



September 19, 2019

CHAIR:
The Honorable Sharon Keller
Presiding Judge
Court of Criminal Appeals

EX OFFICIO MEMBERS:
Honorable Sharon Keller
Honorable Nathan Hecht
Honorable John Whitmire
Honorable Brandon Creighton
Honorable Nicole Collier
Honorable Andrew Murr
Honorable Sherry Radack
Honorable Vivian Torres

MEMBERS APPOINTED BY GOVERNOR:
Mr. Alex Bunin
Honorable Valerie Covey
Honorable Richard Evans
Honorable Missy Medary
Mr. Gonzalo Rios

EXECUTIVE DIRECTOR:
Geoffrey Burkhart

The Honorable James Oakley
Burnet County Judge
Via E-mail: countyjudge@burnetcountytexas.org

RE: FY2020 Statement of Improvement Grant Award – Grant # 212-20-D10

Dear Judge Oakley:

I am pleased to inform you that the Texas Indigent Defense Commission has awarded Burnet County a **FY2020 Single-Year Improvement Grant** in the amount of **\$16,835** in response to your application for the **Videoconferencing for Indigent Defense**. Your Statement of Grant Award for fiscal year 2020 is attached. Grant funds are disbursed quarterly on a reimbursement basis, with payments based on the scheduled reimbursement percentage of expenses reported in quarterly program expenditure reports.

Please sign, scan, and return via e-mail the Statement of Grant Award to Edwin Colfax at ecolfax@tidc.texas.gov on or before **October 15, 2019**. You do not need to mail a copy.

Congratulations to Burnet County for developing this new indigent defense program. If you have any questions or need clarification of the information contained in this letter or the attached Statement of Grant Award, please contact Edwin Colfax, the Commission Grant Program Manager at (512) 463-2508.

Sincerely,

Sharon Keller
Chair, Texas Indigent Defense Commission
Presiding Judge, Court of Criminal Appeals

Copy: Karin Smith, County Auditor, kasmith@burnetcountytexas.org
Judge Kirk Noaker, Burnet County Magistrate, magistrate@burnetcountytexas.org

Texas Indigent Defense Commission
209 West 14th Street, Room 202, Austin, Texas 78701
512.936.6994
www.tidc.texas.gov



**FY2020 Improvement Grant
Statement of Grant Award**

Grant Number: 212-20-D10
Grantee Name: Burnet County
Program Title: **Videoconferencing for Indigent Defense**
Grant Period: 10/1/2019-9/30/2020
Grant Award Amount: **\$16,835**

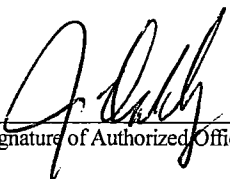
The Texas Indigent Defense Commission (herein, the Commission) has awarded the above-referenced grant to Burnet County (herein, the County) for indigent defense services. The authorized official named on the grant application must sign this Statement of Grant Award and return it to the Commission by October 1, 2019. The grantee will not receive any grant funds until this notice is executed and returned to the Commission. Funding is provided as listed in the categories in the table below:

Direct Costs:	
1) Personnel Salaries (Total Number of FTEs:0)	
2) Fringe Benefits	
3) Travel and Training	
4) Equipment	\$26,254
5) Supplies	
6) Contract Services	\$7,415
7) Indirect Costs	
Total Approved Budget	\$33,669
Less Cash from Other Sources- County Match	\$16,834
Total Amount Funded by Commission	\$16,835

Standard Grant Conditions:

- The authorized official for the grantee must accept the grant award by signing below.
- The authorized official, financial officer, and program director, referred to below as grant officials, must comply with the terms of the grant as written in the Request for Applications issued in January 2019, including the rules and documents adopted by reference in the Commission's Grant Rules in Title 1, Part 8, Chapter 173, Texas Administrative Code.
- The grant officials understand that a violation of any term of the grant may result in the Commission placing a temporary hold on grant funds, permanently de-obligating all or part of the grant funds, requiring reimbursement for funds already spent, or barring the organization from receiving future grants.
- Disbursement of funds is always subject to the availability of funds.
- The grant officials agree to follow the grant terms contained in the "Terms and Conditions" contained in Attachment A, which includes the final grant application.
- Any indigent defense plan documents submitted to the Commission must continue to meet all grant eligibility requirements.
- The judges hearing criminal and juvenile matters must update the Indigent Defense Plan for their respective courts as needed to include the program funded under this award and submit it to the Commission by November 1, 2019.

The authorized official for this grant program has read the preceding and indicates agreement by signing the Statement of Grant Award included below.



Signature of Authorized Official

James Oakley, Burnet County Judge

Name & Title (please print)

October 8, 2019

Date

Attachment A

Terms and Conditions

In addition to the program requirements stated in the Request for Applications (RFA) these specific program requirements apply to this funded program.

- This grant requires quarterly progress reports to provide information on the operation of the program. The Commission grant manager will create an online progress report to document the work performed in this program. The County may request modifications to the online report when the report items do not accurately reflect the work performed. See the Timeline for Reporting and Fund Distribution at the end of this document for dates.
 - The County will submit quarterly expenditure reports to obtain reimbursement of the scheduled percentage of expended funds based on actual expenditures. The reimbursements will be proportional to the county's required match. See the Timeline for Reporting and Fund Distribution at the end of this document for dates.
 - Requests to revise the scope, target, or focus of the project, or substantively alter project activities require advance written approval from TIDC.
 - Budget adjustments consisting of reallocations of funds among or within budget categories in excess of \$10,000 or ten percent of the original approved budget, whichever is less, are considered budget adjustments and are allowable only with prior approval of the executive director of the Commission.
 - Equipment must be purchased under a State DIR contract or documentation of cost savings from non-DIR contract purchase must be provided.
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Original Grant Application Follows

2020 Burnet County Discretionary Grant Application Narrative (Single-Year Grant)

a. Application Form

Counties Represented: **Burnet**
Fiscal Year: **2020**
State Payee Identification Number: **74-6000454**
Division To Administer Grant: **Burnet County Magistrate**
Program Title: **Burnet County Video Conferencing Project**
Requested Grant Amount: **\$16,833.50**
Financial Officer: **Karin Smith**
Program Director: **Kirk Noaker**
Mailing Address: **220 S PIERCE ST; BURNET, TX 78611**

b. Introduction (Executive Summary)

Videoconferencing technology will assist Burnet County in ensuring timely magistration when not available otherwise by facilitating JP and municipal judge ability to conduct magistration when Burnet County's primary Magistrate Judge is unavailable including times other than 8-5 on weekdays.. This technology will better ensure weekend, emergency, sick and vacation coverage for magistration proceedings. The County would like to further deploy videoconferencing to link mental health professionals and indigent defense attorneys with arrestees.

c. Problem Statement

Burnet County Jail houses 587 offenders which include offenders from 12 other counties, 5 local municipalities and is a holding facility for I.C.E. and US Marshalls. With only one magistrate there is need for weekend, emergency, sick and vacation coverage. The JPs and municipal judge are willing to assist, however scheduling time would be easier if there was remote access. Burnet County could also have remote access with Mental Health professionals, local indigent defense attorneys as well as other counties' Indigent Defense attorneys.

Please note that this project is in no way meant to replace the in person magistrature. The intent of this program is to have alternate process when in person magistrature is not available in a timely manner.

d. Objectives

Remote access magistrature can be performed from any location. JPs have the ability to commit to a certain time frame and would be able to easily magistrature from their office or from home without giving up their time to travel to the jail. More timely mental health evaluations allow the inmates get the help they need with less jail time.

e. Activities

Purchase 10 Microsoft Surface Pros and accessories to be utilized by the magistrate, justices of the peace (4), public defender's office (3), municipal judge, and our Mental Health provider.

Purchase Microsoft Office for the 10 Surface Pros.

Purchase Adobe Standard for the 10 Surface Pros.

Purchase WebCam and Scanner for the jail in order to initiate the magistrature process for recording.

Purchase and set up software for video conferencing recordings to be saved in a secured location in order to have the ability to access remotely and store any video files that are statutorily required to keep. VIDEOMAGISTRATE.COM

Notify the indigent defense coordinators from the counties which have inmates that are housed Burnet County Jail how to connect to the jail to allow access from their computers in their counties.

Upload necessary documents and videos of the recorded magistrature into the system.

Please note that this project is in no way meant to replace the in person magistrature. The intent of this program is to have alternate process when in person magistrature is not available in a timely manner.

f. Evaluation

Track number inmates that were remotely magistrated. Track number of inmates who receive mental health evaluations. Track number of remotely accessed Indigent Defense cases.

g. Future Funding

This grant application is to cover one-time implementation costs. Ongoing participation costs for software licenses will be the responsibility of the County.

h. Budget Narrative and Budget Form

Purchase 10 Microsoft Surface Pros and accessories to be utilized by the magistrate, justices of the peace (4), public defender's office (3), municipal judge, and Bluebonnet Trails: our Mental Health provider. Quoted cost of \$19,151.70. with an additional 5% for possible increase in price at the request of TIDC making the total on the application of \$20,109.

Microsoft Office \$221.16 for each of the 10 Surface Pros for \$2,212 plus 5% equaling \$2,322.

Adobe Standard \$311.19 for each of the Surface Pros for \$3,112 plus 5% equaling \$3,268.

6 Hot Spots using our Verizon contract for the 6 magistrates. Currently monthly fee is \$37.99 per month per hot spot. 12 months totals \$2,735.

Web camera to attach to jail PC in order to record inmates magistration and save on the county server. Should be less than \$100.

Scanner to include with the jail PC. \$611

Purchase and set up software for video conferencing recordings to be saved in a secured location in order to have the ability to access remotely and store any video files that are statutorily required to keep. Cost of licenses with VIDEOMAGISTRATE.COM is \$195 per month for one year for 2 licenses. (\$4,680).

Personnel Costs		\$0.00
FTE's	0.00	
Salary		
Fringe Benefits		
Travel and Training		
Equipment		\$26,254.00
Supplies		
Contract Services		\$7,415.00
Indirect		
Total		\$33,669.00
Required County Match		\$16,835.50
Total less County Match		\$16,833.50

Timeline for Reporting and Fund Distribution

Reports will be submitted through the TIDC grant management website at tidc.tamu.edu

Reporting Period	Type Report Due	Date Report Due	Fund Distribution Date
October 2019 through December 2019	Grant Expenditure Report Progress report	January 15, 2020	February 2020
January 2020 through March 2020	Grant Expenditure Report Progress report	April 15, 2020	May 2020
April 2020 through June 2020	Grant Expenditure Report Progress report	July 15, 2020	August 2020
July 2020 through September 2020	Grant Expenditure Report Progress report	October 15, 2020	November 2020