



Fourth Annual Judicial Summit on Mental Health

Final Report

October 14-15, 2021

Georgetown, Texas



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2021 Judicial Summit on Mental Health Executive Summary

The Judicial Commission on Mental Health (JCMH) hosted the fourth annual Judicial Summit on Mental Health on October 14th and 15th, 2021, in Georgetown, Texas and livestreamed on a virtual platform.

This year's Summit drew 1400 judges and stakeholders from across Texas and the U.S. to discuss and develop solutions to the many challenges faced by individuals in the court system with mental health or intellectual and developmental disabilities (IDD). Attendees included judges from all levels of the judiciary, academics, law enforcement, advocacy groups, prosecutors, defense attorneys, mental health and IDD service providers, representatives from various state agencies, policymakers, persons with lived experience, and many others.

Each Summit attendee was provided access to over sixty resources, including the newly released 2021 editions of the JCMH Texas Mental Health IDD Law Bench Book and JCMH Texas Juvenile Mental Health and IDD Law Bench Book; the Eliminate the Wait Toolkit, which debuted at the Summit; and all presenter supporting slides, websites, and reports. All resources are available on the JCMH website, [TexasJCMH.gov](https://www.texasjcmh.gov). All sessions from the Summit were recorded and are available on the JCMH website.

First Day Morning Sessions

The first day of the Summit began with addresses from the two highest Texas Courts. Attendees were welcomed by JCMH Chairs, Supreme Court of Texas Justice Jane Bland and Texas Court of Criminal Appeals Judge Barbara Hervey, as well as the JCMH deputy liaison, Justice Rebeca Huddle. JCMH Executive Director Kristi Taylor introduced Thursday's morning host, Judge Renee Rodriguez-Betancourt.

The morning speakers addressed the future of mental health and mental health law. JCMH Commissioner, Dr. Octavio Martinez, gave an insightful presentation on the future of mental health, which touched on the challenges of equity in mental health treatment and care. Following Dr. Martinez, JCMH Commissioner Professor Brian Shannon provided a legislative update. Professor Shannon gave a detailed overview of the progress of the JCMH's legislative proposals for the 87th Legislative Session, the legislature's updates to mental health and IDD law, and legislation likely to be proposed in the future.

The morning session pivoted to the important topic of Intellectual and Developmental Disabilities with a panel discussion on Resources for Individuals with IDD. The panel included behavioral healthcare professionals from HHSC, The Arc of Texas, Tarrant County START Program, and the Andrews Center. The panel detailed the variety of resources that are available to individuals with IDD and the effort to improve the delivery system of services in order to produce sustainable outcomes.

The morning session ended with a focus on justice-involved youth. Staff from HHSC held a panel presentation that discussed available mental health resources for youth involved in the juvenile justice system. The discussion gave attendees a deeper understanding of the juvenile justice system and the mental health programs and services available to individuals within the system.

Keynote Speaker Presentation

The lunchtime session featured keynote speaker Dr. Wendy Ellis, who presented *A Pair of Aces: Adverse Childhood Experiences (ACEs) and Adverse Community Experiences (ACEs)*. Dr. Ellis described the evidence of systemic inequity within the public healthcare system and the community at large, and how these inequities affect an individual's attitude towards, and interactions with, behavioral health services. Dr. Ellis also discussed building community resilience and provided a document in her resources on how to create that resilience within one's own community.

First Day Afternoon Sessions

JCMH Commissioner Judge Dave Jahn hosted the afternoon sessions, which shifted the focus to civil mental health law. JCMH Commissioner Judge Oscar Kazen and Erika von Loewe began with an explanation of Assisted Outpatient Treatment (AOT). They gave an informative overview of the AOT process in Texas probate courts and guided attendees through the use of AOT as a potential for diversion and early intervention for individuals with mental health issues.

The afternoon sessions then moved into highlighting advancements in law enforcement. A panel consisting of two representatives from Integral Care, Marisa Aguilar and Colleen McCollough, and Austin Police Department's Emergency Communications Division Manager, Lt. Kenneth Murphy, discussed the recent implementation and results of Austin's new practice of offering mental health services to individuals who call 911 for emergency services. Integral Care and APD's presentation showed attendees the benefit of emergency mental healthcare intervention, specifically in diverting individuals away from the criminal justice system.

The second presentation that focused on law enforcement, featured Dr. Diana Cantu and Loren Hervey of Texoma Community Center, along with Chief Zachary Flores of the Sherman Police Department. This panel led a discussion on the low-cost, high impact training they created for their community law enforcement and local judiciary on emergency detentions.

Next, Carey Green, Director of the Texas Department of Criminal Justice-Community Justice Assistance Division, talked about the importance and relevance of risk assessments in the justice

system and in community supervision programs. Attendees were given an overview of the processes used to determine an individual's risk to reoffend and their potential for success in community supervision programs.

The last presentation of the day was a panel discussion on initiatives to divert veterans from the criminal justice system. The panel included Sean Hanna, Senior Director of Veteran Initiatives at the Meadows Mental Health Policy Institute; Tracie Dick, Justice Veterans Outreach Specialist from Central Texas Veterans Affairs Healthcare System; Tim Keesling, Director of Veterans Services Coordination for Texas Health and Human Services Commission, and David Pelletier, Project Director for Justice for Vets. The panel highlighted the many diversion services available to veterans, but also discussed service gaps and potential steps to address those gaps. Attendees gained an understanding of the national and statewide initiatives that seek to provide essential diversion services for our veterans.

After the final presentation, the JCMH showcased a short documentary film about the TILT Performance Group. The TILT Performance Group is a theater troupe that consists entirely of individuals with disabilities. TILT is guided by the values of inclusive theater, artistic originality, meaningful employment, impactful education, strategic collaborations, and fun. Attendees learned about this engaging and dynamic group's important work in Central Texas. The full documentary can be viewed on the JCMH website.

Second Day Morning Sessions

Led by host and JCMH Commissioner Judge Pamela Liston, the second day began with a presentation by JCMH Commissioner Judge Brent Carr on ethical considerations in specialty courts. Judge Carr is the presiding judge of the Tarrant County Criminal Court No. 9, the Tarrant County Mental Health Court, Tarrant County Veterans Treatment Court, and the Tarrant County RISE Program for victims of sex trafficking. Judge Carr illustrated the ethical conundrums that practitioners and judges face when trying to assist an individual with mental health issues. Attendees were given a detailed and insightful analysis of the current law, as well as pathways to resolving ethical issues as they arise.

Judge Carr's presentation was followed by a panel discussion on shoestring budget innovations. Judge Roxanne Nelson, Justice of the Peace for Burnet County moderated the panel consisting of: Colleen Davis, Assistant Burnet County Attorney; Jonathan Lemuel, Director of Jail Diversion at Bluebonnet Trails Community Services; and Michelle Moore, the Chief Public Defender for Burnet County. They discussed their no-cost or low-cost innovations for their clients in the criminal justice system and how collaboration between the four speakers created the space for innovation in the treatment and diversion of individuals with behavioral health or mental health needs. Attendees were given real-world examples of effective programs and processes that have little to no impact on community budgets.

Damon Parrish, II, Assistant Public Defender with the Harris County Public Defender's Office followed the Burnet County panel. Mr. Parrish's presentation informed practitioners about the intricacies of representing individuals who have behavioral health, mental health, or IDD needs.

The next presentation was a panel discussion of the Tarrant County RISE Program. Tarrant County Magistrate Judge Sheila Wynn and RISE program manager Tre'Naisha McGuire gave an informative and uplifting overview of the very successful RISE Program. Attendees learned about the transformative changes in the lives of women who have experienced trauma from sex trafficking through this use of this post-adjudication specialty program.

After a break, Dr. Clete Snell, Professor of Criminal Justice at the University of Houston-Downtown, spoke about mental health program evaluations. Dr. Snell detailed the factors that create an effective and results driven program and corresponding evaluation. Additionally, Dr. Snell discussed the benefits of using a cost-benefit analysis of a court program to inform commissioner court funding decisions. Dr. Snell's presentation helped attendees to better understand not only program evaluation, but how to create a program that produces discrete and measurable results.

Second Day Afternoon Sessions

The second day's lunchtime presentation was given by Mr. Chris Orton. Mr. Orton is a veteran and a former Travis County Sheriff's Deputy. His presentation was a poignant and moving recitation of his lived experience as a first responder coming to grips with PTSD, depression, and anxiety, how EMDR helped him acknowledge and move through this trauma, and how he was able to create a career helping other first responders cope with their mental health struggles in a trauma informed way.

Next, afternoon host and JCMH Commissioner, Dr. Courtney Harvey, introduced the issue of competency restoration. The first segment discussed the national perspective on the competency restoration crisis, and was given by Judge Nan Waller, Judge of the Multnomah County Circuit Court, and Rick Schwermer, consultant for the National Center for State Courts and the National Association of Drug Court Professionals. Judge Waller and Mr. Schwermer outlined national initiatives in regard to competency restoration and detailed the efforts of the NCSC to address the growing crisis of competency restoration.

A Texas specific action planning panel followed, which discussed the role each profession has in contributing to combatting the inpatient state hospital competency restoration services waitlist. This was the Summit's most comprehensive panel, which included: Dr. Jennie Simpson, the State Forensic Director for Texas HHSC; Kristi Taylor, Executive Director of the JCMH; Alyse Ferguson, Chief Attorney of the Collin County Mental Health Managed Counsel Program; Judge Dave Jahn, former presiding judge of Denton County Criminal Court No. 1; Adrienne Kennedy, Past President of NAMI; Lee Pierson, Chief of the Mental Health Division of the Dallas County District Attorney's Office; Sheriff Kelly Rowe, Sheriff of Lubbock County; Shelley Smith, CEO of West Texas Centers; Chief Stan Standridge, Chief of the San Marcos Police Department; and Dr. Felix Torres, Chief of

Forensic Medicine for Texas HHSC. This expansive panel presented and discussed issues relating to competency restoration in Texas and introduced the joint JCMH and HHSC initiative entitled ***Eliminate the Wait***. Attendees learned about the new initiative, and how to use the [toolkit](#) as a starting point for comprehensive and systemic change to the competency restoration processes.

After the competency restoration panel discussion, the focus was shifted to the important topic of data collection and utilization. Alex Villareal, Program Manager for Integral Care's ANEW Clinic, Brittany Whittington, Population Health Administrator for Integral Care, and Laura Wilson-Slocum, Practice Administrator for Crisis Services and Justice Initiatives for Integral Care, shared an in-depth presentation on the methods of data collection pertaining to behavioral health services. Attendees also learned how this LMHA utilized data to make programmatic changes and better serve the individuals in their community.

Dr. Matt Faubion was the next presenter. Dr. Faubion spoke about community transition for individuals who have been found not guilty by reason of insanity (NGRI). Dr. Faubion highlighted the issues faced by individuals who have been found not NGRI in regard to long-term treatment and reassimilation into the community after leaving inpatient treatment. Attendees were treated to a detailed and insightful examination of how Texas handles NGRI aquittees within the greater statewide behavioral healthcare systems.

The final presentation of the Summit was given by JCMH Commissioner April Zamora, Director of the Reentry and Integration Division of the Texas Department of Criminal Justice. Ms. Zamora's session informed the attendees about the important work of the Texas Correction Office on Offenders with Medical or Mental Impairments (TCOOMMI). Ms. Zamora detailed the role of TCOOMMI within the Department of Criminal Justice as care provider to inmates and parolees who have behavioral health challenges.

JCMH Jurist-in-Residence Judge John Specia closed with remarks that reflected on the themes of the past two days and adjourned the Summit. To watch the full session videos, or see any resources, please visit the JCMH website 2021 Summit page.

2021 Judicial Summit on Mental Health

Top 10 Learning Points

1. **Consider the Whole Person.** When diverting individuals away from the criminal justice system, strive to understand each person’s past and present circumstances, lived experiences, family background, trauma, and systemic barriers. Build trust by meeting basic needs and connecting them with services. And don’t forget to consider the effects of traumatic stress, or vicarious traumatization, on yourself. Understanding and addressing secondary trauma will build resiliency and prevent burnout, allowing you to do your best work.
2. **Outcomes are Tied to Environments.** Increase the resiliency of your community by recognizing Adverse Community Environments in your area and working to change them. Connect systems and policies to community characteristics and population health outcomes. The “Pair of ACEs” – meaning adverse community environments and adverse childhood experiences – plays a key role in how a person bounces back from adversity.
3. **Assisted Outpatient Treatment**, a proven best practice, allows individuals with severe mental illness to receive treatment in the community. The “Black Robe Effect” is the heart of an AOT program and uses the influence of a caring judge to promote treatment engagement, compliance, and treatment outcomes. Personal connection with a judge is an opportunity for marginalized individuals to be heard, to feel important, and to heal trauma from prior interactions with the justice system.
4. **Risk Assessments Make a Difference.** By using a validated Risk-Need-Responsivity assessment and individualizing services, people can be successful on supervision. People who are identified as having low risk to reoffend and low needs should be diverted from the system so that resources are used by people who are identified as having moderate or high risk and needs.
5. **Individuals with IDD** are overrepresented in the criminal justice system and have distinct challenges, which require dedicated time, training, and resources. The [Local Intellectual and Developmental Authority](#), or LIDDA, is the front door to services for in-home and out-of-home crisis intervention, outpatient care and transition support teams.
6. **Youth Interventions Take Many Forms.** [Local Mental Health and Behavioral Health Authorities](#) (LMHAs/LBHAs) offer crisis services and access to specialized care; the [Residential Treatment Center Project](#) provides intensive mental health care in a residential setting; [Coordinated Specialty Care](#) serves adolescents and young adults experiencing their first episode of psychosis; and [YES Waiver](#) provides intense

community-based services to children and youth with serious mental, emotional and behavioral needs.

7. **Use Resources for Veterans.** The Veterans Reentry Search Service ([VRSS](#)) enables those who work in criminal justice to identify inmates or defendants who have served in the military. The Department of Veterans Affairs makes this service available as outreach to veterans, and to inform the development of veteran-specific programs in the criminal justice system. Using this program can help veterans in the system find each other, and potentially uncover new services or resources.
8. **Competency Restoration is Not Mental Health Treatment.** When possible, and especially for low-level offenses, consider alternatives such as diversion or dismissal with connections to services, as competency restoration in misdemeanor cases backlogs the system and further extends the waitlist length. Through collaboration and a concerted effort to work on the problems “upstream” from competency services, we can decrease the waitlist and prevent more individuals from waiting for competency restoration services. Get your Eliminate the Wait toolkit [here](#).
9. **Go Local and Start a Mental Health Court or Docket.** New training or collaborative programs don’t have to be expensive. Many experts are willing to share their knowledge and resources if you ask. In return, think about what expertise you can share with others. Program evaluations don’t have to be complicated
10. **Be bold.** Rather than doing business “the way it has always been done,” challenge the system, adjust programs and policies to accomplish stated goals, and act with purpose to solve the real problem. Breaking down the silos between organizations and professions creates a more efficient and successful system.

2021 Judicial Summit on Mental Health
Statistics – from the attendees who participated in the post-event survey

Total Attendees: 1392 (345 in person / 1047 live stream)

Judges: 213

Attorneys: 377

Overall, how would you rate the event?

- 88.29% Excellent or Very Good
- 9.52% Good
- 1.9% Fair (0% said it was poor)

How would you rate the organization and format of the event?

- 89.21% Excellent or Very Good
- 9.52% Good
- 1.27% Fair or Poor

How did you feel about the length of the event?

- 80.19% Just Right
- 16.61% Too Long
- 3.19% Too Short

What is the population of the county in which the attendees work?

- 75.80% 100,000 or more
- 11.78% 30,0001 to 100,000
- 6.05% 10,001 to 30,000
- 2.55% Less than 10,000
- 3.82% N/A

What is the role the attendees hold?

- 18.63% Judiciary
- 7.98% Law Enforcement
- 3.04% Advocate, CASA, or Peer Support
- 21.67% Defense Attorney
- 8.75% Prosecutor
- 6.46% Probation and Corrections
- 19.01% Community Providers
- 5.32% Hospitals, including SSLCs and SHs
- 1.52% Academia
- 4.56% Legislative or Policy
- 3.04% Person with Lived Experience