

Texas Department of Criminal Justice



**Services to Wrongfully
Imprisoned Persons
Fiscal Year 2021
Annual Report**

December 2021

Texas Board of Criminal Justice

P.O. Box 13084
Austin, Texas 78711
Phone (512) 475-3250
Fax (512) 305-9398

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Pittsburg, Texas

Texas Department of Criminal Justice

P.O. Box 99
Huntsville, TX 77342-0099
Phone (936) 437-2101

Bryan Collier, Executive Director

Oscar Mendoza, Deputy Executive Director

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Overview

Texas Health and Safety Code, Section § 614.021, identifies the Texas Department of Criminal Justice's (TDCJ) Texas Correctional Office on Offenders with Medical and Mental Impairments (TCOOMMI) as the party responsible for case management functions to assist wrongfully imprisoned persons discharging from the TDCJ. The agency is required to annually report on the provision of services under this statute.

About TCOOMMI

In 1987, the 70th Texas Legislature created the TCOOMMI to address health services for the growing population of persons with mental impairments who are associated with the criminal justice system.

The TCOOMMI's functions were expanded in 1993 by the 73rd Texas Legislature to include inmates who are elderly, significantly ill, or have physical disabilities.

As a result of legislation enacted by the 84th Texas Legislature, in 2015 the TCOOMMI was able to expand mental health services to further meet the needs of those individuals with a severe and persistent mental illness.

The TCOOMMI's collaborative efforts on behalf of these populations are designed to identify cost-effective and programmatically beneficial alternatives to incarceration.

The TCOOMMI's mission is to provide a formal structure for criminal justice entities, health and human services providers, and other affected organizations to communicate and coordinate on policy, legislative, and programmatic issues affecting justice involved individuals with special needs.

TCOOMMI Advisory Committee

The TCOOMMI Advisory Committee membership is composed of 28 diverse members representing criminal justice, health and human services, policy, regulatory, and advocacy fields.

As a collective body, the membership addresses procedural, programmatic, statutory, or administrative issues affecting justice involved individuals with special needs.

As part of their duties, advisory committee members:

- promote and support the legislative mandates assigned to the committee in Chapter 614 of the Health and Safety Code;
- attend and actively participate in regularly scheduled committee meetings; and
- serve as a liaison between the TCOOMMI and their agency or association.

Committee members provide technical assistance to the advisory committee on their field of expertise, while promoting and disseminating information about advisory committee activities to persons or organizations who would benefit from the knowledge.

Additionally, the TCOOMMI Advisory Committee receives quarterly updates on activities and implementation plans related to Memorandums of Understanding (MOUs) and cross-agency coordination to assess progress and barriers faced by agencies in the continuity of care process.

Gubernatorial Appointees

The governor of Texas is responsible for appointing 10 members who reflect the geographic and economic diversity of the state to the TCOOMMI Advisory Committee for staggered six-year terms. The TCOOMMI Advisory Committee is composed of the following appointees:

Judge Robb D. Catalano, Chair

Term expiring 02/01/2025

Casey O’Neal, Ph.D.	Term expiring 02/01/2025
James B. “Brian” Eby	Term expiring 02/01/2025
Randall S. Scott MacNaughton, II	Term expiring 02/01/2023
Judge Rogelio C. “Roger” Rodriguez	Term expiring 02/01/2027
Matthew D. “Matt” Faubion, M.D.	Term expiring 02/01/2023
Denise Oncken	Term expiring 02/01/2027
Sanjay G. Adhia, M.D.	Term expiring 02/01/2027
Trenton R. Marshall	Term expiring 02/01/2025
Allan Douglas Cain	Term expiring 02/01/2023

State Agency and Organizational Membership

In addition to the governor's appointees, the TCOOMMI Advisory Committee is comprised of the executive head or designee of each of the following agencies, divisions of agencies, or associations:

- The ARC of Texas
- Department of State Health Services
- Texas Council of Community Centers
- Department of Aging and Disability Services (*abolished 09/01/2017, with functions absorbed by Health and Human Services Commission*)
- National Alliance for the Mentally Ill Texas
- Mental Health Association in Texas, Mental Health America
- Texas Council for Developmental Disabilities
- Department of Assistive and Rehabilitative Services (*abolished as of 09/01/2016, with functions absorbed by Texas Workforce Commission*)
- Texas Health and Human Services Commission
- Parent Association for the Retarded of Texas, Inc. (*dissolved in 2019*)
- Texas Department of Criminal Justice (TDCJ)
 - Correctional Institutions Division
 - Community Justice Assistance Division
 - Parole Division
- Texas Commission on Law Enforcement
- Texas Juvenile Justice Department
- Texas Commission on Jail Standards
- Texas Board of Pardons and Paroles
- Correctional Managed Health Care Committee

Available Services

In accordance with Texas Health and Safety Code, Section § 614.021, TCOOMMI case management staff is available to assist wrongfully imprisoned persons in accessing the following services:

- medical and mental services, to include completion of applications for federal entitlement programs;
- mental health treatment through the public mental health system; and
- appropriate support services to assist in the transition from incarceration into the community.

Wrongfully Imprisoned Persons

During Fiscal Year 2021 (FY 2021) there were six newly identified persons certified by the Comptroller of Public Accounts as having been wrongfully imprisoned.

TCOOMMI case managers reached out to the six newly identified persons and provided detailed written information about assistance in accessing services.

Staff received two inquiries from the newly identified persons who were provided appropriate resource referrals.



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