

COUNCIL ON MENTALLY ILL OFFENDERS

<http://www.cdcr.ca.gov/COMIO/index.html>

MINUTES

January 17, 2008

This meeting was held at the California Administrative Office of the Courts, 455 Golden Gate Avenue, San Francisco, California in the Catalina Meeting Room.

COMIO Council Members in attendance:

Council Members

James E. Tilton, Chairman
Stephen W. Mayberg, Ph.D., Vice-Chairperson
Joel Fay, PsyD., Officer, San Rafael Police Department
Wendy Lindley, Judge, Orange County Superior Court
Duane E. McWaine, M.D., Medical Director, DHCMHC, Los Angeles
David Meyer, J.D., USC Institute of Psychiatry, Law, and Behavioral Science
Jo Robinson, M.F.T., Assistant Director, Programs, San Francisco Jail Psychiatric Services
James W. Sweeney, J.D., Principal, James W. Sweeney & Associates

Support Staff

Allan Lammers, Executive Officer
Bruce Slavin, Counsel to COMIO

Interested Parties

Nancy Taylor, Supervising Court Services Analyst, Center for Families, Children & the Courts, AOC
Karen Moen, AOC
Molly Willenbring, Executive Director, Forensic Mental Health Association
Helene Zentner, MIO Co-leader, CSA
Lorena Marquez, San Francisco Sheriff's Department
Melinda Silva, Parole Agents Association of California
Norma Lammers, CSAC Finance Corporation (retired)
Andrew Swanson, CDCR
Kit Wall, Eli Lilly & Company
Jean Mariani, San Francisco Sheriff's Department
Kiyomi Burchill, Senator Darrell Steinberg's office
Robert Storms, CDCR
Goldie Paring, CDCR
Dr. Jackie Goldstein, Samford University (guest speaker)
Joseph V. Portansky, Citizen Advocate

Absent:

Council Members Dave Lehman, Chief Probation Officer (Retired), Humboldt County and Charles L. Walters, Ph.D., Assistant Sheriff, Orange County Sheriff were absent. Chairperson James E. Tilton called the meeting to order at 10:10. A quorum was present.

AGENDA ITEM 1 - Opening Comments/Previous Meeting Minutes

Secretary James E. Tilton, Chairperson, welcomed all in attendance and requested that all interested parties introduce themselves. AOC hosts Nancy Taylor and Karen Moen welcomed the Council and described various publications handed out to all in attendance. Chairperson Tilton expressed appreciation for the Administrative Office of the Courts hosting this meeting and for the working lunch that was to be provided to the Council members. New member, Dr. Joel Fay, appointed by Speaker Nunez, was welcomed and was asked to offer some background information about his career.

The Executive Officer briefly reviewed the agenda and information about the meeting materials distributed to Council Members. There were no changes noted to the minutes of the September 2007 meeting. James Sweeney moved and David Meyer seconded the motion to approve the minutes – Passed.

AGENDA ITEM 2 – Update – 2008 “Best Practices” Applications

Executive Officer Allan Lammers distributed notebooks to each of the COMIO members containing all 12 applications for the 2008 “Best Practices” awards. The award presentation will be in conjunction with the

annual Forensic Mental Health Association Conference in Seaside on March 19th. Molly Willenbring, FMHA Executive Director, invited all COMIO members to attend the opening Wednesday evening session (same day as the COMIO March meeting in Seaside) of their conference at no cost since this is when the awards will be presented in conjunction with the Keynote address by Judge Karlton. Committee members Lehman, McWaine and Meyer were charged with reviewing the applications and recommending winners. Results will be emailed to all COMIO members before the end of this month. If there are no objections from the members, award plaques will be designed and prepared for the March presentation.

AGENDA ITEM 3 – Competency to stand trial - Proposed checklist

Discussion involved how this checklist could be used. Effective use of this will result in who will go to DMH v. CDCR by offering judges an opportunity to have better looks at individuals to determine if a local option is more effective than a state hospital commitment. Also it offers consistency in screening patterns. James Sweeney moved and Duane McWaine seconded a motion to approve wording as well as to authorize COMIO members to seek out legislative support and finally to express appreciation to David Meyer for putting this together.

AGENDA ITEM 4 – Merit of COMIO Initiated Facilities Needs Survey

Dr Mayberg suggested this item be tabled until Council Member Lehman is in attendance. The Council agreed. Related to this issue Jo Robinson suggested that we inquire as to what organization(s), if any, is the authority for the proper space allocation for mental health bed space. It apparently is not ACA or CSA. What we need is to begin to determine if it is realistic to attempt setting standards for mental health bed and living space.

AGENDA ITEM 5 – Legislative Concerns for 2008 Session

Chairperson Tilton initiated a discussion by stating that CDCR should not be the largest provider of mental health services. Related to this subject, CDCR will bring more issues to COMIO this spring for policy development. He suggested that CDCR should fully fund reentry programs for 12 months and then pay for parolees upon release for a limited time with the remainder of cost picked up by the locals. He is anticipating authorization of 16,000 reentry beds with county's offering proposals for reentry facilities. He stressed that he is an advocate of programs and is asking why are we waiting if we already have effective programs? CDCR has a prototypical design under development to respond to offenders that are considered a higher risk to reoffend and CDCR will have a validated assessment tool by the next COMIO meeting.

Related to this, Kiyomi Burchill mentioned that Senator Steinberg would be reintroducing SB851 with the administration as an advocate of the bill. Chairperson Tilton stated that we need to incorporate actual financials as part of background of the bill so that the Department of Finance is comfortable with it. A concern expressed by Judge Lindley is that our motivation for SB851 is to allow flexibility for the courts at the local level.

AGENDA ITEM 6 – Old Business

- MIOCR projects – Helene Zentner (CSA) provided a progress report on the statewide Mentally Ill Offender Crime Reduction grant program. Chairman Tilton said that he wants to talk with CSA Executive Officer Scott about violent offender data.
- Dave Meyer reported that the 2007 *Words to Deeds IV: Changing the Paradigm for Criminal Justice and Mental Health* report was at the press and will be available for our next meeting. Plans are now being made for a fifth conference in the summer. It is anticipated that Eli Lilly & Company, the State Sheriff's Association and CSAC again will sponsor it.
- SB568 – David Meyer suggested that we had a good faith effort here with unintended consequences and that we should reassess taking action on this in the future.

AGENDA ITEM 7 – New Business

Dr. Mayberg observed that COMIO needs to continue its relationship with the State Sheriffs' Association based on their taking the mental health issues to the forefront of the legislature. Their farsightedness and sensitivity along with great collaboration and pragmatism have been impressive. He said it's a great issue when public safely people are talking and advocating for mental health programs.

AGENDA ITEM 8 – Geel Belgium Presentation

At a previous meeting, Charlie Walters had reported on his recent visit to Geel Belgium, a town that has had a social “experiment” for 700 years of providing foster homes for adult mentally ill individuals. A kin-like relationship seems to exist with recognition of individual’s limitations yet without any negative stigma attached, as is often the case in the rest of the world. Sheriff Walters is interested in exploring how such a social experiment might be replicated here. As a follow-up, Dr. Jacqueline Goldstein from Stamford University was invited to offer COMIO a presentation on her observations about Geel. She has made several visits to Geel to study Geel’s century old, unique foster family model of community mental health care. Her presentation was followed by discussion. Dr. Goldstein will also be making a presentation at the annual conference of the Forensic Mental Health Association in March.

AGENDA ITEM 9 – “Walk-through - San Francisco’s Behavioral Health Court Program

The COMIO members were given the opportunity to observe the San Francisco Behavioral Health Court in action. Operated under Judge Mary Morgan BHC was instituted in 2002. Significant positive results from an ongoing evaluation appeared in the September 2007 issue of the American Journal of Psychiatry. Funding for this court has come from the CSA (MIOCRG), Proposition 63 and a federal SAMHSA grant.

AGENDA ITEM 10 – Adjournment

A motion to adjourn the meeting at 3:45 P.M. was made by Jo Robinson and seconded by James W. Sweeney – Passed.

MINUTES RECORDED AND SUBMITTED BY:

Allan Lammers,
COMIO Executive Officer