



REGIONAL FORENSIC SOCIAL WORK OFFICE

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FSW'S: WHY & WHAT

WHY:

SOCIAL WORKERS & PUBLIC DEFENDERS



FSW's are a bridge.
Tangible. **Actionable.** Infrastructure.

Community Safety: We transform public defenders into partners in reducing **recidivism**, while maintaining a Constitutional protections.

- Informed Resolution (pretrial / sentencing)

Behavioral Complexity: The most clinically complex, highest barrier individuals with lowest executive functioning are represented by public defenders.

- Behavioral expertise + privileged investigation
- Ontology vs. etiology (legal vs. actual defendant formulation)

Fiscal Responsibility: We are surgical force-multipliers to **ALL** existing public services; disproportionately impactful on a local level.

- Service/Treatment: LMHA, Voc. Rehab, DWS, LHSA, SUD treatment providers, hospital systems
- Enforcement: Police, sheriff's office, corrections, specialty courts

Data & Innovation: Singular ability to collect and utilize data on justice related outcomes and develop innovative solutions on local level.

- Defense team: Privilege (Constitutional protections)
- Licensed social worker: HIPAA, 42CFR (medical protections)

Master's* Level Clinician as Core Defense Team

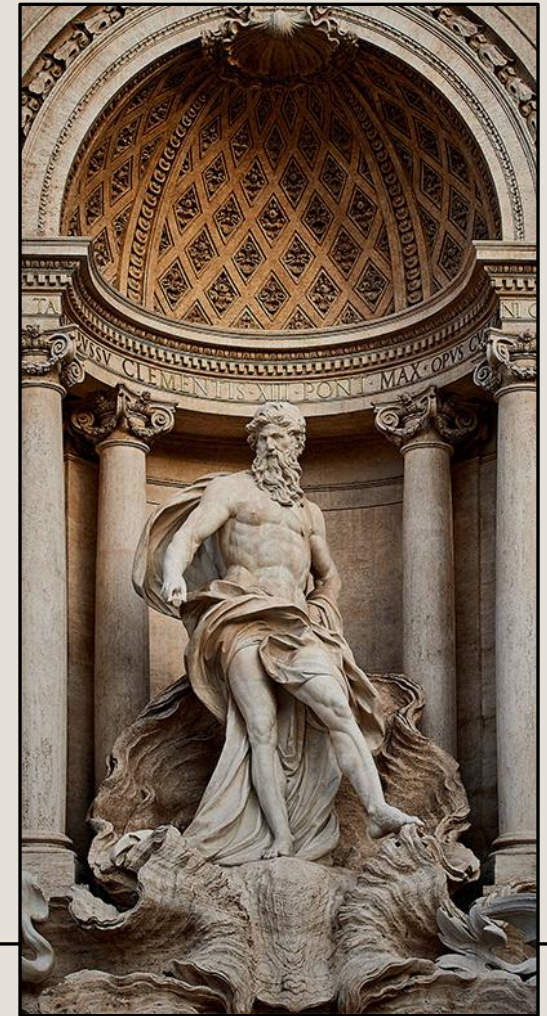
- DSM differential diagnostics
 - Clinical Case Management (not treatment); client management
- Research-informed evaluation: ASAM, RNR, MoCA, etc.
- Investigation & corroboration: Discovery/protected documents access

Psycholegal Training

- Competency, *mens rea*, due process, rules of criminal Procedure
- Mitigation statute, case law, & best practices
- ABA guidelines
- Forensic Experts
 - We are experts, not "experts"

Work Product & In-house Consultation

- Recommendations **to** defense counsel, **for** the community
- Etiology, validity, and reliability
 - Relentlessly focused on recidivism

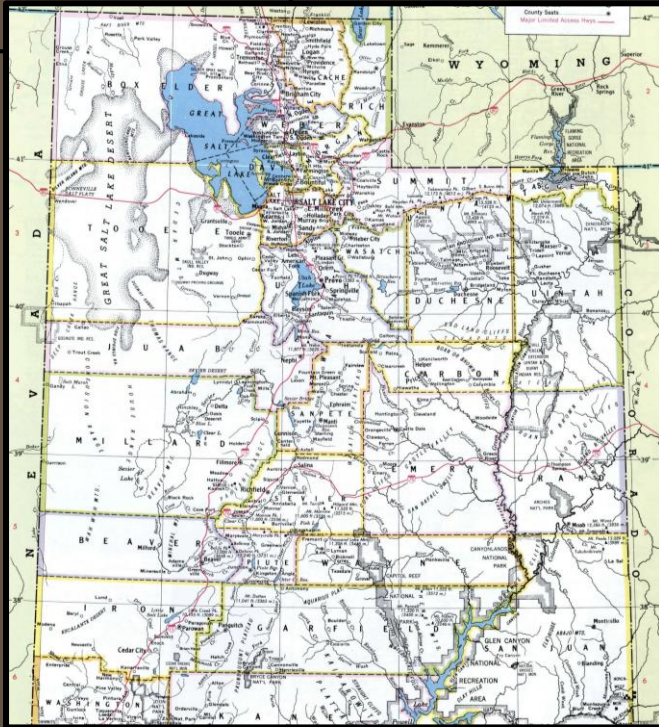


WHAT:

FSW'S DEFINED

Social work in defender offices:

- SLLDA since the 90's
- UTC PD since 2021
- WPDG since 2023
 - Opioid settlement funding
 - IDC grants



REGIONALIZATION

Professional Capital Constraints

- Regional FSW Office pilot project
 - Housed in WPDG, expand services to Davis and Box Elder counties
- 2 years - \$850,000 (FY24-FY26)
 - Legal assistant
 - 3 MSW's
- Total FSW Division
 - Director (PhD, LCSW)
 - Mitigation Specialist (PsyD)
 - 3 Master's-level Forensic SW's
 - 1 Bachelor's-level Parental Defense SW
 - 1 Mitigation Legal Assistant

Referral volume:

301 cases in first 3 quarters, *half of which occurred last quarter*

SERVICE LINES & WORK PRODUCT



CORE SERVICE LINES

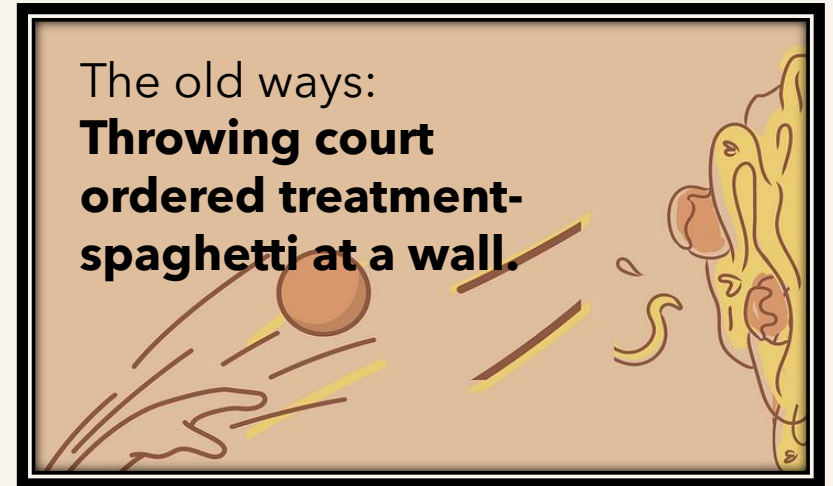
NO.1	Coordinated Treatment Release (CTxR)
NO.2	Competency & MSO Consult
NO.3	Mitigation Investigation

COORDINATED TREATMENT RELEASE (CTxR)

The better way:
**Rigorous clinical evaluation pre-adjudication,
for targeted court ordered treatment**

Investigate & Evaluate

- Diagnostics (SUD vs. Dual Dx vs. SPMI)
- Level of Care (ASAM, medical necessity)
- Criminogenic Risk-Need fit
 - Criminal history, discovery, collateral
- Responsivity!
 - Family status, gender, trauma, homelessness, developmental disorder, cognitive capacity, age, medical conditions
 - Ongoing case management needs
- Barriers
 - Medicaid (capitated vs. TAM)
 - Transportation
 - Multijurisdictional case issues
 - Vital documents



Since the pilot began...
• 110 Defendants have been connected to treatment from 168 referrals

COMPETENCY & MSO CONSULT

WORK PRODUCT

National
70/30 split

Incompetent

MI/ ID
&
Competent

Substance-
induced
Non-competence

Difficult
&
Competent

Incompetent

- Draft petition and order
- Coordinate with DHHS

Competent

- Accommodative support toward resolution

In all cases

- Gather/review records
- Opine on mental state at offense
- Coordinate with jail mental health
- **Establish CTxR and/or community supports for probation success**

- Since the pilot began...
- **750** court/jail days saved from 66 referrals
 - All fillings "against FSW advice" found competent
 - Evaluator engagement rate increasing

MITIGATION INVESTIGATION

Complex & Major Felony Case Support

- Culpability, Mental Conditions, & Affirmative Defenses
 - Drugs
 - Intoxication/ withdrawal
 - Induced psychotic episode
 - Mental illness (**diagnostic validity**)
 - DD/ID vs. psychiatric illness
 - Guilty with a Mental Condition
 - Insanity / Diminished Mental Capacity
 - Retain and coordinate with experts
 - Psychosexual evaluations
 - Toxicologist vs. psychiatrist vs. psychologist
 - DV, family systems, and trauma
 - Support UDOC
 - Client clinical needs
 - Rehabilitation

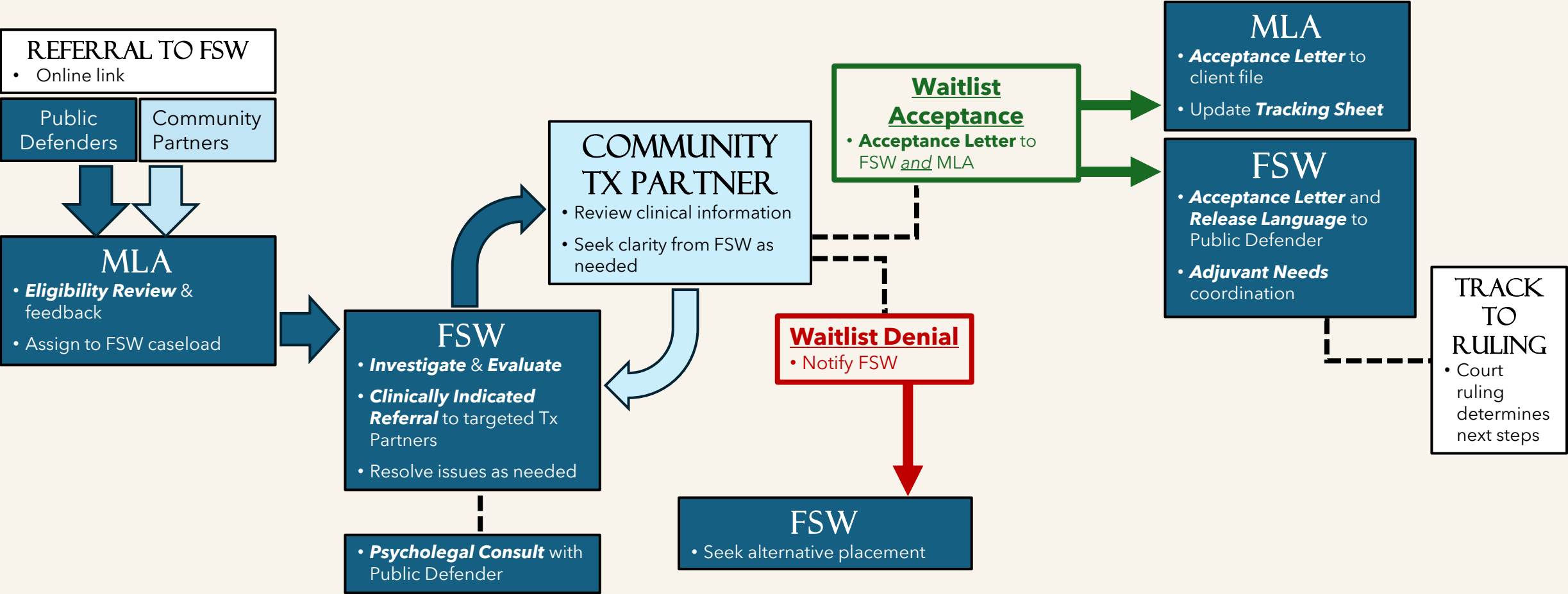
Estimated \$800,000 savings to courts and county system

- 9 cases, first-degree felonies
 - Agg. homicide, child abuse homicide, murder, sex offenses
- Reduced risk of IAC appeal
- Arson/ aggravated arson

NITTY-GRITTY SOLUTION MACHINE

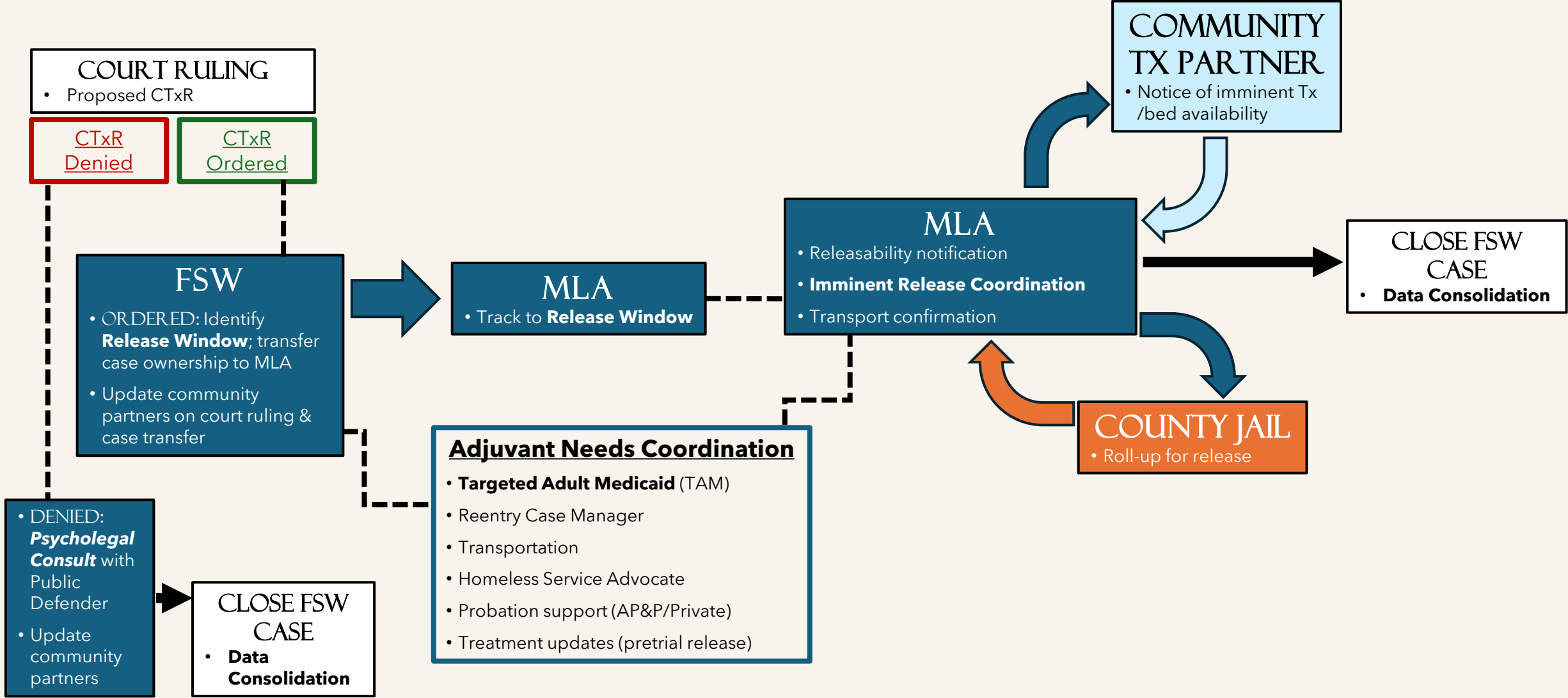
COORDINATED TREATMENT RELEASE PROCESS MAP

Referral to Evaluation & Recommendation Phase



COORDINATED TREATMENT RELEASE PROCESS MAP

Court Order & Release Coordination Phase



DATA.
INNOVATION.
REPEAT.

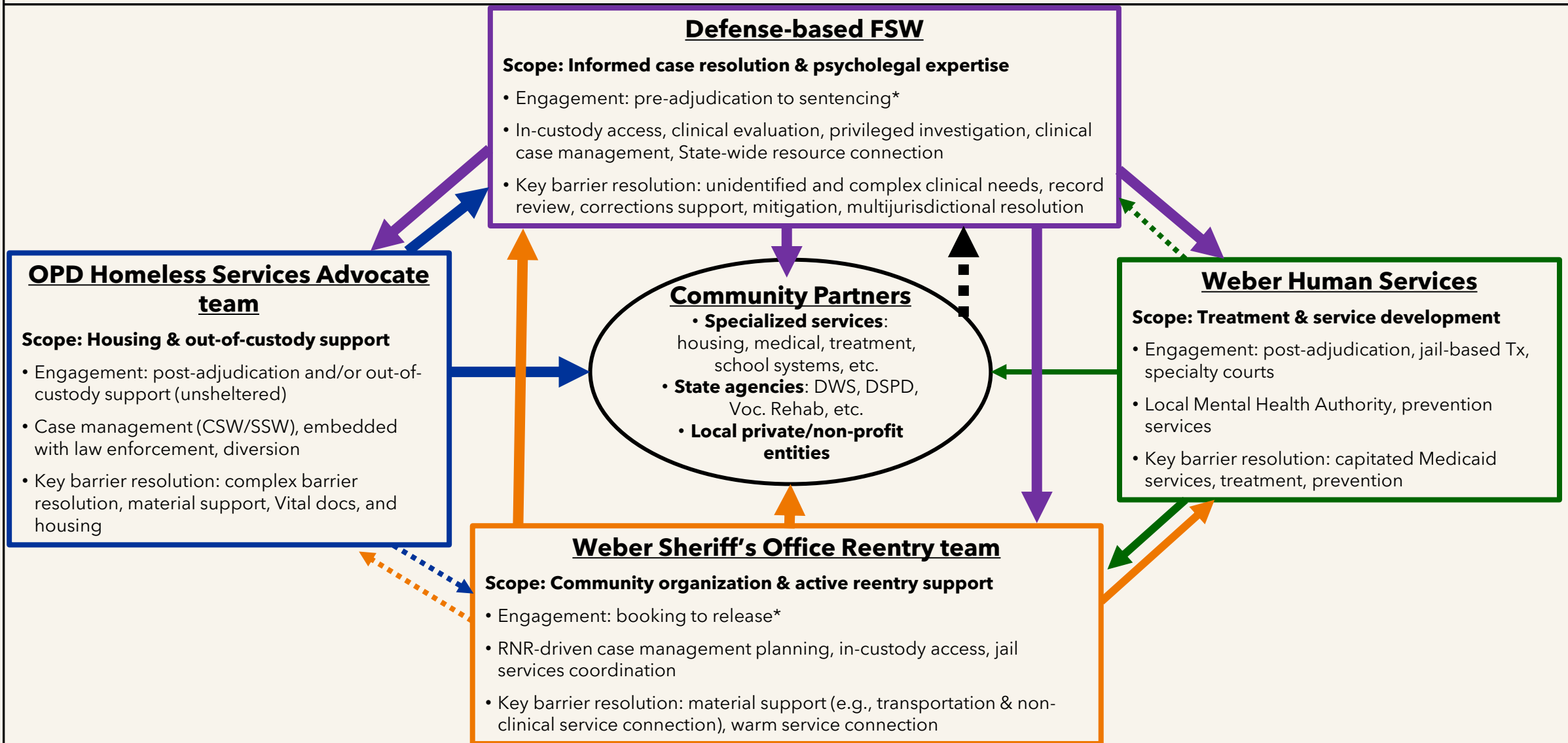
CLINICALLY-DRIVEN DATA DEVELOPMENT

- Diagnostic, demographic, and service barrier data
 - Longitudinal and county specific
- Program-specific data
 - Connection rate and treatment success measures
- Defendant-specific data
 - Desistance measures (recidivism)
 - OSC's
- Waste, fraud, and abuse
 - Ontology vs. etiology

DATA-DRIVEN INFRASTRUCTURE DEVELOPMENT

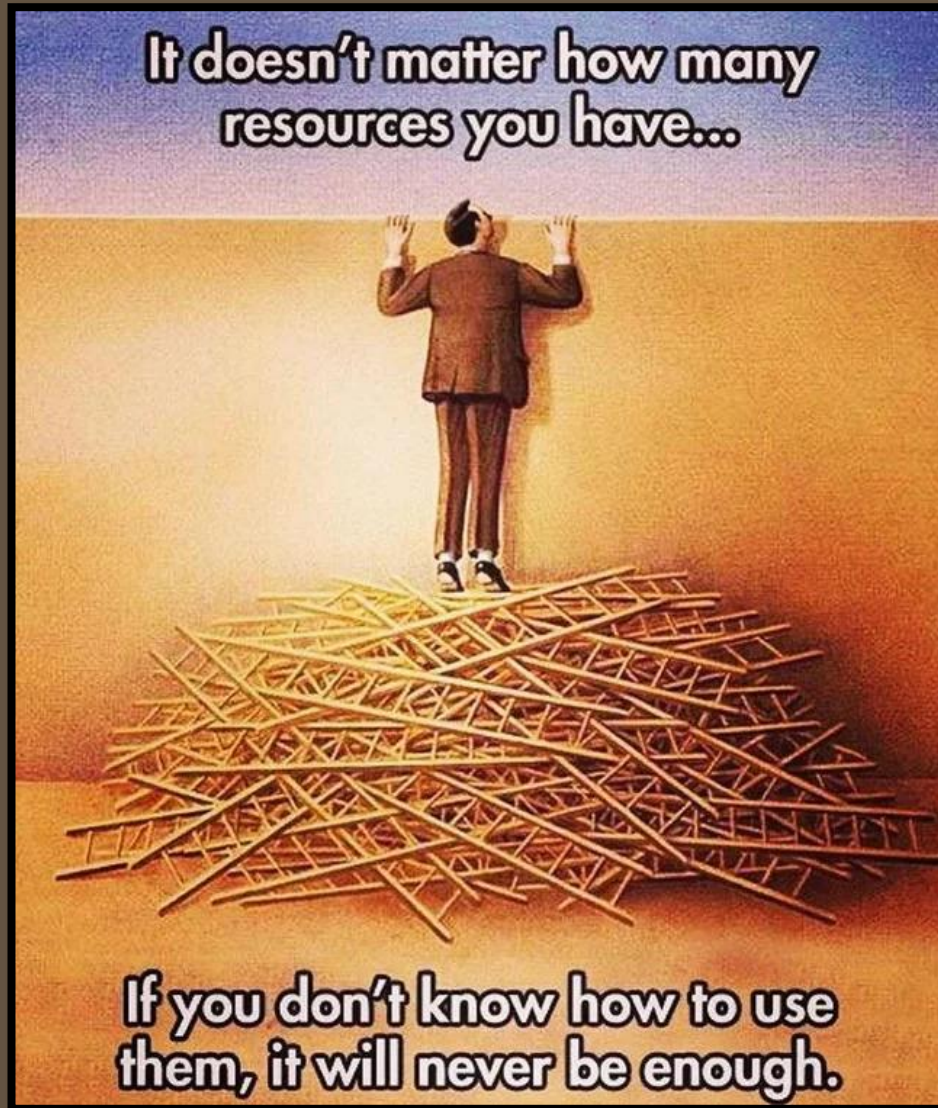
- Targeted prevention services
 - Children and dependents of defendants
- Sequential Intercept Model (SIM) services
 - Diversion, reentry services, and specialty courts
- Chronic and complex population (economies of scale & coordination)
 - SPMI residential
 - FACT teams
 - Supportive housing
- Continuum of care
 - Recovery residences
 - Peer support

THE WEBER MODEL



ADDITIONAL TRENCHES-LEVEL SOLUTIONS

- Parental Defense SW + FSW
 - Mutual case support
- Targeted prevention services
 - Communities that Care– defendant families
 - Gang prevention programming
- Weber State
 - MSW students
 - MCJ/MSW Program
- Recovery residency partnerships
 - 3HLiving and Weber Housing Authority
- County CJCC



COUNTY IMPACTS

- Reduced treatment waste
- Reduced OSC's
- Reduced IAC appeals
- Increased jail capacity
- Quicker complex case resolution
- De-siloed social programming
- Targeted service development
- Intercounty collaboration

QUESTIONS & CHEERS

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