

Attorneys, Clients, and Mental Health

Damon Parrish II

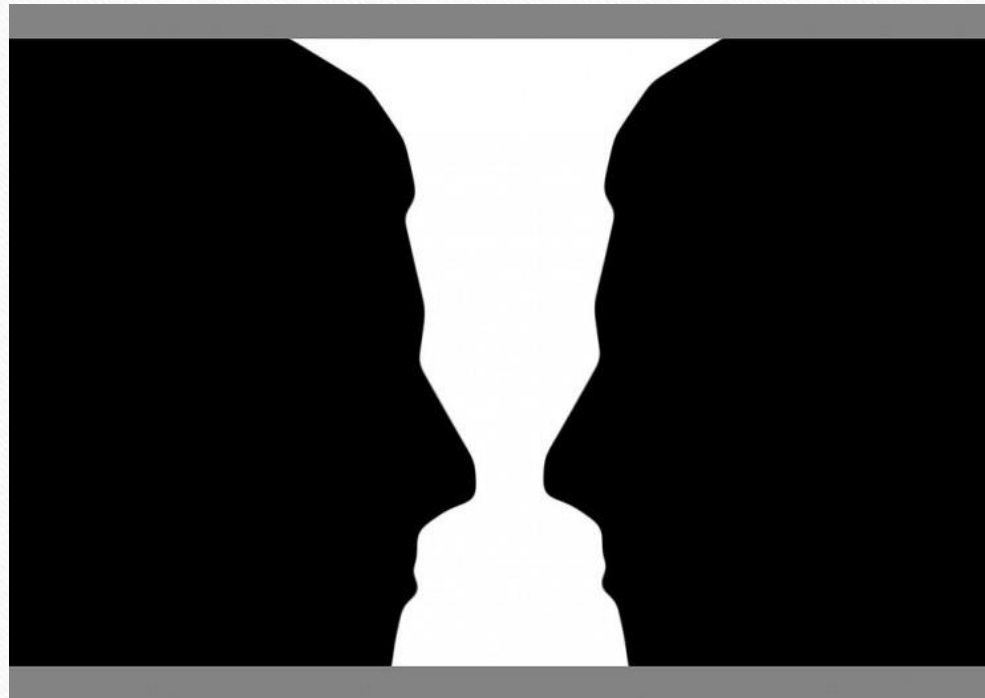


**THE SAME MENTAL ISSUE(s)
THAT MAKES MY CLIENT A
DEFENDANT
ALSO MAKES HIM A VICTIM**

WHAT DO YOU SEE?



WHAT DO YOU SEE?



WHAT DO YOU SEE?



MENTAL ILLNESS

Vs.

INTELLECTUAL DISABILITY DISORDER

MENTAL ILLNESS

- TX CCP 46B.001 (12)
 - An illness, disease, or condition, other than:
 - Epilepsy
 - Dementia
 - Substance abuse
 - Intellectual disability
 - That grossly impairs:
 - A person's thought, perception or reality, emotional process, or judgement; or
 - Behavior as demonstrated by recent disturbed behavior

MENTAL ILLNESS

- Common examples of mental illnesses:
 - Anxiety disorders
 - Schizophrenia
 - Mood disorders
 - Psychotic Disorders
 - Impulse and addiction disorders
 - Personality Disorders

INTELLECTUAL DISABILITY

- TX CCP 46B.001 (8)
 - Significantly subaverage general intellectual functioning that is concurrent with deficits in adaptive behavior and originates during the development period

INTELLECTUAL DISABILITY

- Common causes of intellectual disability:
 - Down Syndrome
 - Fetal Alcohol Syndrome
 - Fragile X Syndrome
 - Genetic Conditions
 - Birth Defects and Infections

INTELLECTUAL DISABILITY

- Find it hard to remember things
- Have trouble understanding social rules
- Have trouble seeing the results of their actions
- Have trouble solving problems

RECOGNIZING MENTAL ILLNESS / IDD

- Trouble thinking clearly or concentrating
- Suspiciousness/uneasiness with others
- Poor self-care or personal hygiene
- Increased sensitivity to sights or sounds
- Mistaking noises for voices
- Unusual or overly intense ideas
- Strange feelings or having no feelings at all
- Poor time conception
- Avoiding eye contact

DEALING WITH MENTALLY ILL / IDD CLIENTS

- Understand the mental health issue is not their fault
- Look at the same thing and see something different
- We perceive and interact with the world differently
- Racial, cultural and social stigmas with mental health issues
- Communication

DEALING WITH MENTALLY ILL / IDD CLIENTS

- Different cultural perceptions about mental illness, help-seeking behaviors and well-being
- Fear and mistrust of treatment (i.e. Tuskegee Experiments or J. Marion Sims)
- Scientific racism
- Stereotype Threat
- Concurrent Disorder / Self- medication
- Men vs Women

RACE AND CULTURAL ISSUES

- African Americans are over diagnosed with schizophrenia and underdiagnosed with mood disorders
- Hispanic and African Americans report lower risk of psychiatric disorders but those with mental illness tend to have more persistent disorders
- African Americans are more likely to terminate treatment prematurely
- Asian Americans and Pacific Islanders are the least likely to seek mental health services
- Roughly 1 in 20 Hispanics / Latin X receive mental health treatment from a mental health specialist

CONCURRENT DISORDER / SELF - MEDICATION

- Situation where someone has overlapping substance abuse issues and mental health problems
- Self medication

SELF - MEDICATION

- Attempts to deal with mental health issues using drugs (prescribed or illegal), alcohol, any other substance or activity
- Help with the symptoms of the mental health issue
- Easier to get than prescription drugs
- Better side effects than prescription drugs

MEN VS WOMEN

- Women – more likely to have a mental health issue
- Men – less likely to receive mental health treatment
- Men – more likely to die from suicide
- Anecdotes-
 - Men tend to have delusions of grandeur
 - Women tend to have more victim oriented feelings

DEALING WITH MENTALLY ILL / IDD CLIENTS

- Patience
- Listen
- Educate
- Possibly reset the case to stabilize or detox the client
- If still not stable then proceed with a competency exam
- If competent then proceed with a sanity exam if necessary

INCOMPETENCY VS. INSANITY

- Incompetency deals with the current mental state of the client
- Insanity deals with the mental state of the client at the time of the offense

INCOMPETENCY

- Incompetency (TX CCP 46B.003)
 - Defendant lacks sufficient present ability to consult with their lawyer to a reasonable degree; or,
 - Defendant lacks a rational and factual understanding of the proceedings

INCOMPETENCY

- Rationally understand the charges against them and the potential consequences of the pending criminal proceedings;
- Disclose to counsel pertinent facts, events, and states of mind;
- Engage in a reasoned choice of legal strategies and options;
- Understand the adversarial nature of criminal proceedings;
- Exhibit appropriate courtroom behavior; and
- Defendant's ability to testify

SANITY

- Sanity (TX Pen Code 8.01)
 - It is an affirmative defense to prosecution that, at the time of the conduct charged, the actor, as a result of severe mental disease or defect, did not know that his conduct was wrong

Texas State Hospitals

- Rusk*
- North Texas (Vernon)*
- Austin
- Big Spring
- El Paso
- Kerrville
- Rio Grande
- San Antonio
- Terrell

	A	B	C	L	M	N	O	P	R	S
		Last Name	First Name	Commitment Date	Current Date	# of Days since Booking	# of Days on Waitlist	Charge	Commitment Type	Degree of Off
2	1	[REDACTED]	Gabriel	04/03/19	10/6/21	1090	918	Murder	46B. 103	F1
3	2	[REDACTED]	Shaquitha	05/23/19	10/6/21	994	868	Asslt Family	46B. 103	F3
4	3	[REDACTED]	Eduardo	10/31/19	10/6/21	707	707	Aggr Robbery	46B. 073 (120 days)	F1
5	4	[REDACTED]	Alex	12/13/19	10/6/21	756	664	Murder	46B. 073 (120 days)	F1
6	5	[REDACTED]	David	02/13/20	10/6/21	632	602	Aggr Asslt	46B. 073 (120 days)	F1
7	6	[REDACTED]	Nicholas	02/19/20	10/6/21	1141	596	Aggr Asslt	46B. 073 (120 days)	F2
8	7	[REDACTED]	Adetokunbo	03/03/20	10/6/21	810	583	Sexual Asslt	46B. 073 (120 days)	F2
9	8	[REDACTED]	Stark	03/04/20	10/6/21	624	582	Aggr Asslt	46B. 073 (120 days)	F2
10	9	[REDACTED]	Michael	03/20/20	10/6/21	879	566	Aggr Asslt	46B. 073 (120 days)	F2
11	10	[REDACTED]	Richard	04/01/20	10/6/21	695	554	Aggr Asslt	46B. 073 (120 days)	F2
12	11	[REDACTED]	Paul	04/14/20	10/6/21	972	541	Aggr Asslt	46B. 073 (120 days)	F2
13	12	[REDACTED]	Samuel	04/20/20	10/6/21	661	535	Murder	46B. 073 (120 days)	F1
14	13	[REDACTED]	Abed	04/21/20	10/6/21	672	534	Aggr Asslt	46B. 073 (120 days)	F2
15	14	[REDACTED]	Christian	05/06/20	10/6/21	893	519	Injury Elderly	46B. 073 (120 days)	FS
16	15	[REDACTED]	Daniel	05/19/20	10/6/21	951	506	Burg w/Intent	46B. 073 (120 days)	F1
17	16	[REDACTED]	David	05/21/20	10/6/21	660	504	Aggr Asslt	46B. 073 (120 days)	F2
18	17	[REDACTED]	Matthew	06/11/20	10/6/21	663	483	Injury to Disabled	46B. 073 (120 days)	F3
19	18	[REDACTED]	Jesus	06/11/20	10/6/21	660	483	Sexual Asslt	46B. 073 (120 days)	F2
20	19	[REDACTED]	Edward	06/15/20	10/6/21	717	479	Aggr Asslt	46B. 073 (120 days)	F2
21	20	[REDACTED]	Brenda	06/16/20	10/6/21	505	478	Harassment of Pub Serv	46B. 102	F3
22	21	[REDACTED]	Darius	06/24/20	10/6/21	703	470	Injury Child	46B. 073 (120 days)	F3
23	22	[REDACTED]	Pebbles	06/30/20	10/6/21	609	464	Aggr Asslt	46B. 102	F2
24	23	[REDACTED]	Clifford	07/08/20	10/6/21	833	456	Aggr Robbery	46B. 073 (120 days)	F1
25	24	[REDACTED]	Ray	07/22/20	10/6/21	908	442	Aggr Asslt w/Deadly Wpn	46B. 073 (120 days)	F2

God and the lawyer we adore,
In times of trial and not before.
But in times of peace and all things righted,
God is forgotten and the lawyer slighted.

-Rudyard Kipling

paraphrased by me

WHO AM I

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