

**HOUSE OF REPRESENTATIVES  
COMPILATION OF PUBLIC COMMENTS**

Submitted to the Committee on Criminal Jurisprudence  
For HB 305

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Hearing Date: March 11, 2025 10:30 AM

Deborah Winters

Self

Gainesville, TX

My name is Deborah Winters. I am the mother of Jonathan Taylor Ngumbi, who died in Kaufman County Jail, November 2, 2023 after being arrested while in a mental health crisis. He died 6 days after his arrest from a massive seizure. A completely preventable death.

I have attended given testimony, attended and watched many hearings and I fear that the people who are deciding what is going to be the future for one of the most vulnerable groups of our community don't truly understand the complexities of mental illness/IDD.

My son was 19 and in college when he experienced his first episode psychosis. He had shown no signs of his illness prior to the time he was struck down with Bipolar1.

Taylor spent the whole of his youth focused on hie education, his friends and his future. My son was kind, intelligent and full of joy. He believed in justice and standing up for those less fortunate. Taylor was creative and compassionate soul who was surrounded by friends and family who loved him. He had worked hard for his future that was taken from him by an illness that has no cure and few treatments that work.

Watching my child suffer the effects of mental illness was like watching a rattle snake strick, but being out of reach to save him. What's important to understand is how quickly and completely this disease takes over a person life. For Taylor, his education, the future he had carefully worked for and most of his friends were all gone.

For thirteen years Taylor suffered through mania, delusions and psychotic episodes that happened so quickly that without a crisis plan that could be started on the first day of onset, he was in a full psychosis in 3 days.

Taylor's psychotic episodes, as with most people with mental illness, were brought on by a trigger. A trigger can come from stress, fear, even excitement over good news. Once a trigger starts an on set the illness takes over. Medication that was working no longer works, the brain tells them the no longer need their medication because they feel good, sleeping stops and from there deterioration happens so fast that medical intervention is a must.

My point in all this is when a person goes to a hospital for competency restoration and is sent back to jail restored, a trigger has already been set off. Even though they are medicated, their stability is in danger and the longer they set in jail, the higher the risk of deterioration.

I also would like to point out that people with mental illness who are arrested while in crisis usually have no memory of what was happening while they were psychotic, or their memory is distorted from delusions.

My son's future, his mind and his life were all take from him because of mental illness.

Taylor Ngumbi did not choose this disease, no one ever would. This disease chooses it's victims. Please remember this when making decisions that affect the lives of this vulnerable community.

Thank you.

Marilyn Hartman

Co-chair, Advocacy Committee, NAMI Central Texas (National Alliance on Mental Illness, Central Texas affiliate in Austin)  
Austin, TX

It's critical that, once a person is restored to competency, they have a timely pretrial hearing. Long stints in jail, not a therapeutic setting, risk undoing the treatment received in a state hospital, and if that happens, increases the already unacceptable forensic waitlist. Please be smart about this in terms of the individuals involved and us taxpayers and pass this bill. Thank you.

Krishnaveni Gundu, Co-founder & Executive Director

Texas Jail Project

Cypress, TX

At the end of Dec 2024, the 46B forensic waitlist was hovering around 1741 as per the testimony by HHSC in the House Appropriations Committee hearing on 02/18/25.

As per the State Auditor's Report on the inefficiencies in the forensic waitlist as mandated by SB 1677 88 ( R):

- \*15,652 people placed on the forensic waitlist between 2018 and 2023

- \*Two-thirds of the state hospital system is now forensic due to the lack of access to community based mental health services

- \*Average wait time in jail for transfer to a state hospital is anywhere between 240-300 days with wait times for people with intellectual and developmental disabilities (I/DD) being the longest

- \*Three hundred and forty one (341) people were placed on the waitlist multiple times on the same charge. Some people re-appeared up to six times on the same charges.

- \* 54 individuals who were incompetent to stand trial died while waiting for a restoration bed in a state hospital.

The impacts of this multifold crisis ripple through already overburdened county jails and communities that are disproportionately Black and brown.

Currently six county jails are at negative capacity forcing them to ship pretrial detainees to other states outside of Texas. This comes at an enormous cost to counties. For instance, Harris county is spending upward of \$58 million/year to house pretrial detainees in Louisiana and Mississippi. When individuals are harmed or die in those out of state facilities, there is no recourse for survivors and their families.

In our work at Texas Jail Project, we routinely hear from families whose loved ones are returned to county jail after restoration only to lose competency due to court delays, restarting the vicious cycle all over again.

In the 2023 legislative session, we worked on Rider 35 to mandate continuity of state formulary medications up to 90 days after return to a county jail which is reimbursable by TCOOMMI.

Despite this remedy, we keep hearing about individuals losing competency due to court delays.

We strongly support HB 305 and the committee substitute that will mandate courts to have pretrial hearings within 14 days of restoration of competency. Reducing the window will mitigate the enormous cost to counties and the trauma perpetrated on legally innocent defendants, survivors and all their families and loved ones.

Two additional remedies we recommend:

- 1) Online hearings from state hospital as soon as competency is restored
- 2) Changing communication about restoration of competency from HHSC(State Hospital) to the courts, from snail mail to electronic mail. Snail mail takes up to 14 days causing an unnecessary delay and risking deterioration.

Thank you.

Melanie Billingsley

Self

Dickinson, TX

Texas House Bill 305 (HB 305) - FOR

I am writing to express my frustration and concern regarding the prolonged delays my son has faced—and that many pretrial detainees face—after returning from competency restoration at a maximum-security state hospital, not just once, but twice over a span of 8 years. Each time he was deemed competent and returned to county jail, he waited months, sometimes well over a year, before any further action could begin. The delays were due to a variety of factors including change in medications, court delays, etc.

The first time my son was restored to competency and returned from the hospital, the wait for further testing was so long that by the time the state reevaluated him, he was deemed incompetent again—causing yet another long wait to be sent back for restoration. This cycle is unacceptable and damaging, serving neither justice nor rehabilitation. Inconsistent medication, inmate violence, and long waits for medical care further deteriorate mental and physical health. Even serious medical concerns require intervention from higher personnel just to receive ER treatment. One particularly disturbing incident highlights the issues within the system—my son witnessed a detainee being beaten so badly that he later died in the hospital. Though my son was merely a bystander, internal affairs pulled him for questioning despite his incompetency status, causing additional duress.

Since his second return from the state hospital, he is once again waiting for further testing. This system does not provide care—it leaves people stuck in a cycle. Competency restoration should not be about returning someone to county jail and then letting them regress due to delays. It should ensure those with mental illness receive actual treatment and support. Those who are not mentally ill have the constitutional right to a speedy trial under the Sixth Amendment, yet those with mental illness remain in a legal cycle, causing further mental deterioration for lack of proper mental health care. These extensive delays do not rehabilitate; they harm. This is not just a misuse of state funding—it is an injustice that causes needless suffering to individuals in desperate need of real mental health care.

The delays in conducting pretrial hearings after competency restoration have significant fiscal and human costs. Financially, prolonged incarceration and hospitalization escalate expenses for Texas' criminal justice and healthcare systems. Enforcing a 14-day timeframe for pretrial hearings post-competency restoration, as proposed in HB 305, would mitigate these costs while also protecting vulnerable individuals from further harm. It is time to prioritize real mental health care, timely due process, and a system that truly serves both justice and humanity.

Sincerely,

Melanie Billingsley

Sabrina Gonzalez Saucedo

The Arc of Texas

Austin, TX

Chair and Committee Members,

I am Sabrina Gonzalez Saucedo, Director of Public Policy for The Arc of Texas, and I am submitting this testimony in support of HB 305, authored by Representative Hayes.

This bill would require that individuals who have undergone competency restoration have their pretrial hearing within 30 days of being determined restored. This is an essential step in addressing the significant barriers faced by individuals with intellectual and developmental disabilities (IDD) and mental health needs, who too often find themselves trapped in a cycle of moving between jail and competency restoration programs without resolution.

By setting a clear timeframe for the pretrial hearing, HB 305 ensures that individuals are not left in legal limbo, awaiting resolution of their cases. This change will help close the cycle of unnecessary incarceration and delays, while promoting timely access to both justice and appropriate care for individuals with IDD and mental health needs. We strongly support HB 305 and urge the Committee to pass this important legislation. Thank you for your consideration.

Sincerely,

Sabrina Gonzalez Saucedo

Director of Public Policy & Advocacy

The Arc of Texas