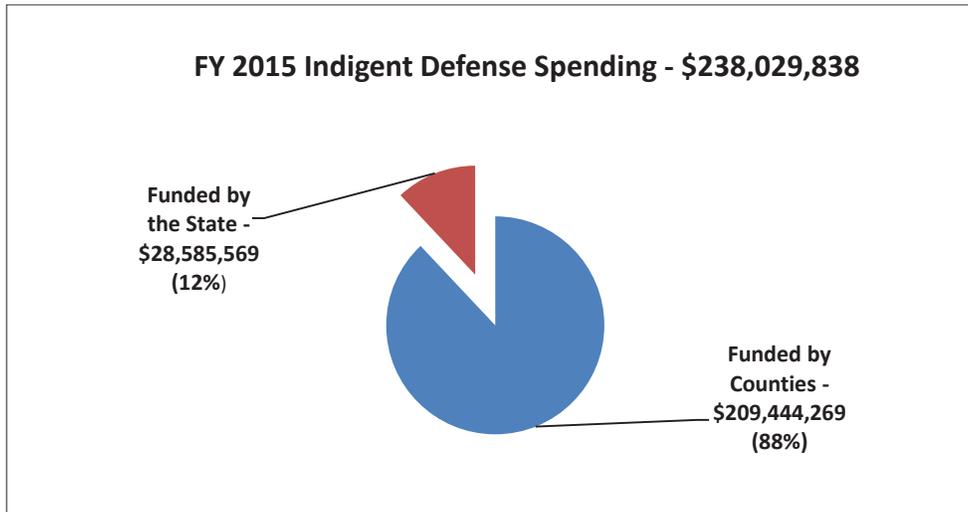


EXPENDITURE REPORT

FY 2015 State and County Spending on Indigent Defense

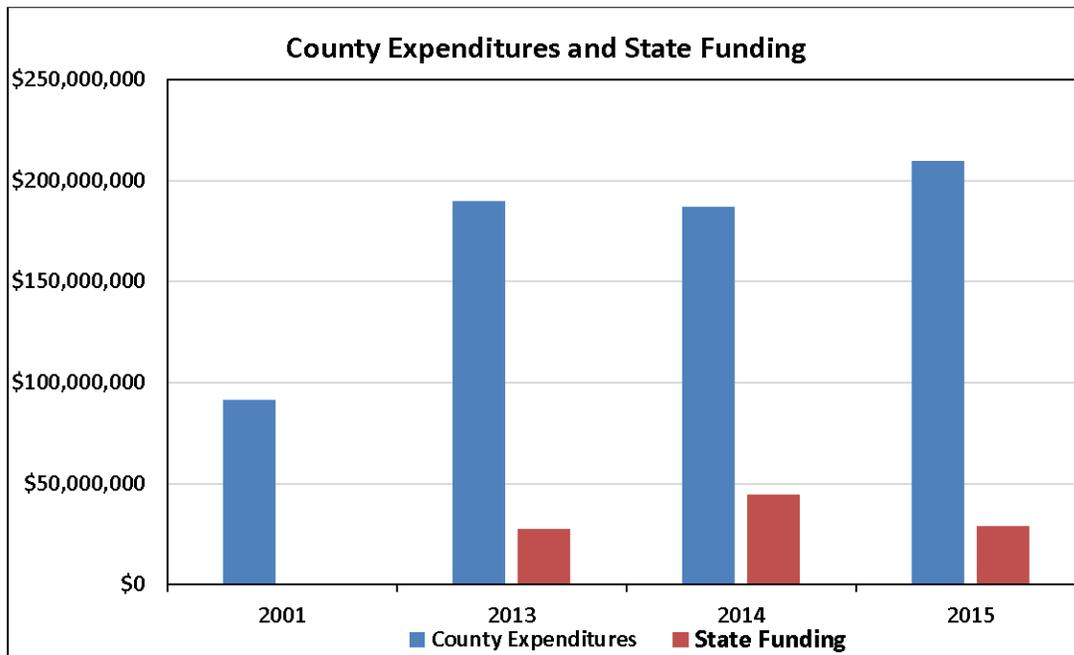
Total indigent defense expenditures in FY 2015 were \$238,029,838. Of that amount counties funded \$209,444,269 and the state funded \$28,585,569 through the Commission’s grant programs, as shown in Chart 1 below.

Chart 1



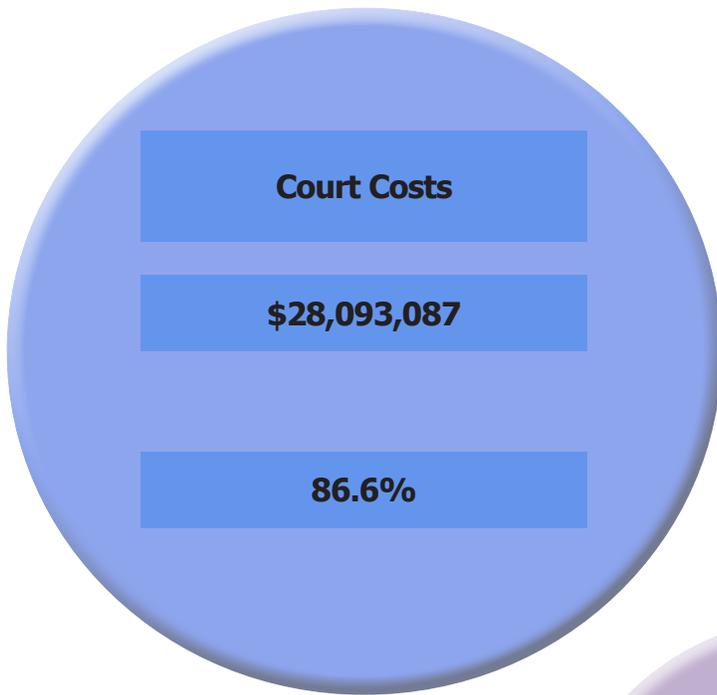
The total FY 2015 expenditures of \$238,029,838 represent a 3.3 percent increase over FY 2014 expenses of \$230,032,683. The Commission provided funding in the amount of \$28,585,569 in FY 2015, \$44,403,649 in FY 2014, and \$27,428,202 in FY 2013, as shown in Chart 2.

Chart 2



Commission Revenue Sources

\$32,459,944

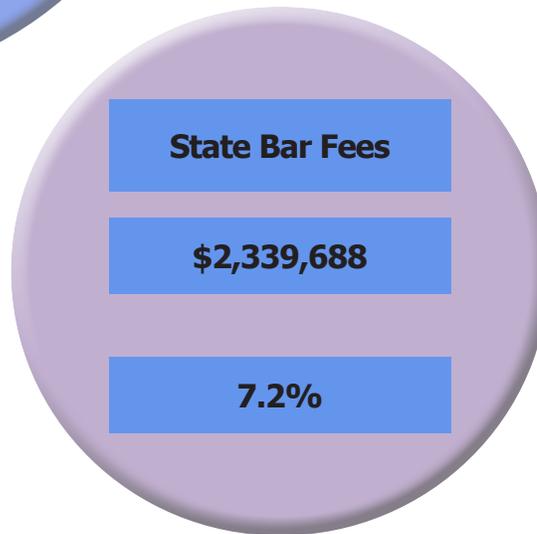


Court costs are paid by a defendant upon conviction for a range of offenses from fine only misdemeanors to felonies.

Court costs consist of two different types of costs that have been implemented since the passage of the Fair Defense Act: original court costs and juror pay court costs.



A \$15.00 fee is assessed when posting a surety bond and 1/3 of the fee goes to the Fair Defense Account.



A \$65.00 fee is assessed by the State Bar of Texas as part of each attorney's bar dues and 1/2 of the fee is allocated to the Fair Defense Account.

During FY 2015 the Commission was awarded a \$100,000 grant from the Governor's Criminal Justice Division (CJD) to develop a model mentoring program for court-appointed attorneys. However, the Commission did not receive any grant-related requests for expenses during the year and anticipates this revenue in FY 2016.

Grant Disbursements

From FY 2015 funds the Commission disbursed \$23,931,689 in formula grants and \$4,653,880 in discretionary grants for a total statewide distribution of \$28,585,569.

Formula Grants are calculated based on a combination of population and county indigent defense expenditures. The amount is based upon a county's percentage of state population and percentage of state indigent defense expenses multiplied by the Commission's budgeted amount for formula grants. In FY 2015, 253 counties qualified and received disbursements totaling \$23,931,689 which represents 84 percent of total grants disbursed. The Appendix A lists all counties that received a formula grant.

Discretionary Grants include these four types of grants:

Competitive Discretionary Grants. The Commission disbursed \$4,074,692 in competitive discretionary grants, which represents 14 percent of total grants disbursed. A summary of these disbursements is shown in Table 1.

Table 1: Competitive Discretionary Grant Disbursements

County	Program Purpose	Amount Disbursed
Statewide/Regional Program		
Lubbock	Regional Public Defender Office for Capital Cases	\$2,201,576
Technology and Process Improvement Programs		
Bell	Functional Extensions for Multi-County Online Indigent Defense Management Software	\$74,491
Mental Health Programs		
Bell	Mental Health Case Workers	\$17,000
Collin	Mental Health Managed Assigned Counsel	\$96,911
Coryell	Mental Health Contract Defender	\$74,681
Kaufman	Mental Health Attorney/Advocate Team	\$29,115
Wichita	Mental Health Social Worker	\$21,174
Managed Assigned Counsel Programs (MAC)		
Lubbock	Felony and Misdemeanor MAC	\$80,000
Montgomery	Mental Health MAC	\$57,141
Travis	Capital Area Private Defender Service	\$698,226
Specialized Defender Programs		
Dallas	Immigration/Criminal Law Program	\$72,188
El Paso	Problem Solving Court Attorney	\$31,612
Programs Serving Rural Areas		
Bee	Regional Public Defender (TRLA)	\$250,000.00
Dickens	Caprock Regional Public Defender Office	\$200,000.00
Public Defender Programs		
Burnet	Public Defender Office	\$109,673
Hidalgo	Public Defender Office - Juvenile Section	\$60,904
TOTAL		\$4,074,692

Extraordinary Disbursement Grants. The Commission disbursed \$393,684.00 in extraordinary disbursement grants, as shown in Table 2, which represents 1.4 percent of total grants disbursed.

Table 2: Extraordinary Grant Disbursements

County	Amount Disbursed
Fannin County	\$141,466
Kaufman County	\$93,768
Nueces County	\$158,450
TOTAL	\$393,684

Technical Support Grants. The Commission disbursed \$61,480.02 for Technical Support Grants in FY 2015, as shown in Table 3, which represents .2 percent of total grants disbursed.

Table 3: Technical Support Grant Disbursements

County	Amount Disbursed
Comal County	\$22,651
Denton County	\$2,185
Williamson County	\$36,644
TOTAL	\$61,480

Targeted Specific Grants. In FY 2015 the Commission disbursed \$124,024 for one targeted specific grant to El Paso County, which represents .4 percent of total grants disbursed.

Innocence Projects. In addition to its core mission of supporting county indigent defense systems, the Commission also administers legislatively directed grants to Texas public law schools to operate innocence projects. For the FY 2014-15 biennium the Texas Legislature appropriated \$800,000, or \$200,000 per law school per biennium. Disbursements for each funded project are shown in Table 4.

Table 4: Innocence Projects

Law School	Amount Disbursed
University of Houston	\$106,669
University of Texas	\$61,150
Texas Southern University	\$100,000
Texas Tech University	\$100,000
TOTAL	\$367,819

Obligations from Previous Budget Years. The Commission also disbursed \$868,357 in obligations from the FY 2014 budget year, including \$264,330 for a Targeted Specific Grant to Harris County and \$604,027 for a Technical Support Grant to Tarrant County.

FY 2015 Commission Operating Budget

This fiscal year the Commission expended \$933,567 for administrative costs from the Fair Defense Account. Administrative costs represent 3.1 percent of the total amount expended. These expenses included salaries for eleven full-time staff, travel for board members and staff, an on-line data system that provides public access to county indigent defense plans and expenditures through the internet, and other administrative functions as shown in the chart below.

Budget Category	FY 2015 Total Expended	FY 2014 Comparative Total
Salaries & Wages	\$729,955	\$688,676
Other Personnel Costs	\$24,563	\$24,240
Benefit Replacement Pay	\$2,054	\$2,054
Professional Fees and Services	\$461	\$5,841
Consumables	\$1,528	\$2,618
Utilities	\$3,978	\$4,658
Travel	\$35,082	\$33,814
Rent-Building	\$120	\$120
Rent-Machine and Other	\$2,372	\$2,455
Other Operating Expenses	\$133,454	\$283,369
Innocence Project	\$367,819	\$336,253
Formula Grant	\$23,931,689	\$36,739,331
Discretionary Grant	\$4,074,692	\$6,158,425
Extraordinary Disbursement Grant	\$393,684	\$400,000
Technical Assistance/Targeted Specific Grant	\$185,504	\$0
Total Expended	\$29,886,955	\$44,681,854
Method of Finance Category	FY 2015 Method of Finance	FY 2014 Method of Finance
Fund 5073, Fair Defense Account, Court Costs	\$21,395,820	\$22,580,769
Surety Bond Fee	\$2,027,169	\$2,096,992
State Bar Fee	\$2,339,688	\$2,302,085
Juror Pay Fee	\$6,697,267	\$7,375,603
State Grant	\$0	\$21,262
Total Revenue	\$32,459,944	\$34,376,711
FY 2014/FY 2015 Employee Benefits	(\$181,640)	(\$172,434)
FY 2013 Carryforward-Appropriated & Unappropriated		\$18,050,234
FY 2014 Carryforward *	\$5,141,481	(\$7,572,657)
FY 2015 Carryforward *	(\$7,532,830)	
Total Method of Finance	\$29,886,955	\$44,681,854

* Fund 5073 is also shared with the agency Office of Capital and Forensic Writs

Appendix A - FY 2015 Formula Grant Disbursements

County	Grant Disbursement	County	Grant Disbursement	County	Grant Disbursement	County	Grant Disbursement	County	Grant Disbursement
Anderson	\$60,614	Crosby	\$8,475	Henderson	\$75,913	McCulloch	\$11,695	Somervell	\$10,163
Andrews	\$16,002	Culberson	\$4,373	Hidalgo	\$655,857	McLennan	\$278,441	Starr	\$47,838
Angelina	\$70,708	Dallam	\$11,057	Hill	\$39,753	McMullen	\$6,078	Stephens	\$15,370
Aransas	\$16,078	Dallas	\$2,524,335	Hockley	\$20,700	Medina	\$36,187	Sterling	\$6,250
Archer	\$10,781	Dawson	\$16,254	Hood	\$51,540	Menard	\$8,056	Stonewall	\$6,402
Armstrong	\$6,183	Deaf Smith	\$21,391	Hopkins	\$32,519	Midland	\$132,555	Sutton	\$9,316
Atascosa	\$43,985	Delta	\$8,702	Houston	\$28,141	Milam	\$31,843	Swisher	\$10,958
Austin	\$23,205	Denton	\$499,216	Howard	\$28,970	Mills	\$8,414	Tarrant	\$1,605,028
Bailey	\$11,634	DeWitt	\$23,027	Hudspeth	\$7,487	Mitchell	\$14,581	Taylor	\$142,585
Bandera	\$20,652	Dickens	\$8,003	Hunt	\$144,783	Montague	\$21,178	Terrell	\$6,591
Bastrop	\$67,262	Dimmit	\$11,545	Hutchinson	\$34,533	Montgomery	\$488,045	Terry	\$17,789
Baylor	\$8,468	Donley	\$7,893	Irion	\$5,661	Moore	\$32,886	Throckmorton	\$1,248
Bee	\$41,131	Duval	\$15,474	Jack	\$11,387	Morris	\$15,623	Titus	\$31,090
Bell	\$266,571	Eastland	\$24,238	Jackson	\$22,752	Motley	\$6,050	Tom Green	\$119,570
Bexar	\$1,317,622	Ector	\$120,098	Jasper	\$32,626	Nacogdoches	\$52,549	Travis	\$1,002,937
Blanco	\$11,510	Edwards	\$7,275	Jeff Davis	\$6,409	Navarro	\$49,885	Trinity	\$16,886
Borden	\$3,375	El Paso	\$925,455	Jefferson	\$224,478	Newton	\$16,406	Tyler	\$20,304
Bosque	\$15,897	Ellis	\$141,693	Jim Hogg	\$8,862	Nolan	\$19,944	Upshur	\$37,717
Bowie	\$88,919	Erath	\$38,099	Jim Wells	\$35,169	Nueces	\$334,210	Upton	\$7,956
Brazoria	\$251,429	Falls	\$24,036	Johnson	\$127,171	Ochiltree	\$15,968	Uvalde	\$22,494
Brazos	\$210,518	Fannin	\$41,895	Jones	\$20,452	Oldham	\$8,350	Val Verde	\$38,573
Brewster	\$11,957	Fayette	\$23,469	Karnes	\$15,635	Orange	\$60,148	Van Zandt	\$50,365
Briscoe	\$4,795	Fisher	\$7,648	Kaufman	\$99,965	Palo Pinto	\$24,263	Victoria	\$79,767
Brooks	\$11,385	Floyd	\$8,948	Kendall	\$27,367	Panola	\$24,735	Walker	\$58,568
Brown	\$41,636	Foard	\$4,094	Kenedy	\$6,100	Parker	\$102,998	Waller	\$44,854
Burleson	\$25,773	Fort Bend	\$581,215	Kent	\$6,058	Parmer	\$6,897	Ward	\$16,507
Burnet	\$46,054	Franklin	\$12,501	Kerr	\$53,892	Pecos	\$22,300	Washington	\$37,032
Caldwell	\$40,172	Freestone	\$20,046	Kimble	\$8,896	Polk	\$53,493	Webb	\$280,527
Calhoun	\$19,215	Frio	\$21,267	King	\$1,348	Potter	\$144,442	Wharton	\$24,010
Callahan	\$12,994	Gaines	\$17,368	Kinney	\$7,337	Presidio	\$10,138	Wheeler	\$14,097
Cameron	\$307,688	Galveston	\$265,855	Kleberg	\$39,118	Rains	\$11,573	Wichita	\$170,130
Camp	\$15,259	Garza	\$9,233	Knox	\$8,426	Randall	\$112,345	Wilbarger	\$16,184
Carson	\$13,812	Gillespie	\$21,795	La Salle	\$10,997	Reagan	\$8,074	Willacy	\$30,661
Cass	\$32,358	Glasscock	\$5,923	Lamar	\$51,820	Real	\$7,587	Williamson	\$304,367
Castro	\$10,322	Goliad	\$9,946	Lamb	\$16,345	Red River	\$16,548	Wilson	\$34,926
Chambers	\$32,641	Gonzales	\$23,146	Lampasas	\$20,076	Reeves	\$17,248	Winkler	\$11,306
Cherokee	\$42,122	Gray	\$29,487	Lavaca	\$17,339	Refugio	\$11,580	Wise	\$50,195
Childress	\$11,099	Grayson	\$111,243	Lee	\$20,099	Roberts	\$5,407	Wood	\$36,340
Clay	\$15,319	Gregg	\$133,904	Leon	\$15,966	Robertson	\$20,731	Yoakum	\$11,121
Cochran	\$6,910	Grimes	\$32,850	Liberty	\$66,833	Rockwall	\$58,700	Young	\$27,911
Coke	\$7,011	Guadalupe	\$98,636	Limestone	\$26,599	Runnels	\$12,914	Zapata	\$16,785
Coleman	\$13,371	Hale	\$35,184	Lipscomb	\$7,128	Rusk	\$38,572	Zavala	\$11,566
Collin	\$677,274	Hall	\$7,754	Live Oak	\$15,269	Sabine	\$11,621	TOTAL	\$23,931,689
Collingsworth	\$8,032	Hamilton	\$10,207	Llano	\$20,161	San Augustine	\$10,352		
Colorado	\$22,966	Hansford	\$12,680	Loving	\$5,378	San Jacinto	\$22,919		
Comal	\$88,287	Hardeman	\$7,925	Lubbock	\$336,349	San Patricio	\$50,944		
Comanche	\$14,289	Hardin	\$47,341	Lynn	\$8,419	San Saba	\$11,123		
Concho	\$8,888	Harris	\$3,611,531	Madison	\$16,177	Schleicher	\$7,741		
Cooke	\$37,979	Harrison	\$68,545	Marion	\$14,081	Scurry	\$17,935		
Coryell	\$56,778	Hartley	\$10,550	Martin	\$8,111	Shackelford	\$7,196		
Cottle	\$4,711	Haskell	\$10,672	Mason	\$7,401	Shelby	\$32,124		
Crane	\$7,863	Hays	\$125,002	Matagorda	\$31,380	Sherman	\$8,900		
Crockett	\$10,893	Hemphill	\$7,995	Maverick	Special conditions	Smith	\$182,789		



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