

THE SUPREME COURT OF TEXAS

THE TEXAS COURT OF CRIMINAL APPEALS

Judicial Commission on Mental Health

May 20, 2022 Meeting Notebook



May 20, 2022 Meeting Notebook

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Section 1 Agenda



Texas Judicial Commission on Mental Health

May 20, 2022 **AGENDA**

10:00	Welcome	Hon. Jane Bland Hon. Barbara Hervey
10:10	New Members	Hon. Barbara Hervey
10:20	Update from OCA	
10:40	Executive Director Report Report to the Commission Biennial Report to the Courts Budget and Grants Report SIM Mapping Eliminate the Wait Technical Assistance	Kristi Taylor Rose McBride Patrick Passmore Molly Davis Kama Harris Liz Wiggins
11:10	2021 JCMH Committees Bench Book Committee Juvenile Bench Book Committee Summit Curriculum Committee Forms Committee Long-Term Planning Committee Data Committee Legislative Research Committee	Hon. Jane Bland Hon. Camile DuBose Hon. Cynthia Wheless Hon. Brent Carr Hon. Dave Jahn Hon. John Specia Dr. Connie Almeida Hon. Bill Boyce
12:00	Working Lunch Break	Hon. Jane Bland

12:20	A Focus on Children and Youth in the Justice System	Hon. Renee Rodriguez- Betancourt
		Dr. Scott LePor
1:20	Commissioner/Collaborative Council Announcements	Hon. Barbara Hervey
1:30	Adjourn	Hon. Jane Bland Hon. Barbara Hervey

Section 2

Executive Committee,
Commissioners,
& Collaborative Council

JUDICIAL COMMISSION ON MENTAL HEALTH Executive Committee & Commissioners

Executive Committee

Hon. Jane Bland, Co-Chair

Justice

Supreme Court of Texas

Hon. Barbara Hervey, Co-Chair

Judge

Texas Court of Criminal Appeals

Hon. Bill Boyce, Vice-Chair

Justice (Former)

Fourteenth Court of Appeals Alexander, Dubose & Jefferson, LLP

,

Hon. John J. Specia, Jr.

Judge (Ret.)

Plunkett, Griesenbeck & Mimari, Inc.

Megan LaVoie, J.D.

Administrative Director
Office of Court Administration

High Court Liaisons

Hon. Rebeca Huddle

Iustice

Supreme Court of Texas

Hon. Jesse F. McClure, III

Judge

Texas Court of Criminal Appeals

Commissioners

Connie Almeida, Ph.D.

Director of Behavioral Health Fort Bend County Behavioral Health Services

Camille Cain

Executive Director (Fmr.)

Texas Juvenile Justice Department

Hon. Cory Carlyle

Justice

Fifth Court of Appeals, Dallas

Hon. Brent Carr

Judge

Tarrant County Criminal Court No. 9

Hon. Francisco Dominguez

Judge

El Paso County, 205th Judicial District Court

Hon. Camile DuBose

Judge

Real and Uvalde Counties, 38th Judicial

District

Dr. Melissa Eshelman

Associate Professor

University of Texas at Austin, Dell Medical

School

David Evans, M.Ed.

Chief Executive Officer

Integral Care

Dr. Tony Fabelo

Senior Fellow for Justice Policy

Meadows Mental Health Policy Institute

Alyse Ferguson, J.D.

Chief Counsel

Collin County Mental Health Managed

Counsel

Sonja Gaines, M.B.A.

Deputy Executive Commissioner for

Intellectual and Developmental Disability and

Behavioral Health Services

Texas Health and Human Services

Commission

Kevin Garrett, J.D.

Attorney

Austin, Texas

Courtney Harvey, Ph.D.

State Mental Health Coordinator & Associate

Commissioner

Office of Mental Health Coordination, Texas

Health and Human Services Commission

JUDICIAL COMMISSION ON MENTAL HEALTH Executive Committee & Commissioners

Hon. Bonnie Hellums

Judge (Ret.)

Harris County, Texas

Courtney Hjaltman

Policy Advisor

Office of the Governor

Hon. Yolanda Huff

Judge

Bexar County Court at Law No. 12

Hon. Joan Huffman

Senator, District 17

Texas Senate

Hon. Dave Jahn

Judge (Fmr.)

Denton County Criminal Court No. 1

Hon. Oscar Kazen

Judge

Bexar County Probate Court No. 1

Andy Keller, Ph.D.

President and CEO

Meadows Mental Health Policy Institute

Adrienne Kennedy

Past President

National Alliance on Mental Illness

Hon. Sue Kurita

Iudge

El Paso County Court at Law No. 6

Beth Lawson, M.B.A.

Chief Executive Officer

StarCare Specialty Health System

Chief Mike Lee

Mental Health & Jail Diversion Bureau

Harris County Sheriff's Office

Hon. Elizabeth Byer Leonard

Judge

Midland County, 238th District Court

Hon. Pam Liston

Municipal Judge (Fmr.)

Chief Integrity Officer
Dallas City Attorney's Office

Dr. Octavio Martinez, Jr., M.P.H., M.B.A.

Executive Director

Hogg Foundation for Mental Health

Hon. Stacey Mathews

Judge

Williamson County, 277th District Court

Beth Mitchell, J.D.

Supervising Attorney

Disability Rights Texas

Hon. Joe Moody

Representative, District 78

Texas House of Representatives

Hon. Nathaniel Moran

County Judge

Smith County

Hon. Tamara Needles

Iudge

Travis County, 427th Criminal District Court

Hon. Roxanne Nelson

Justice of the Peace

Burnet County, Precinct 1

Denise Oncken, J.D.

Bureau Chief

Harris County District Attorney's Office

Lee Pierson, J.D.

Chief Mental Health Prosecutor

Dallas County District Attorney's Office

James Rasmussen, J.D.

Chief Public Defender

Wichita County Public Defender's Office

Hon. Renee Rodriguez-Betancourt

Iudae

Hidalgo County, 449th District Court

JUDICIAL COMMISSION ON MENTAL HEALTH Executive Committee & Commissioners

Prof. Brian Shannon, J.D.

Paul Whitfield Horn Professor Texas Tech University School of Law

Shelley Smith, L.M.S.W.

Chief Executive Officer
West Texas Centers, Howard County

Chief Stan Standridge

Chief of Police
San Marcos Police Department

Hon. Charles Stephens

Judge

Comal County Court at Law No. 2

Hon. Cynthia Wheless

Judge

Collin County, 417th District Court

Brandon Wood

Executive Director
Texas Commission on Jail Standards

Wayne Young, M.B.A., L.P.C.

Chief Executive Office
The Harris Center

April Zamora, M.Ed., L.C.D.C.

Director

Reentry and Integration Division, Texas Correctional Office on Offenders with Medical or Mental Impairments, Texas Department of Criminal Justice

JUDICIAL COMMISSION ON MENTAL HEALTH Collaborative Council

Hon. Devon Anderson

Judge (Fmr.)
President & CEO
Justice Forward

Trey Apffel

Executive Director
State Bar of Texas

Hon. Mark Atkinson

Chief Executive Officer

Amy Befeld, J.D.

Legislative Consultant
Texas Association of Counties

Catherine Bialick, MPAff

Senior Advisor, Forensic Services
Office of Mental Health Coordination,
Texas Health and Human Services
Commission

Virginia Brown, Ph.D., M.A.

Assistant Professor
Dept. of Population Health, Dell Medical
School, The University of Texas at Austin

Sonja Burns

Mental Health Advocate

Hon. Nelda Cacciotti

Judicial Staff Counsel and Mental Health Magistrate Tarrant County

Diana Cantu, Ph.D.

Chief Executive Officer
Texoma Community Center

Kathleen Casey-Gamez, J.D.

Senior Policy Analyst Texas Indigent Defense Commission

Alex Cogan, L.M.S.W.

Austin, Texas

Armando C. Colombo

President & CEO
The Menninger Clinic

Leah Davies

Project Manager Strategic Health Alliance

Colleen Davis, J.D.

Assistant County Attorney
Burnet County Attorney's Office

Scott Ehlers, J.D.

Special Counsel
Texas Indigent Defense Commission

Lesli Fitzpatrick, J.D.

Attorney
Law Office of Lesli Fitzpatrick

Chief Zachary Flores

Executive Director of Public Safety
City of Sherman

Gilbert Gonzales, L.P.C.

Director

Bexar County Department of Behavioral and Mental Health

Jennings Greer

*DBT Implementation Leader*Texas Juvenile Justice Department

Krishnaveni Gundu

Co-Founder & Executive Director Texas Jail Project

Greg Hansch, L.M.S.W.

Executive Director NAMI Texas

Hon. James Henderson

Iudge

Grayson County Court at Law No. 1

Elizabeth Henneke, J.D.

Executive Director
Lone Star Justice Alliance

Shannon Hoffman

Policy Program Specialist Hogg Foundation for Mental Health

JUDICIAL COMMISSION ON MENTAL HEALTH Collaborative Council

Angelita Hunter

Municipal Court Supervisor City of McKinney Municipal Court

Trina K. Ita, M.A.

Associate Commissioner
Medical & Social Services Division,
Behavioral Health Services, Texas Health and
Human Services Commission

Lee Johnson, M.P.A.

Deputy Director
Texas Council of Community Centers, Inc.

Windy Johnson

Program Manager
Texas Conference of Urban Counties

Louise Joy, J.D.

Partner Joy & Young, LLP

Hon. Evelyn Keyes

Justice (Ret.)
First Court of Appeals

Chris Lopez, J.D.

Assistant General Counsel
Policy Department, Legal Services Division,
Texas Health and Human Services
Commission

Mike Lozito

Judicial Services Director
Office of the County Manager, Bexar County

Dr. Charles Mathias

Associate Professor University of Texas Health Science Center-San Antonio

Hon. Lela Mays

Judge Dallas County, 283rd District Court

Trish McAllister, J.D., M.B.A.

Executive Director
Access to Justice Commission

Joanna Mendez, M.S.S.W., L.C.S.W.

Community Wellness Coordinator Refugee Services of Texas

Hon. Kirk D. Noaker, Sr.

Fmr. Magistrate, Burnet County
Senior Specialist, Mental Health and Criminal
Justice
The Arc of Texas

Hon. Rita Noel

Justice of the Peace Grayson County, Pct. 4

Susan Palacios, Ph.D., L.P.C.

Program Specialist
Texas Juvenile Justice Department

John Petrila, J.D.

Senior Executive Vice-President of Policy Meadows Mental Health Policy Institute

Hon. Daphne Previti-Austin

Judge (Fmr.) 289th Juvenile District Court Law Office of Shawn C. Brown, P.C.

Terry Qualls

Crisis Intervention Coordinator McKinney Police Department

Janis Reinken

Former Chief Clerk
House Committee on Corrections

Michelle Romero, M.P.A.

Associate Director Texas Medical Association

Lt. Joe Ross

Mental Health Deputy
Grayson County Sheriff's Office

Rachel Samsel, M.S.S.W.

Deputy Associate Commissioner for Strategic Initiatives & Policy, State Hospitals Texas Health and Human Services Commission

JUDICIAL COMMISSION ON MENTAL HEALTH Collaborative Council

Melissa Schank, M.B.A.

Executive Director

Texas Criminal Defense Lawyers Association

Jonas Schwartz

Program Manager

Texas Workforce Commission

Melissa Shearer, J.D.

Director

Travis County Mental Health Public

Defender's Office

Jennie Simpson, Ph.D.

Forensic Director

Texas Health and Human Services

Commission

Matt Smith, L.P.C.

Assistant Executive Director

Williamson County Juvenile Services

Lt. Scott Soland

President

Texas CIT Association

Gloria Terry

Chief Executive Officer

Texas Council on Family Violence

Rick Thompson

Senior Legislative Manager

Texas Association of Counties

Jennifer Toon

Mental Health Peer Policy Fellow

Coalition of Texans with Disabilities

Haley Turner, M.S.W.

Associate Commissioner for IDD

Texas Health and Human Services

Commission

Hon. Ryan Kellus Turner

Executive Director

Texas Municipal Courts Education Center

Sally Uncapher, J.D.

Assistant District Attorney

Bexar County Attorney's Office

Hon. Grace Uzomba

Judge

Bexar County Court at Law No. 2

Julie Wayman

Mental and Behavioral Health Manager,

Interagency Liaison

Texas Education Agency

Nicole Weaver

MS LCDCI YES Waiver Manager Mental Health

Programs, Policy and Planning

Texas Health and Human Services

Commission

Thea Whalen, J.D.

Executive Director

Texas Justice Courts Training Center

Hon. Deborah Wigington

Judge

Comal County Court at Law No. 3

Sheriff Dennis Wilson

Limestone County

Sheriff's Association of Texas

Steve Wohleb

Senior Vice-President/General Counsel

Texas Hospital Association

Section 3

Minutes from February 2022 Meeting

JUDICIAL COMMISSION ON MENTAL HEALTH MINUTES OF MEETING FEBRUARY 10, 2022 VIRTUAL MEETING

COMMISSIONER ATTENDEES:

Hon. Jane Bland, Chair, Justice, Supreme Court of Texas

Hon. Barbara Hervey, Chair, Judge, Texas Court of Criminal Appeals

Hon. Rebeca Huddle, Deputy Liaison, Justice, Supreme Court of Texas

Hon. Jesse F. McClure, III, Deputy Liaison, Judge, Texas Court of Criminal Appeals

Hon. Bill Boyce, Vice-Chair, Justice (Fmr.), 14th Court of Appeals; Partner, Alexander. Dubose & Jefferson

Hon. John J. Specia, Jr., **Jurist in Residence**, *Judge (Ret.); Plunkett, Griesenbeck & Mimari, Inc.*

Megan LaVoie, Administrative Director, Office of Court Administration

Dr. Connie Almeida, Director, Fort Bend Co. Behavioral Health Svcs.

Hon. Brent Carr, Judge, Tarrant Co. Criminal Court No. 9

Hon. Camile G. DuBose, Judge, 38th Judicial District, Real Co. & Uvalde Co.

Dr. Melissa Eshelman, Associate Professor, UT at Austin, Dell Medical School

David Evans, Chief Executive Officer, Integral Care

Dr. Tony Fabelo, Senior Fellow for Justice Policy, Meadows Mental Health Policy Institute

Alyse Ferguson, Chief Attorney, Collin Co. Mental Health Managed Counsel

Sonja Gaines, Deputy Executive Commissioner for Intellectual Developmental Disability and Behavioral Health Svcs., Texas HHSC

Dr. Courtney Harvey, Associate Commissioner, Texas HHSC

Hon. Bonnie Hellums, Judge (Ret.), 247th District Court, Harris Co.

Hon. Dave W. Jahn, Judge (Fmr.), Denton Co. Criminal Court No. 1

Dr. Andy Keller, President and CEO, Meadows Mental Health Policy Institute

Adrienne Kennedy, *Immediate Past President*, *NAMI*

Hon. Sue Kurita, Judge, El Paso County Court at Law No. 6

Beth Lawson, Executive Director, StarCare Specialty Health System

Chief Mike Lee, Assistant Chief, Harris Co. Sheriff's Office

Hon. Pam Liston, Presiding Judge, City of Rowlett Municipal Court



Dr. Octavio Martinez, Senior Assoc. Vice President, Division of Diversity & Community Engagement, Executive Director, Hogg Foundation for Mental Health

Beth Mitchell, Senior Attorney, Disability Rights Texas

Hon. Joe Moody, Representative, 78th House District, Texas House of Representatives

Hon. Tamara Needles, Judge, 427th District Court, Travis Co.

Hon. Roxanne Nelson, Justice of the Peace, Burnet Co. Pct. 1

Denise Oncken, Bureau Chief, Harris County District Attorney's Office, Mental Health Bureau

Lee Pierson, Chief of Mental Health Division, Dallas Co. District Attorney's Office

James Rasmussen, Chief Public Defender, Wichita Co. Public Defender's Office

Hon. Renee Rodriguez-Betancourt, Judge, 449th District Court, Hidalgo Co.

Prof. Brian Shannon, Paul Whitfield Horn Distinguished Professor, Texas Tech University School of Law

Shelley Smith, Chief Executive Officer, West Texas Centers

Chief Stan Standridge, Chief, San Marcos Police Department

Hon. Charles A. Stephens, Judge, Comal Co. Court at Law No. 2

Hon. Cynthia Wheless, Judge, 417th District Court, Collin Co.

Brandon Wood, Executive Director, Texas Commission on Jail Standards

Wayne Young, Chief Executive Officer, The Harris Center

April Zamora, Director, Re-entry and Integration Division, Texas Correctional Office on Offenders with Medical or Mental Impairments, Texas Department of Criminal Justice

MINUTES OF MEETING

WELCOME AND ANNOUNCEMENTS

Justice Jane Bland, Co-Chair, opened the meeting and welcomed the attendees. She was hopeful that the next Commission meeting, scheduled for May, will be an in-person meeting. The agenda included discussion on what happening in local communities as well as on the goals of the JCMH in 2022, which is mainly preparing for the upcoming legislative session. Available educational opportunities, JCMH publications, and the creation of formal technical assistance program were also on the agenda. Justice Bland also informed the Commission that the Long-Term Planning Committee is working on developing a new strategic plan and they will be listening intently in order to map out short-term and long-term goals for the JCMH and the information that is shared in these meetings helps them in forming those goals and action plans.



INTRODUCTION OF HIGH COURT DEPUTY LIAISONS

Judge Barbara Hervey, Co-Chair, introduced the new High Court Deputy Liaisons to the JCMH, the new Administrative Director of the Office of Court Administration, and a new JCMH Commissioner:

- Hon. Rebeca Huddle, *Justice*, *Supreme Court of Texas*, was appointed to the Supreme Court in October 2020. Prior to her appointment, Justice Huddle served on the 1st Court of Appeals in Houston for six years. Before her service on the bench Justice Huddle was a partner at Baker Botts where she practiced commercial litigation and appeals and served as the firm's partner-in-charge of their Houston office.
- Hon. Jesse F. McClure, III, *Judge, Texas Court of Criminal Appeals*, was appointed to the Court of Criminal Appeals in 2020. Judge McClure previously served as Judge of the 339th District Court of Harris County. Before his service on the bench, Judge McClure was a prosecutor for the Texas Department of Insurance, an attorney for the Department of Homeland Security, and an Assistant District Attorney for Tarrant County.

INTRODUCTION OF NEW ADMINISTRATIVE DIRECTOR OF OCA

- Megan LaVoie, Administrative Director, Office of Court Administration; Executive Director, Texas Judicial Council, Ms. LaVoie assumed these roles in December 2021. Prior to her appointment she was the Director of Public Affairs and Special Counsel for the Office of Court Administration.

INTRODUCTION OF NEW JCMH COMMISSIONER

- Timothy Bray, Associate Commissioner of State Hospitals, Health and Human Services Commission, Mr. Bray oversees the state's nine psychiatric hospitals, one youth psychiatric facility, and the state hospital care for over two thousand Texas residents and employs over eight thousand professionals. Previously Mr. Bray served as Deputy General Counsel for Government Law at the Department of State Health Services. Before pursuing a legal career Mr. Bray provided emergency mental health services in New Hampshire through a community mental health center, two regional hospitals, and one county jail.

Justice Bland introduced new members of the Collaborative Council and a new JCMH staff member.

INTRODUCTION OF NEW COLLABORATIVE COUNCIL MEMBERS

- Dr. Diana Cantu, Chief Executive Officer, Texoma Community Centers
- Kathleen Casey-Gamez, Senior Policy Analyst, Texas Indigent Defense Commission
- Colleen Davis, Assistant County Attorney, Burnet County
- Zachary Flores, Chief, Sherman Police Department



- Hon. James C. Henderson, Judge, Grayson County Court at Law No. 1
- Dr. Charles Mathias, Associate Professor of Psychiatry, UT Health-San Antonio, Long School of Medicine
- Jennifer Toon, Criminal Justice and Mental Health Advocate, Coalition of Texans with Disabilities
- Hon. Grace Uzomba, Judge, Bexar County Court at Law No. 2

INTRODUCTION OF NEW JCMH STAFF MEMBER

- Rose McBride, JCMH Communications Manager

REPORT TO THE COMMISSION

JCMH Budget and Grants Update

presented by Patrick Passmore, JCMH Grants and Finance Manager.

The current budget is \$1.157 million to operate and provide trainings and programs that JCMH has identified for fiscal year 2022. It is anticipated that JCMH will carry forward approximately \$92,000 into fiscal year 2023, which was approved by the legislature.

Mr. Passmore directed Commissioners to the Grant Report that was included in the meeting notebook. Any Commissioners that have questions about the report may contact him directly via email at passmore@txcourts.gov.

The Community Coordinator Diversion Pilot project grant is well underway. All three counties that were selected have hired their coordinator and their training is ongoing. JCMH is also in the final steps of choosing a program evaluator. The selection began with the posting of two Requests for Proposals, which yielded several high-quality submissions. Three of those organizations are the most qualified and best equipped to evaluate the Community Diversion Pilot Project and a final selection will be made in the coming weeks.

Finally, an interim grant report for fiscal year 2022 and an interim report on the Community Coordinator Diversion Pilot Program will be issued prior to the May Commission Meeting.

Conference of Chief Justices

Presented by Molly Davis, JCMH Staff Attorney

The Conference of Chief Justices mid-year meeting took place on January 16th, 17th, and 18th and several JCMH leaders were invited to give a presentation on the need for a statewide commission on mental health. Deputy Liaisons Justice Huddle and Judge McClure moderated the panel that included Justice Bland, Judge Hervey, Kristi Taylor, Judge Brent Carr, and Judge Dave Jahn. The discussion was engaging an informative and demonstrated that the JCMH is an innovative model for other states to follow.

The Conference of Chief Judges and Conference of State Court Administrators, Southern Regional Summit will be held in Austin on April 20th, 21st, and 22nd. Chief Justices and court leaders from



thirteen states will attend and learn more about improving courts' response to individuals with mental health needs. The presentations will include evidence-based practices and effective policies across the Sequential Intercept Model. Participating states and territories include Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Tennessee, Texas, Puerto Rico, and the U.S. Virgin Islands. There may be opportunities to observe if anyone is interested, and details will be made available as the summit approaches.

Eliminate the Wait Toolkit

Presented by Kama Harris, JCMH Staff Attorney

At the 2021 Summit, JCMH launched an initiative with HHSC called "Eliminate the Wait." This initiative aims to provide practical ideas to alleviate the inpatient competency restoration services waiting list in Texas with a toolkit setting out a comprehensive and integrated approach to right-sizing competency restoration services in Texas. The theory behind the toolkit is that we all have a role to play to eliminate the wait for state hospital inpatient restoration services in Texas. The JCMH developed role-specific checklists for each profession at the intersection of mental health and criminal justice, with tips and suggestions that were vetted by each of the stakeholder groups. This initiative asks that each stakeholder group use their combined efforts to change how Texas serves people at the intersection of mental health and criminal justice. The toolkit is available on the JCMH website, and the toolkit will be expanded to support other stakeholder groups.

The next steps for *Eliminate the Wait* are to directly assist counties in implementing the checklists through technical assistance. Additionally, Kristi Taylor and Dr. Jennie Simpson have been broadening the reach of the initiative by speaking at conferences. In December 2021, they introduced Eliminate the Wait to a nationwide audience at SAMHSA's Gains Center Conference entitled: *A review of the work: States' efforts to improve competency to stand trial and competence restoration processes*. The Summit presentation recording on Eliminate the Wait is also available on the JCMH website.

JCMH Communications Plan

Presented by Rose McBride, JCMH Communication Manager

The JCMH has a brand-new website that is easier to navigate than our former site. Each page has subpages underneath that detail helpful resources and information. Readers can also find out more about the people involved with our commission, our publications, technical assistance, grants, and news. One new feature of the site is called "Beyond the Bio," wherein readers can get to know our commissioners and collaborative council members a bit more and going beyond the typical professional biography.

One of the goals of the JCMH communication plan is to share the work of the commission and identify resources and training opportunities for commission stakeholders through *social media*, *earned media* (TV, radio, newspaper, etc.), and *targeted communication*. There are a lot of gaps, and there are counties the commission isn't reaching, and the staff are hoping to change that through different kinds of communication. JCMH has started to expand our message through earned media. A press release was sent about our *Eliminate the Wait* initiative to newspapers, tv



stations, and radio stations across the state. Interest came from a number of outlets – tv stations in Austin, Tyler, and College Station all ran stories about Eliminate the Wait, and newspapers in Runnels County and Waxahachie. These two newspapers are both based in counties where we did not have any Summit attendees nor representation on the Commission or Collaborative Council. Social media is another mode of engagement. JCMH staff are a small team, and Texas is a big state. It is impossible for the team to physically reach every county. When resources are developed for stakeholders, we want to be able to share them with the people who are going to benefit. Social media is a quick way to disseminate information to a lot of people. Ms. McBride asked that Commissioners and Collaborative Council members follow the JCMH on these platforms and share any relevant content with colleagues who might benefit from it. JCMH is interested in anything that communities are doing to further our mission, resources that could benefit others, and any successes.

Innovations Map

Presented by Kristi Taylor, JCMH Executive Director

The new JCMH website features an innovations map that has been in development for almost two years. The map allows the user to select a county and find behavioral health resource information, as well as information on support services. The resource information is divided according to the Sequential Intercept Model. The map is still a work in progress, as the staff are hoping to include intercept information from each county in Texas.

Ms. Taylor highlighted the technical assistance work that Program Manager, Liz Wiggins, has been doing. Ms. Wiggins has been working tirelessly to start up the Technical Assistance capabilities. Part of the Technical Assistance webpage will serve as a storefront for hands-on training for courts and to connect courts to peer mentors. In December, JCMH trained 27 people to be facilitators of resource mapping for courts. JCMH plans to conduct 3 mappings this spring, in Grayson, Denton, and Smith Counties. These mappings identify a community's resources and gaps, resulting in not only a visual map of services and supports but also a final report that analyzes local issues and offers an action plan to move forward. These SIM mappings will also help inform the innovation map website. The staff are excited about the opportunities that these workshops present and shared this video.

COMMITTEE UPDATES

Adult Bench Book Committee

Presented by Hon. Camile DuBose

The 3rd edition of the Adult Bench Book debuted at the Summit. The bench book now includes chapters on intercepts four and five, as well as sections on risk assessments, insanity, expunctions, and non-disclosures. The entire original print of five hundred copies has been distributed and thanks to a grant from the Court of Criminal Appeals another four hundred copies are being printed to meet the outstanding demand. The digital version of the bench book will be available in March on the JCMH website and on the LawBox app.



Juvenile Bench Book Committee

Presented by Hon. Cynthia Wheless

Judge Wheless thanked the members of the Juvenile Bench Book Committee for their hard work on the 2nd edition of the Juvenile Bench Book. The new edition is getting great reviews from all sectors of the juvenile justice community. Judge Wheless shared her appreciation for the Committee and the JCMH for their support in bringing this important resource to light.

Summit Curriculum Committee

Presented by Hon. Brent Carr

The 4th Annual Judicial Summit on Mental Health was held this past October. Over fourteen hundred people attended, both in-person and online, from all levels of the judiciary, law enforcement groups, and advocacy groups. The Summit has done a great job in addressing mental health and IDD service providers, as well as including representatives from local and state agencies, policy makers, and individuals with lived experiences. 88% of the attendees rated the Summit as "excellent" or "very good". All of the sessions were very well received. The Summit provided over 60 resources to the attendees that included bench books, the JCMH mental health code book, one-pagers from the presenters, the Eliminate the Wait toolkit, and informational videos and websites. It is hoped that the attendees learned something new and were inspired to be bold in their approach to addressing the issues of mental health, substance use, and IDD.

Planning for the 2022 Summit is already underway. The Summit will take place on November 2-4, at the Great Wolf Lodge in Grapevine, Texas. Once again, the Summit will be a hybrid event that will include an option to attend virtually. Requests for proposals have gone out and Commissioners, Collaborative Council members, friends and colleagues are encouraged to submit ideas by the April 1st deadline. The <u>application</u> is on the JCMH website and was distributed with the Summit save-the-date email.

Legislative Research Committee

Presented by Hon. Bill Boyce

The Legislative Research Committee has been divided into two subcommittees, a criminal subcommittee, and a civil subcommittee. Each subcommittee also has multiple workgroups that are currently discussing and shaping our legislative proposals. The criminal subcommittee's workgroups have been reviewing the competency restoration process, clarifying Art. 16.22 identification and reporting process, and alternatives to arrest for individuals who are experiencing an acute mental health crisis. The civil subcommittee's workgroups are working on a number of topics, including addressing the role of law enforcement when transporting someone to a hospital, researching the feasibility of Assisted Outpatient Treatment grant programs and crisis receiving centers and investigating the role of non-law enforcement crisis intervention teams. The target is for the Committee is to present recommendations for consideration by the Texas Judicial Council in June, in preparation for the next legislative session.

Forms Committee

Presented by Hon. Dave Jahn



The Forms Committee was tasked with creating mental health forms with the goal of producing a set of standardized forms that could be used in any county in the state. The Forms Committee accomplished that task and the forms will soon be available on the JCMH website, where anyone will be able to download and use them.

Long-Term Planning Committee and Jurist-in-Residence

Presented by Hon. John J. Specia, Jr.

The Long-Term Planning Committee met on December 15, 2021 and most recently February 9, 2022. The Committee has been charged with developing a new strategic plan for the JCMH. The Committee plans to hold a day-long meeting to work on this task. The Committee has divided into subcommittees to accomplish specific goals: ethics, implicit bias, juvenile justice, and mental health courts. The subcommittees will meet in the coming weeks.

Three <u>Jurist-in-Residence</u> letters have been distributed since the last Commission meeting, in September, December, and January. All of the Jurist-in-Residence letters are archived on the JCMH website.

Data Committee

Presented by Dr. Connie Almeida

The Data Committee seeks to educate stakeholders on the importance of gathering appropriate data, and how to use that data to improve outcomes for people with mental health needs and IDD, increase connections to treatment, use funding more efficiently, and improve public safety. The Data Committee met on September 9th and January 13th. The Committee divided into two subcommittees: 16.22, chaired by Judge Yolanda Huff and competency restoration, which is chaired by John Petrila. The Data Committee has also teamed up with JCAFS to expand data and support. The next meeting of the Data Committee will be on March 10th.

COMMISSIONER UPDATES AND DISCUSSION

(in order of appearance)

Justice Bland asked each Commissioner, in their update, to share one resource or best practice from their community that they have had success with and one underutilized resource.

April Zamora: TCOOMMI is currently working on juvenile subcommittee to examine how we can better serve in juvenile detention centers. The subcommittee includes members from HHSC and TJJD, as well as two gubernatorial appointees. We have created a coloring book for children ages 10-13 that will be able to help them understand what is going on while they're in the detention facility. We also have a book that will inform parents on how to articulate their needs and how to engage with the courts and juvenile probation department.

Wayne Young: The creation of the Rehab, Respite and Reentry Center, an aggregation of programs that all have a common intersection of homelessness, mental illness, and involvement in the criminal justice system. In March we will be getting city council approval to build 24 apartment



complexes with the remaining funding from the state. One underutilized resource is outpatient competency restoration. It has been a struggle to find the right fit for the outpatient component and to have it fit within the continuum of competency restoration.

Brandon Wood: We are currently trying to ensure that jails are aware of the availability of additional mental health training classes. One new class that has been created, and required by the Legislature, is one dealing with the identification of individuals with intellectual and developmental disabilities, through the continuity of care query. Previously the query would only produce results for individuals who have received mental health services, but now it identifies individuals with a designation of IDD are trying to ensure that the jails are utilizing that information to the best of their ability and getting their staff trained is something we have rolled out and the first classes will be taking place within the next two weeks in south Texas, in conjunction with pre-established suicide prevention and identification training. Class information is on our website's training calendar. Please reach out to your sheriffs and jail administrators in order to schedule a training.

Hon. Cynthia Wheless: The best practice that I have been able to leverage is the JCMH. With this commission being created by the Supreme Court of Texas and the Court of Criminal Appeals I have been able to encourage and enlighten other colleagues in other fields, and even in other states. I have also been able to gather a loose coalition that consists of ISD counselors, directors, and superintendents in Collin County, all led by Dana Bickford and Amy Pool. One underutilized resource is the casual gathering of a coalition.

Hon. Stacey Mathews: Bluebonnet Trails, Williamson County's LMHA, established a drop-in center for juveniles and adults with mental health issues. It is hoped that this center will be used to divert individuals away from the jails. We have also been able to expand our mental health beds for juveniles. Bluebonnet Trails is opening a sixteen-bed youth respite center, and this also will divert youth, primarily youth who have family violence cases, away from the CPS system and the juvenile justice system. Also, a youth acute behavioral health wing at the local mental health hospital is being created, project to open next year. This project is a collaboration between Rock Springs Hospital and Bluebonnet Trails. The Step-up Texas Initiative recently kicked off. This is a collaborative DOJ funded research project between the University of Texas at Austin, Bluebonnet Trails, and the Williamson County Juvenile Justice Center. The initiative is focused on trauma informed care, as well as racial and ethnic disparities in treatment. Trainings through this initiative will take place for all staff at the Sheriff's Office, as well as the ISDs. The initiative will also examine juvenile justice data in Williamson County and then make recommendations for policy changes.

Hon. Charles Stephens: Comal County is going to use ARPA funds to build a sixteen-bed crisis stabilization unit. For juveniles, we have hired a counselor to work with families to prepare them for the return of their youth from placement. The Comal County Data Sharing Project is still in progress. The Mental Health Court has been created by Hon. Deborah Wigington and is currently working to create pathways to the court.

Chief Stan Standridge: Violent crime has spiked across Texas and has been spiking since 2020. The number of arrests for violent offenders has also increased, and simultaneously the jails are



almost all on diversion. For example, Hays County has more than two hundred inmates diverted to other jails because we are out of room. The courts are not prosecuting people right now due to COVID. The courts were already backlogged between eighteen and twenty-four months, now with the pandemic we are approaching a backlog of four years of cases that are not being prosecuted. We do not have mental health beds in the jails or in the state hospital. We have a confluence of issues and it is not boding well.

Hon. Jane Bland: Justice Bland reminded the Commission that the Office of Court Administration is aware of the felony case backlog, and they are working with the regional presiding judges to come up with a plan to address the issue.

Shelly Smith: We are conducting SIM mapping for Howard County soon. We also have a very active jail diversion committee, and we are looking at additional gaps in service. We serve twenty-three counties, so it does take a bit of effort to gather all of the necessary people, but the effort is being made. We are also working on the Eliminate the Wait checklist, which is a very positive step forward.

Prof. Brian Shannon: The <u>Fourth Annual Texas Tech Law School Mental Health Symposium</u> is scheduled for April 8th. National speakers at the symposium include Judge Leifman from Miami, Prof. Richard Bonnie from University of Virginia Law School and Prof. Chris Slobogin from Vanderbilt University Law School.

James Rasmussen: One practice that helps us a lot is the mental health case manager in the public defender's office. She frequently assists potential clients that are in jail with filling out their paperwork for indigent application for legal services. She does this prior to the appointment of a public defender so that we are able to identify someone who has mental health issues or IDD. The second practice that we have is utilizing diversion attorneys, who are funded by a grant from the Indigent Defense Commission. These attorneys are able to identify individuals who have mental health issues or IDD and divert them out of the criminal justice system, if possible. We also have facilities available to local psychologists to perform competency evaluations in our office. This is a big help because we get to confer with them at the time of the exam, especially for those individuals who are on bond. One thing that we underutilize is our jail medical staff. Our jails contract out medical services and our liaison with the medical staff is not as good as it should be, and we do not always get the report on mental health.

Hon. Yolanda Huff: Our mental health court has been up and running for fifteen years so a lot of people reach out to shadow our program, get information, and meet with us to discuss the program. Since I took the bench in 2019, I have done a lot to streamline the mental health court. The goal is to have a thirty-day turnaround and to include input and collaboration from everyone that is involved in the case, the defense attorney, case managers, court coordinator and the judge, so that at the end of the thirty days the individual is ready to plead into the mental health court. Bexar County is also convening a 16.22 committee. Judge Grace Uzomba and Judge Huff formed the committee, which includes the sheriff's office, the district attorney's office, the district clerk's office, the county clerk's office, Gilbert Gonzalez from the Behavioral Health Department and Mike Lozito from pre-trial. The Committee met for two years in order to streamline the 16.22 process. Now that we have streamlined the process, we are starting to put on educational seminars.



There will be five seminars total and will educate court staff, attorneys, and other interested stakeholders on the 16.22 process.

Denise Oncken: Harris County continues to divert low-level non-violent offenders. We have diverted over 4,500 individuals in the three years that we have been doing so and it is a terrific success. One innovation that we have implemented at the D.A.'s Office was to look at our low-level non-violent offenders and figure out how to get more of them into mental health diversion. We have created a post-charge, pre-trial mental health diversion program through the D.A.'s Office. The PTI requires that an individual be evaluated at the mental health diversion center for treatment recommendations. This is another opportunity to identify individuals who have a mental health issue. One problem that we have encountered is that defense counsel have not been utilizing this option as much as we thought they would. As far as the Eliminate the Wait initiative we have several programs, including outpatient competency restoration and we are figuring out how to get more people into that. Our jail-based competency restoration is currently full. Finally, the new John S. Dunn Facility at the State Hospital has been opened which will allow for greater bed capacity and services.

Hon. Roxanne Nelson: Collaboration is the best practice in Burnet County. Our most impactful collaboration occurs at the time that someone is arrested and answers a "yes" question on the jail questionnaire. This starts the process of the 16.22 notice to the Magistrate, the Magistrate then forwards it to all of the parties that need to be notified so that things can start happening right away. Usually, the LMHA responds to a 16.22 notice the same day it is sent. As for underutilized resources, the JCMH might be missing an opportunity to take all of the information that has been collected, the bench books, the charts, and the cards and start using them for greater education. The information could be used at the municipal court training center, the JP training center, and the other training centers and seminars that are offered. Let's start really teaching this information to everyone who needs to be taught, instead of just hoping that they make it to one of our summits. COVID has set Burnet County back a bit; we were regularly having stakeholder meetings and we are hoping to resume those next week. We also have hired a new mental health caseworker that will be working with our expanded Public Defender's Office.

Hon. Tamara Needles: Travis County is working with a steering committee to do some mapping for the county. Our Commissioners Court has approved the mapping plans and we are moving forward with that mapping in order to find gaps in service.

Dr. Octavio Martinez: The Hogg Foundation for Mental Health has been around since 1940. It was the first foundation dedicated to mental health in the country. In 2010 we created the first Hogg Mental Health Policy Academy. The Academy funds ten host organizations every other year and this is a funding year. We employ mentors and fellows for ten organizations, 501(c)3 non-profits, academic organizations and governmental organizations. We just released a Request for Proposals for 2022 Mental Health Policy Fellow Grants. Five are for peer-fellows and five are for policy fellows. Peer policy fellows have lived experience in lieu of a master's degree. This grant program will increase the capacity of non-profits to understand how policy works and also acts as a leadership development initiative.



Hon. Pamela Liston: One underutilized resource is the Texas Workforce Commission's vocational rehab services. If someone has a mental illness or intellectual disability TWC will connect them to jobs. TWC staff members come to my court to make a connection with someone who needs TWC services.

Hon. Elizabeth Leonard: We will probably find a lot of underutilized resources when we do our SIM mapping in May. One of the things that we have done in Midland is that whenever someone checks into probation, they complete a HIPAA release so that we can run their name through our LMHA, which will allow us to know who is in services and who might need to be transferred to a mental health probation officer and potentially a transfer to mental health court. We have also started bringing the probation officer and the LMHA caseworker together and this helps with accountability and is one less appointment for the individual to make and keep.

Chief Mike Lee: Here in Harris County, we are at capacity at 9,000 inmates and we have 500 inmates currently housed in Louisiana. Our state hospital waitlist is the longest I have seen in five years. We do need things to start moving. One of the innovations that I want to share is our Clinician Officer Remote Evaluation Program (CORE). This is program provides deputies with an iPad so that they can be directly connected with a clinician if they encounter an individual who is experiencing a mental health crisis. The program has been very successful with over 200 iPads distributed so far. It has also expanded to Baytown, LaPorte, Houston Metro, Houston PD and the Fire Marshal. This is a resource that can help the smaller agencies as much as it can the big agencies. One underutilized resource are the DOJ national learning sites, there are two in Houston, with the Houston Police Department and Harris County Sheriff's Office, and they offer technical assistance and training to any law enforcement agency in the nation.

Beth Lawson: One of Lubbock County's innovations is meeting together and talking to people. About three or four years ago the West Texas Mental Health Collaborative was created. It includes Texas State University and Health Science Center, University Medical Center, Covenant Health Group Medical Center, StarCare, the City of Lubbock, and Lubbock County. The Collaborative funded a study to determine the mental health needs of the community. All of this work has helped us move towards a coordination of care. Recently we received city, county, and state funds to expand Sunrise County Hospital and to build a diversion center in Lubbock County that will continue the work that was started through the 1115 program.

Adrienne Kennedy: Intercept mapping is something that we should be focusing on very strongly. Also, NAMI just named a national director for jail diversion and they will be examining resources from this state in regard to diversion. One underutilized resource is 988, which is on target to emerge in July, and we can also put together some SIM mapping help as well as community development. At the national level we are redesigning affiliate development so that we start landing more affiliate spaces and coordination. One thing that has slowed down the mental health professional is an embarrassment to own the complexities of jail cycling in regard to mental health issues. It is important that we get stakeholders to the table and so we should start talking about parent navigators or support system navigators that are part of the lived experience cycle.

Rep. Joe Moody: We should see legislative interim charges within the next month. The Speaker of the House is committed to criminal justice reform and that includes a lot of the issues that we



talked about. The legislative charges should have a specific focus on mental health and as we approach the session, we will be looking to the JCMH for expertise on the issues.

Hon. Oscar Kazen: The Texas Practitioner Guide for Outpatient Treatment has been completed. This publication is a collaborative effort between the Treatment Advocacy Center, Prof. Brian Shannon, and me. The guide is about 100 pages and is an in-depth manual on how to setup courtinvolved outpatient treatment programs. The guide should be available by the end of the month, but a copy has been given to the JCMH Executive Committee for early review. Also, in reaction to the recent death of a mentally ill individual during an encounter with law enforcement, Bexar County Judge Nelson Wolf has created a taskforce on behavioral health and the justice system. Judge Wolf asked Doug Beach of NAMI and me to chair the taskforce and we have created several committees along the intercepts. The best practice tip that I would like to share is to get each county judge and the county commissioners to make a request for your opinion on which intercept needs the most attention, as this will allow them to direct funding based on that recommendation. One area that needs more focus is the transition from the criminal justice system to the civil system. We could benefit from more guidance and instruction on the process of either transferring an individual to civil outpatient commitment or to a less restrictive warm hand-off to the LMHA for follow-up treatment upon dismissal of their case. In Bexar County we have the South Texas Regional Advisory Council (STRAC). STRAC is the directing agency for all of the emergency detentions and warrants. Doing this has eliminated the need for law enforcement officers to wait at an emergency department until an individual is transferred to a mental health treatment center or state hospital. Also, the system allows each hospital to maintain capacity with each hospital rotating responsibility for the intake of individuals on ED or with a warrant. This is a practice that could be duplicated in other counties.

Dr. Andy Keller: Multidisciplinary treatment teams are being implemented in Bexar County and the city of San Antonio. Also, the way that San Antonio presented their ARPA plan is a best practice. Commissioners should review their presentation to get an idea of how to best present a request for funding. The multidisciplinary response teams are crucial to diverting individuals away from the justice system. By putting paramedics, mental health practitioners, and law enforcement officers together we have been able to divert a lot of individuals away from the justice system. Also, these response teams are not a replacement for mobile crisis teams or enhanced mobile crisis teams, which are civilian models that do not respond to individuals who are in danger or if there is a risk of violence. A recent study put out by New York City's Be Heard program showed that less than 20% of their calls can be handled by their civilian Be Heard Teams because there is a risk of violence. You need a specialized law enforcement response. Currently we have teams in Austin, Bexar County, San Antonio, and they are about to launch in Dallas, Abilene, and Tyler. These teams are a great use of ARPA funds. One underutilized resource is the Meadows Mental Health Policy Institute's expertise in funding. We have highly qualified experts in Medicaid funding, and we are eager to assist organizations and communities in finding the necessary funding to establish programs and projects.

Hon. Bonnie Hellums: There are a few resources that are being underutilized, specifically in regard to youth. One is the utilization of trauma informed care, specifically biofeedback behavioral therapy, which the State will fund. We have also formed a No Sex Trafficking Zone in Harris County, it is a 501(c)3 that aims to establish No Sex Trafficking Zones. Through the work of this



organization, we have been able to designate major sports complexes and school zones as no sex trafficking zones.

Dr. Courtney Harvey: The HHSC took funds from the substance abuse and mental health service administration, and on behalf of the statewide behavioral health coordinating council made significant enhancements to Mentalhealthtx.org. The website has information on behavioral health providers, common behavioral health conditions, IDD services, and also has e-learning resources on trauma and PTSD. One underutilized resource are community resource coordination groups (CRCG). These are county-based groups who work with parents, caregivers, youth, and adults with complex needs. They work to identify and coordinate care and services, not just for youth but also for adults. There are several ways individuals are referred to CRCGs. They can be referred by a local agency, family, or peer representative, or through their own request. CRCGs are a significant resource to highlight for judges, attorneys, treatment teams, probation officers, and law enforcement agencies. Also, the State's first strategic plan for IDD has been released. This plan is the product of the work of the Statewide Behavioral Health Coordinating Council and the Behavioral Health Strategic Plan. Over the law few years we held regional listening sessions, issued statewide surveys, and did some targeted outreach in order to develop this plan. It is hoped that this plan is used a tool for understanding the needs of this population and understanding the differences in funding and policy making for this population.

Sonja Gaines: Our 39 LMHAs play a critical role in our community mental health services and this was emphasized during the pandemic. Our crisis service call centers were able to take approximately 10,000 calls per month. We were able to build on this infrastructure and build a statewide COVID support line. We were able to partner with Wayne Young at the Harris Center and the COVID hotline has taken more than 20,000 calls since March of 2020 and was also able to provide support to first responders. Additionally, through our 39 LMHAs we have been working to get them all certified as certified community health clinics. It is a rigorous process and close to 80% of our LMHAs are certified. We also created a pilot program to support individuals with IDD who also have mental health conditions. The pilot has been very successful; of 130 individuals who have been served, close to 90% have been able to stay in the community. As for an underutilized resource, outpatient competency restoration has been available since 2007 but it is not used by judges as much as we would like it to be.

David Evans: Integral Care just finished the Central Texas African American Family Support Conference. This conference is driven by local collaborative input and effort and it has had a positive impact as we talk about mental health access and availability. There were 788 participants at this year's conference. This type of conference is germane to intercept 0 because it is vital family oriented and community information. Integral Care is also distributing 500 iPads to the Austin Police Department and Austin-Travis County EMS. The iPads are loaded with resources and training information that can be used by these first responders. We are also working on our health information exchange of interoperable data across healthcare. What is new is the linking of data systems with social determinants of health and our homeless information management system. The city of Austin has an ambitious goal of 3,000 new housing units in the next 3 years in Austin and Travis County and our private contributors have a 500-million-dollar goal to help reach that housing goal. This week the city of Austin approved a contract with Integral Care to put up an



additional 60 units. We currently operate permanent supported low-barrier housing. We are also working with Travis County to put up some additional sites using ARPA funds.

Hon. Camile DuBose: The data collection system that was grant funded through JCMH has allowed us to keep track of our mental health court participants and gives a centralized place to input and share data. An underutilized resource is my ability to convene; the SIM mapping seems like an ideal way to use that resource.

Hon. Francisco X. Dominguez: The El Paso County Sheriff's Office is hosting a 40-hour jail mental health officer course. Training will cover communication and de-escalation techniques and a review of mood disorders, thought disorders, personality disorders, cognitive disorders, and co-occurring disorders. Students will be able to apply their skills in scenario-based training and then apply for TCOLE jail mental health officer proficiency certificate. An underutilized resource is the LMHA jail liaison. The liaison can now appear at every jail docket thanks to remote hearings. The liaison monitors what the jail health provider and the LMHA are doing and can provide the court with guidance and information about the individual's status. Of particular importance is the liaison's ability to provide to the judge the individuals Medication Administration Record Sheet (MARS report), which tells the judge how long the individual has been in jail and what medications they are taking. Jail Magistrates are also underutilized in identifying individuals with mental health issues, through 16.22 intakes. In our rural areas we have been able to secure funding through the Texas Indigent Defense Commission to set up a public defender's office, which has hired a social worker. This has allowed for some diversion from jail and has had a terrific impact in these underserved areas.

Hon. Brent Carr: Judge Cacciotti, our mental health magistrate, has increased hearings for our competency dockets, and we are also monitoring our jail populations for opportunities for diversion from the waitlist for the state hospital. The mental health court continues to serve as a mentoring program. We have a collection of documents that we distribute statewide. Our drop-off center has been running for 3 months and it is going very well. We have filled our mental health coordinator position. The coordinator will be working with the jail and state hospital staff to make sure we are kept apprised of the flow of individuals in and out of the jail and hospital. We were one of three jurisdictions that were awarded a comprehensive Bureau of Justice Assistance Grant that is being administered by the Council of State Governments. There will also be a local mental health seminar for defense attorneys in the summer or in the fall.

Sean Grove (on behalf of Camile Cain): The Texas Juvenile Justice Department is bringing TBRI practices through the Texas model. We are fundamentally changing the way we are bringing mental health services to the youth. By using the basic TBRI principles of empower, connect, and correct, we are trying to change the modality of providing services to the youth by the caregiver. We revamped the meal menu by examining the nutrition we are providing; we also allowed the youth to have water bottles. We changed the 16-hour schedule to a 14-hour schedule to allow the youth more time to sleep. These are small changes that do have an impact on outcomes. An underutilized resource is Dr. Scott LePor. What we want to do with our Texas model is not only instill this trauma informed care in our secure facilities but anywhere they are needed in our communities. Please reach out to us if you would like to talk about trainings and educational opportunities.



Timothy Bray: One of the underutilized resources that we have are the state hospitals. Staffing is creating this underutilization. If you have any great nursing colleagues, or anyone who might be willing to work at one of our state hospitals please send them our way. Not only are we struggling to hire and retain nurses, but we are also struggling to retain housekeeping staff and food service staff. We are addressing salaries and offering recruitment bonuses so that we can increase staff, which will in turn increase the services of our state hospitals. An innovation that we have implemented on the forensic side is building focused leadership. Dr. Felix Torres has helped to build a focused team on the forensic side and a continuity of care team that will start actively managing our waitlist. These teams have allowed us to do a better job at managing the waitlist, addressing issues of immediate concern, and diverting some individuals off of the waitlist. Also, as Denise Oncken mentioned, we recently just opened the John S. Dunn Behavioral Health Sciences Center. It is a state hospital in Houston that will offer 164 state supported beds for forensic and civil patients. There will be additional beds operated by UT Health. And we are currently designing the new Dallas State Hospital.

Dr. Connie Almeida: In regard to 16.22, Ft. Bend County was able to file 99.4% of those assessments within 96 hours of when they were ordered. Ft. Bend County has been able to leverage ARPA funds for expansion of our CIT program, expansion of psychological services to support the court, and the expansion of clinical services to support the mental health of first responders. We have also been able to leverage ARPA funds to support our work with young children. We have had an infant/toddler program for years and now we have a child development specialist. We have some other grants that are focusing on the application of neurological science. And we have secured a grant from the Department of Justice and we are hoping to use those funds to develop an operating system application that can be used by law enforcement to help identify youth with mental illness and/or substance use disorders. Our underutilized resources are data and technology; at a county level we have developed certain technology for other sectors of public health and now we need to apply that to mental health services. Another underutilized resource is jail space. Ft. Bend County had jail space and we are starting to look at using it to establish a jail-based competency restoration program.

Lee Pierson: One innovation that Dallas County has is our Dallas Deflection Center, which should be up and running by April. All criminal trespass cases will be deflected to this center. Another innovation that is working for our mental health division are mental health teams in certain law enforcement departments that will reach out to my office via email at the time of arrest to make me aware of this individual's mental health history and issues. This us to reach out to the public defender's office and the jail in order to get ready for this individual's treatment and case management. An underutilized resource is the compilation and use of data. We are currently working with a psychologist so that we can do a study of our pre-trial intervention cases from 2019-2021. Hopefully this will give us a good picture of what is working and what is not. We also just established a new case management system that is just for our restorative justice division.

CLOSING

Hon. Jane Bland and Hon. Barbara Hervey thanked the Commissioners for their valuable and informative input and their hard work. They are looking forward to seeing everyone at the next meeting May.



Section 4 Report to the Commission



TEXAS JUDICIAL COMMISSION ON MENTAL HEALTH

REPORT TO THE COMMISSION

May 20, 2022 www.texasjcmh.gov

Report of the Executive Director

The mission of the Judicial Commission on Mental Health is to engage and empower court systems through collaboration, education, and leadership, thereby improving the lives of individuals with mental health needs, substance use disorders, and intellectual and developmental disabilities. The following report will provide an overview of the projects the JCMH has undertaken to further these objectives.

Collaboration

The JCMH has many initiatives created to bring together experts to solve systemic problems. The JCMH legislative committees are an example of multi-disciplinary stakeholders working together to create legislation recommendations for the Texas Judicial Council. Below are descriptions of the legislative committees as well as other collaborative efforts of the JCMH.

1. Commission

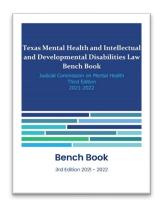
JCMH Commissioners provide a deep well of collaboration through their diverse backgrounds and experiences. Commissioners meet at least three times a year, providing information to promote best practices and improve the function of the judiciary for those with mental health, substance use, or IDD needs. The Commissioners often participate in additional collaborative events when needed.

2. Collaborative Council

The Collaborative Council keeps the JCMH updated on emerging issues in the field. JCMH staff holds quarterly calls where the collaborative council members share their organization's conferences, projects, and best practices around the state. The final 2022 Collaborative Council virtual meeting will be held on October 3rd at noon. After each meeting, JCMH staff produce a detailed summary that highlights upcoming trainings from partner organizations, as well as links to resources that are mentioned during the meeting.

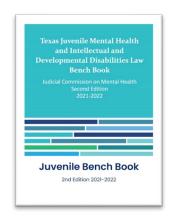
3. JCMH Bench Book Committee

The JCMH Bench Book Committee is chaired by Judge Camile DuBose. The Committee began its work in early 2018 to develop the first edition of the Texas Mental Health and Intellectual and Developmental Disabilities Law Bench Book. In 2021, the Committee published its 3rd Edition in print and online. So far, almost 900 printed copies of the 3rd edition have been distributed to stakeholders. The Committee paused in 2022 and will reconvene its work in 2023.



4. Juvenile Bench Book Committee

The Juvenile Bench Book Committee is chaired by Judge Cynthia Wheless. The Committee began in 2020 to launch the Texas Juvenile Mental Health and Intellectual and Developmental Disabilities Law Bench Book (commonly called the Juvenile Bench Book). The Committee reconvened in 2021 to advise on content, provide editing, and offer feedback on the 2nd Edition. The 2nd edition features a detailed section on Lack of forms, Responsibility, sample and guidance on reducing disproportionality in the juvenile justice system. The Committee published the 2nd edition in print and online in October 2021. Over 600 copies of the 2nd edition have been distributed to stakeholders, and a handful remain available. The Committee paused in 2022 and will reconvene in 2023.



5. Summit Curriculum Committee

The Summit Curriculum Committee, chaired by Judge Brent Carr, advises on speakers and curriculum for the Summit. The Committee works to ensure that the presentation topics promote the JCMH mission and lead the way in this ever-changing legal field. The Committee met on May 6, 2022, to start its work on the 5th Annual Judicial Summit on Mental Health.

This year's Summit will begin in the afternoon on November 2, span a full day on November 3, and end at noon on November 4, 2022. Topics proposed for the 2022 Summit include a Mental Health Court *Stump the Experts Q&A* session, information on AOT Programs and the new AOT Guide, and practical tips for litigating MH and IDD cases.

6. Legislative Research Committee

The current JCMH Legislative Research Committee (LRC) is the combination of the two legislative task forces appointed in 2019. Justice Bill Boyce is the chair of the LRC, which is divided into two sub-committees: Civil and Criminal. The LRC and subcommittees have met several times to write and refine legislative proposals for the 2023 Legislative Session. In August 2022, the LRC will report to the Texas Judicial Council's Criminal Justice Committee on proposals for the 2023 Legislative Session.

7. Forms Committee

The Forms Committee is chaired by Judge Dave Jahn. The Committee was established in December 2019 and was tasked with examining common mental health forms with the goal of producing a set of standardized forms that could be used in any county in the state. The Committee met regularly in 2020 and completed their work in 2021 on forms related to Emergency Detention, Order of Protective Custody, Court-Ordered Mental Health and IDD services, Jail and Magistration, Incompetency, Psychoactive Medication, and Intellectual and Developmental Disabilities proceedings. The completed forms are available on the JCMH website.

8. Long-Term Planning Committee

The Long-Term Planning Committee is chaired by Judge John Specia, Jr. and focuses on long-term goal setting and offering input on possible new JCMH projects. On May 19, 2022, the Long-Term Planning Committee met to create an updated JCMH strategic plan.

The Long-Term Planning Committee broke into four subcommittees to review specific goals. On March 30, the Ethics subcommittee met to discuss how JCMH's work surrounding ethics fits into the strategic plan and future projects, and also the plan for addressing the need to provide judges guidance and support as judicial leaders in the field of mental health. Later that day, the Mental Health Courts subcommittees met to discuss how JCMH's work surrounding mental health courts fits into the overall strategic plan. On April 8, the Implicit Bias subcommittee met to discuss the work this committee can do on reducing the bias and stigma of MH and IDD, and how that work fits into the JCMH's strategic plan. On April 14, the Juvenile subcommittee met and determined that up to 25% of the Commission's work should be devoted to children and youth, and there should be a focus on early identification and early intervention.

9. Data Committee

The Data Committee, chaired by Dr. Connie Almeida, began meeting in 2021. The Committee's focus is on the collection and utilization of court data as it pertains to individuals that encounter the justice system who have a mental health issue or IDD. Since its first meeting, the Committee has formed two subcommittees.

Judge Yolanda Huff leads the 16.22 subcommittee in discussion of 16.22 data collection, reporting, and plans for educational campaigns.



John Petrila leads the JCAFS subcommittee, which focuses on the data related to competency restoration in Texas. Part of this subcommittee's work is to create a process to provide access to county competency waitlist data to judges upon request.

10. JCMH Executive Committee

The Executive Committee is comprised of Justice Jane Bland, Judge Barbara Hervey, Justice Rebeca Huddle, Judge Jesse McClure III, Justice Bill Boyce, Judge John Specia, Megan LaVoie, and Kristi Taylor. It meets at least quarterly, or more if needed, to advise on JCMH operations, projects, and policy.

Education

The JCMH creates specialized training, resources, and tools for judges, attorneys, court personnel, and other stakeholders.

1. Annual Judicial Summit on Mental Health

The 2021 Summit was a resounding success, drawing 1400 judges and stakeholders to Georgetown, Texas, for two full days of learning, networking, and discussions. The full 2021 Summit Report is available on the JCMH website.

The Summit Committee has already started planning the 5th Annual Judicial Summit on Mental Health. The 2022 Summit will take place on November 2-4, 2022, at the Great Wolf Lodge, in Grapevine, Texas. Topics proposed for the 2022 Summit include a Mental Health Court *Stump the Experts Q&A* session, information on AOT Programs and the new AOT Guide, and practical tips for litigating MH and IDD cases.

New this year, JCMH has launched the *Whole Body, Whole Mind, Whole Texas* Challenge; JCMH is challenging every county in Texas to be represented at this year's Summit. Look for weekly updates on the JCMH website to see which counties have met this challenge.



As of May 18, 2022, Summit <u>Registration</u> is officially open to the public. For hotel reservations, each guest must make their own reservations by calling the Reservations Department at 1-844-554-9653 or booking <u>online</u>. Using <u>Reservation #2211INNOVA</u>, group members will receive per diem rate of \$154.00 for rooms booked for Nov. 2–4, 2022.

2. Texas Mental Health and Intellectual and Developmental Disabilities Law Bench Book

The Bench Book is a 255-page book for Texas judges hearing cases regarding persons with mental illness and/or IDD. Each section contains applicable statutory processes, relevant best practices and guidance, and cross-references to mandatory forms. The third edition of the Bench Book was released at the 2021 Judicial Summit on Mental Health. Print copies of the Bench Book and all other JCMH publications can be ordered by sending an email to jcmh@txcourts.gov, and a digital version of the 3rd Edition is currently available on the JCMH website and on the LawBox app.

3. Texas Juvenile Mental Health and Intellectual and Developmental Disabilities Law Bench Book

The Juvenile Bench Book is a 150-page book for Texas judges hearing cases regarding youth and adolescents with mental illness and/or IDD. Each section contains applicable statutory processes, relevant best practices and guidance, equity considerations, and suggested forms. The second edition of the Juvenile Bench book was released at the 2021 Judicial Summit on Mental Health. A

handful of print copies of the Juvenile Bench Book remain and can be ordered by sending an email to <u>JCMH@txcourts.gov</u>; a digital version of the 2nd edition is currently available on the JCMH website and on the LawBox app.

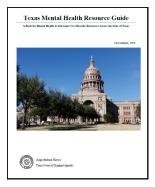
4. Mental Health Code Book

The JCMH, building on the work of Chris Lopez at HHSC, created the *Texas Mental Health and Intellectual and Developmental Disabilities Law: Selected Statutes and Rules*, a collection of Texas statutes related to mental health and IDD in one convenient volume. The digital version is available on the JCMH website, and a printed copy can be ordered by sending an email to <u>JCMH@txcourts.gov</u>. The Mental Health Code Book has been updated following the 87th Legislative Session.



5. Texas Mental Health Resource Guide

Judge Barbara Hervey had a vision for a statewide, comprehensive resource guide with practical



information to improve the lives of those in the criminal justice system who might be better served through alternatives to incarceration. With assistance from grantee organizations, the Court of Criminal Appeals brought this vision to fruition and released the Texas Mental Health Resource Guide. The Resource Guide provides an explanation of mental health services and lists resources indexed by type, region, and county. The Resource Guide is intended to be continually updated, and information or resources for the benefit of those with mental health challenges can be sent to the Court of Criminal Appeals at Mentalhealthresource@txcourts.gov.

6. Jurist in Residence Letters

Judge John Specia, Jr., Senior District Judge (Ret.) distributes letters throughout the year to keep judges, attorneys, and other stakeholders updated on relevant changes to the law and share helpful resources and tools. Recent topics include Top 10 Takeaways from the 2021 Summit, the Texas County Innovations in Mental Health Map, and upcoming Commission events. All previously released Jurist-in-Residence letters are available on our website, here.

7. JCMH Website

The new and improved JCMH website went live on January 22, 2022. It features a user-friendly interface that showcases the mission and work of the JCMH. New sections of the website include a comprehensive technical assistance menu and a <u>state innovations map</u>. JCMH contracted with two college students to add details on each county's mental health court programs and resources available. The innovations map was built on the success of the <u>Texas Court of Criminals Appeals' Texas Mental Health Resource Guide</u> and will include county-specific information regarding courts that hear mental health cases, mental health treatment courts, and diversion programs, for all 254 Texas counties.

8. Legislative Materials

The JCMH prepares tools and resources regarding mental health and IDD legislation. You can find summaries of the bills passed in the last legislative session from JCMH proposals here.

9. Scholarships

The JCMH provides scholarships for judges, attorneys, Commissioners, and Collaborative Council members to attend national conferences. For example, in March 2021, the JCMH provided scholarships to six attorneys and judges to attend the virtual conference on juvenile law sponsored by the National Center for Juvenile and Family Court Judges. Future scholarship opportunities can be found on our grants page.

10. Presentations to Partner Organizations

In April 2022, Chief Justice Nathan Hecht, Justice Jane Bland, and Commissioner Oscar Kazen, presented a panel discussion at the Conference of Chief Justices Southern Regional Summit about creating a judicial commission on mental health. The panel was moderated by JCMH Deputy Liaison Justice Rebeca Huddle. JCMH Commissioner Chief Stan Standridge, Collaborative Council member Dr. Jennie Simpson, and Executive Director Kristi Taylor also spoke at the Regional Summit about the Eliminate the Wait Initiative and other innovative ideas.

JCMH leaders have been featured speakers at several statewide events:

- February: Jurist-in-Residence Judge John Specia, Jr. (Ret.) spoke about mental health resources available to judges at the Texas Center for the Judiciary
- April 8: Commissioners Dr. Andy Keller, Beth Mitchell, Prof. Brian Shannon and Chief Stan Standridge presented at the Texas Tech University School of Law Mental Health Law Symposium Webinar.
- May 5: Kristi Taylor presented at the Texas Association of Pretrial Services Conference in San Antonio, Texas, on "Eliminate the Wait: Improving Competency Assessment and Restoration Processes."
- May 12: Commissioners Judge Oscar Kazen and Prof. Brian Shannon, and Collaborative Council member Greg Hansch were panelists in a webinar on the <u>Texas AOT Practitioner's</u> <u>Guide</u>.

JCMH staff have been invited to speak on mental health topics, specialty courts, and collaborative leadership at many conferences and events in the past few months:

- February 28: Molly Davis presented "Chapter 55 and the Juvenile Bench Book" at the 35th Annual Juvenile Law Conference in San Antonio, Texas.
- April 7: Molly Davis participated in a panel discussion on mental health resources at the Midlothian Police Department Mental Health Summit in Midlothian, Texas.
- April 12: Liz Wiggins moderated a panel on Creating a Mental Health Court: Texas Toolkit at the Texas Association of Specialty Courts annual conference in Corpus Christi, Texas.

- April 25: Molly Davis presented on the legal perspective to the Hogg Foundation Mental Health Policy Academy.
- April 27: Liz Wiggins and Molly Davis presented "The Sequential Intercept Model: A Texas Example" to the Community Behavioral Health Conference in Denison, Texas.
- April 29: The JCMH co-sponsored and attended the Fetal Alcohol Spectrum Disorder Training at the Texas Tech Law School in Lubbock, Texas.
- May 3 and 4: Molly Davis participated in a Mental Health Think Tank in Dallas, Texas.
- May 3 and 5: Kama Harris was a panelist for the HHS Aspiring Leadership Academy discussing *How Leaders are Listening for Impact.*
- May 5: Kama Harris moderated a panel of experts at the Texas Association of Pretrial Services Conference in San Antonio, Texas, on "CCP 16.22. Early Identification of People with Mental Illness or IDD."

To request a JCMH staff member to speak at your event, please complete the <u>speaker form</u> on our website.

Leadership

The JCMH recognizes that judicial leadership is essential to furthering our mission and supports statewide and local initiatives to provide courts with the tools and resources they need.

1. Court Improvement/Technology Grants

The JCMH has granted 10 local court improvement grants for judicial training using the Sequential Intercept Model, for technology to assist with remote hearings, and for the purchase of case management software for better collaboration.

2. Community Diversion Coordinator Pilot Project

The JCMH, in partnership with HHSC, is granted funds to three counties for a pilot project intended to divert individuals with mental illness who are charged with nonviolent misdemeanor

offenses from the criminal justice system. Three test sites were selected for implementation: Denton County, Grayson County, and Smith County. Each county hired a Coordinator in Fall 2021. JCMH will host a SIM workshop for each county in 2022 and provide an action plan report for coordinators to utilize. JCMH contracted with National Center for State Courts to have the program evaluated and make recommendations before deciding whether to continue step-down funding for years three and four.



3. Round Table Series

Round Table discussions are designed to address key issues affecting mental health and IDD law and the courts that hear those cases. The discussions are usually a half-day program facilitated by a subject-matter and legal expert. The topics vary year to year and the number of Round Tables hosted each year also varies according to the interest of stakeholders and issues demanding

attention. The next Round Table, scheduled for June 24th, will examine children's mental health issues and will be co-hosted by the Supreme Court Children's Commission.

4. Technical Assistance for Courts and Communities

JCMH has continued to roll out Technical Assistance services, which include connecting judges with experts and peers, assistance with creating mental health court programs, and providing access to Sequential Intercept Model (SIM) Mapping Workshops.





Starting in 2022, JCMH participated in facilitating and planning numerous workshops, and continues to partner and consult with various agencies and contractors to expand capacity and reach more communities.

In March 2022, JCMH staff and JCMH Commissioner Lee Pierson brought a <u>mapping to Denton</u> with a focus on streamlining legal processes in the local court system. Workshop participants included several judges and the Community Diversion Coordinator. JCMH has several upcoming workshops scheduled and continues to receive requests for workshops.

In April 2022, JCMH released the <u>10-Step Guide</u> to creating a Texas mental health court program. The guide is a companion to the Texas Mental Health Court Toolkit that JCMH expects to release in the Fall of 2022.

Workshops Requested

DATE OF REQUEST	COUNTY
April 2022	Comal
April 2022	Hays
April 2022	Potter

Workshops Scheduled

DATE	COUNTY	AGENCY LEAD
March 3-4, 2022	Denton	JCMH
March 3-4, 2022	Bell	HHSC
March 11, 2022	Williamson	HHSC
March 31-April 1, 2022	Navarro	HHSC
April 6-7, 2022	Hood	PRA/JCMH
April 28-29, 2022	Hunt	HHSC
May 16-17, 2022	Midland	HHSC
May 25-26, 2022	McLennan (Regional)	HHSC
June 9-10, 2022	Grayson	JCMH
August 4-5, 2022	Smith	JCMH
August 15-16, 2022	Tom Green	HHSC
October 20-21, 2022	Fannin	TJCTC & JCMH

Section 5 Budget

Supreme Court of Texas - Court Improvement Projects Judicial Commission on Mental Health FY2022

May 2022 Financial Report

FY2022-2023 Available Funds

FY2020-2021 State Appropriation	
FY2022 Strategy B.1.4	\$ 1,250,000
FY2022 Strategy B.1.4 (UB)	\$ -
FY2023 Strategy B.1.4	\$ 1,250,000
Total State Appropriation	\$ 2,500,000

FY2022 Budget vs. Actuals

	Actual	Budget	Balance
Operating	\$ 429,860	\$ 667,630	\$ 237,770
Commission Projects	\$ 79,027	\$ 320,250	\$ 241,223
Scholarships	\$ 0	\$ 6,000	\$ 6,000
Grants	\$ 29,528	\$ 256,120	\$ 226,592
Total Expenditures	\$ 538,414	\$ 1,250,000	\$ 711,586

Financial Status as of May 2022

State Appropriation FY2022-2023	
FY2022 Strategy B.1.4	\$ 1,250,000
FY2023 Strategy B.1.4	\$ 1,250,000
FY2022-2023 Funds Available	\$ 2,500,000
FY2022 Expenditures to Date	\$ 538,414
FY2022 Appropriation Balance	\$ 711,586
FY2022 Outstanding Obligations	\$ 711,586
FY2022 Projected UB to FY2023	\$ -

Section 6 Youth and Children Service Thank You

THANK YOU

to our Commissioners and Collaborative Councilmembers who are dedicated to serving the youth in our communities

Kathleen Casey-Gamez, J.D.

Leah Davies, L.M.S.W.

Colleen Davis, J.D. Alyse Ferguson, J.D.

Jennings Greer, M.Ed.

Sean Grove, J.D.

Courtney Harvey, Ph.D.

Hon. Bonnie Hellums

Elizabeth Henneke, J.D.

Shannon Hoffman, M.S.W., M.PAff.

Angelita Hunter Trina K. Ita, M.A.

Dr. Andy Keller, Ph.D.

Chris Lopez, J.D.

Beth Mitchell, J.D.

Hon. Stacey Mathews

Susan Palacios, Ph.D.

Hon. Daphne Previti-Austin

Hon. Renee Rodriguez-Betancourt

Rachel Samsel, M.S.S.W.

Melissa Shearer, J.D.

Jennie Simpson, Ph.D.

Matt Smith, L.P.C.

Haley Turner, M.S.W.

Julie Wayman, M.S.W.

Nicole Weaver, L.C.D.C.

Hon. Cynthia Wheless

April Zamora, M.Ed.

Dr. Octavio N. Martinez, Jr., M.P.H, M.B.A.



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