

COCHISE COUNTY:
PROPOSAL FOR GRACE PROGRAM

Overview

Target Population	Adults with unmet mental health needs, arrested for non-violent criminal offenses.
Program Services	Mental health screening and assessment Mental health treatment Psychiatric treatment
Participant Benefits	Access to treatment Dismissed charges
Community Benefits	Reduction in jail population Incarceration, prosecution and Rule 11 cost savings Increased community safety

Cochise County GRACE Program

The presence of defendants with mental illnesses in the Cochise County criminal justice system imposes substantial costs on the County. To reach a balance between fiscal responsibility protecting the community and meeting the needs of defendants with mental health issues, the County Attorney's Office should institute the GRACE Program to reduce costs. The GRACE program will reduce the burden on the Courts, Attorney's Office, Sheriff's Office, Jail, Defense Attorneys, taxpayers, and other community stakeholders. Cost reductions will be achieved by avoiding the extremely costly Rule 11 restoration to competency process, which costs \$39,000 per defendant if ordered into Pima County's Restoration to Competency program and \$23,000 if ordered to the Arizona State Hospital. Costs will be further reduced by more quickly removing defendants from the Jail, which is detrimental to people suffering from mental illness. A further goal is to interrupt the costly recidivism cycle by creating an infrastructure that connects defendants with mental health treatment, services, and monitoring. The GRACE program will concentrate efforts on connecting individual defendants with mental

health problems, who would typically slip through the cracks and go untreated, to local services providers. If a defendant does not receive treatment after an arrest--and maintain that treatment--their condition is likely to worsen, increasing the likelihood of re-arrest after their release from jail custody. The greatest benefits of the GRACE program will be:

- Reduce incarceration, prosecution, defense and court costs
- Treat low level nuisance offenses as mental health cases rather than substantive crimes
- Reduce recidivism
- Increase community safety
- Reduce the jail population
- Reduce the abuse of Rule 11 Competency Evaluations and the consequent restoration to competency costs.

Statistical Information

Community safety and reduction in the jail population are benefits from implementing the GRACE program. However, reducing the number of Rule 11 evaluations and restorations to competency may be the most direct cost savings. Cochise County’s FY2019-2020 budget for restoration to competency is \$367,000.00. However, year-to date the cost for RTC patients is \$351,477. 00.

	<u>FY20 YTD INVOICES</u>
Sloan PHD	\$7,500.00
ASH	\$23,219.00
ASH	\$23,219.00
ASH	\$23,219.00
ASH	\$23,219.00
ASH	\$5,243.00
PIMA	\$39,000.00
PIMA	\$39,000.00
PIMA	\$39,000.00
ASH	\$23,219.00
ASH	\$23,219.00
ASH	\$23,219.00
ASH	\$14,231.00
ASH	\$23,219.00
ASH	<u>\$21,721.00</u>

\$351,447.00 TOTAL

The table above accounts for only five patients. Four of the defendants who are currently patients, would have likely met the criteria to participate in the GRACE Program, which would have saved the County \$158,788.00.

Date Range: 07/01/2019-07/31/2019	
ID	Charges
35173	\$23,219.00
35176	\$23,219.00
35177	\$23,219.00
35189	\$5,243.00
	\$74,900.00

Date Range: 08/01/2019-08/31/2019	
ID	Charges
35173	\$23,219.00
35176	\$23,219.00
35177	\$14,231.00
35189	\$23,219.00
	\$83,888.00

Combined Total \$158,788.00

The Objective

To implement a Program (GRACE) that will allow defendants who have a mental health issue an alternative to traditional prosecution. The GRACE program will evolve from the partnership with local law enforcement, behavioral health, probation, and judicial system professionals, to connect defendants with services that will assist defendants regaining control of their lives and reduce or eliminate their contact with the criminal justice. In turn, Cochise County will find a balance between fiscal responsibly while meeting community needs.

The Opportunity

The creation of the GRACE program will have several benefits:

- A reduction in costs associated with prosecution of those with mental illness
- A safer community
- Mental health treatment for defendants

Frequently Asked Questions

Who is eligible for the GRACE program?

A defendant's eligibility depends on the case type, facts of the case, defendant's criminal history. The defendant must demonstrate a pre-existing mental health diagnosis or provide proof of a new diagnosis within 30 days of entering the program. The GRACE Coordinator will review all cases for appropriateness; the assigned prosecutor has final discretion to accept or deny a defendant into the program.

How does the GRACE Program process work?

After an eligible defendant is charged with a criminal offense, they will be given an opportunity to participate in the GRACE Program. Through the GRACE Program they will receive treatment and will avoid a conviction. Once the defendant successfully completes all terms of the program and, the case will be dismissed. If a defendant fails to comply with the program, he or she will be remanded back to traditional prosecution.

How do I apply for GRACE?

Defendants cannot "apply" for the GRACE Program. Instead, a prosecutor may make a referral at the request of a defense attorney. The GRACE Coordinator will review each case and consider, among other things, the charges involved, the circumstances surrounding the incident and the defendant's prior criminal history to determine if a case is appropriate for the GRACE Program. The recommendation of the GRACE Coordinator will be forwarded to the prosecutor for final approval.

What charges are eligible for GRACE?

Cases that receive a referral from the prosecutor will be screened for appropriateness. Eligibility for GRACE Program is not guaranteed and is determined on a case-by-case basis at the discretion of the prosecutor.

How much does the GRACE program cost?

The Cochise County's Attorney's office will not charge a fee for participation in the Grace Program. However, all costs associated with treatment will be the sole responsibility of the participant.

Monitoring GRACE Compliance-

During GRACE, each behavioral health provider will provide monthly compliance reports to the GRACE Coordinator. If the defendant experiences a relapse, reviews and recommendations will be made on a case by case bases.

GRACE Program Structure

As a participant, you will be expected to comply with directives from your mental health provider, comply with the tasks identified on your individualized treatment plan, and follow the instructions given by the GRACE Coordinator. The individualized treatment plan will be created by the Mental Health Care Provider during your initial evaluation and will include different goals and objectives that you will be required to complete during treatment. Your treatment plan may change during the program in order to address your needs and provide resources as needed. Some examples of objectives identified on the treatment plan may include:

- 1) The Defendant will take all mental health medications as prescribed by their psychiatrist or primary care physician.
- 2) The Defendant will attend at least 6 individual counseling sessions with an approved vendor.
- 3) The Defendant will maintain sobriety from all illegal substances and submit negative drug tests throughout the duration of the program.

The GRACE Coordinator will monitor your progress while you are in the program. You may be required to attend in person visits, as needed, to ensure treatment progress. You will also be required to call in and let the GRACE Coordinator know how you are doing.

Program duration:

Health Diversion Program may last between three months and one year. The time period in the program will be determined by your needs and your progress throughout treatment. Once you complete the program successfully, your case(s) will be dismissed. If you do not complete the program successfully, your case(s) will be remanded to the court of origin.

GRACE PROGRAM OBLIGATIONS

The following is a list of obligations that you must understand before you can apply for the Cochise County Attorney's GRACE Program. These conditions will also apply if you are accepted into the Program.

1. Involvement in the Program is voluntary. I may withdraw from consideration or participation in the Program at any time and understand that I will then return to Court for this offense.
2. Truthfulness is important in determining acceptance into the Program. All information given in the application and during the interview will be reviewed and verified. Any intentional falsifications or omissions may result in rejection or revocation. It should also be understood that during GRACE program consideration and/or participation there is no confidentiality of information.
3. Should I be rejected from the Program, information I may have given or the fact that I applied would not be used against me by the prosecutor in the case.
4. I must not leave the State without first receiving consent from this office and from the court through my attorney.
5. I must not violate the law again or I may be prosecuted for both the new offense and for this offense.
6. I must cooperate with and report to this office as requested. I must meet all the conditions of my individual program, and I must also cooperate with any agency to which I am referred.
7. I understand that failure to fulfill any of these obligations may be considered sufficient cause for my rejection or revocation by the Cochise County Attorney's GRACE Program, and that I may then have to return to court for this offense, or a warrant may be issued for my arrest.

CONDITIONS FOR PARTICIPATION IN THE PROGRAM

1. At all times be a law-abiding citizen.
2. Report to the Cochise County GRACE program coordinator as directed.
3. Notify the grace program coordinator of any changes in employment, address or phone and obtain permission from the court before leaving the state and from the grace program coordinator before leaving the county of residence for more than three days.
4. Do not possess or use drugs or narcotics including marijuana or dangerous drugs in violation of any law. Do not drink intoxicating and/or alcoholic beverages in excess, and not frequent establishments where the sale of liquor is the major source of business.
5. Do not knowingly associate with any person of lawless reputation nor with anyone who has a criminal record or who is on probation or parole.
6. Immediately report to the grace program coordinator any contact with any law enforcement agency and explain the circumstances.
7. Perform ____ hours of community service for a non-profit organization in the same jurisdiction where the offense originated, approved by grace program coordinator, and provide proof of completion to grace program coordinator,
8. Complete counseling and take all medications as directed by the mental health care provider.
9. Pay restitution to as directed by the court.

Graduation Requirements

- Actively engaged with community resources.
- All restitution fees paid in full.
- A clear demonstration that you have been fully engaged in your treatment and completed all program requirements.
- Employed (or unemployed and adequately supported by other means), such as retirement, disability, and family/spousal support. or measurable effort to obtain support.
- Completed Transition to Discharge Plan.

GRACE Coordinator Contact:

Direct Extension: 520-432-8738

Please leave your name, and a contact number where you can be reached.

Address: 150 Quality Hill Rd, 2nd Floor
P.O. Drawer CA
Bisbee, AZ 85603