

Council on Mentally Ill Offenders (COMIO)

January 22, 2015 Meeting

MINUTES

**LOCATION: California Department of Corrections and Rehabilitation (CDCR)
1515 S Street, Room 510-South, Sacramento, CA**

IN ATTENDANCE:

COMIO Council Members

- Pamela Ahlin, Director, California Department of State Hospitals (DSH)
- Secretary Jeffrey Beard, Ph.D., COMIO Chair, California Department of Corrections and Rehabilitation (CDCR)
- Brenda Grealish, Chief, Mental Health Services Division, California Department of Health Care Services (DHCS) (representing DHCS Director Toby Douglas)
- Manuel J. Jimenez, Jr., MA, MFT, COMIO Vice Chair, Director, Behavioral Health Care Services, Alameda County, (via phone)
- David Lehman, Chief Probation Officer (Ret.), Humboldt County
- The Honorable Stephen V. Manley, Santa Clara Superior Court Judge
- David Meyer, J.D., Professor, Institute of Psychiatry, Law, and Behavioral Science, Keck School of Medicine, University of Southern California
- Lester P. Pincu, D. Criminology (via phone)
- James W. Sweeney, J.D., Legislative Advocate, James W. Sweeney and Associates
- Charles L. Walters, Ph.D., Law Enforcement Consultant, Orange County

CDCR Staff

- Kirsten Barlow, Executive Officer, COMIO
- Nolice Edwards, Deputy Assistant Secretary for External Communications, Office of Public Communications, CDCR
- Thomas Gilevich, Assistant Chief Counsel, Office of Legal Affairs
- Lisa Heintz, Parole Administrator, Division of Adult Parole Operations (DAPO)
- Millicent Tidwell, Director, Division of Rehabilitative Programs (DRP)
- Norine Occhipinti, Associate Governmental Program Analyst, Office of the Secretary
- Robert Storms, Special Assistant to Undersecretary Diana Toche
- Diana Toche, DDS, Undersecretary, Health Care Services, and Undersecretary (A), Administration and Offender Services
- Nick Weber, Staff Counsel, Office of Legal Affairs

Interested Parties and Guests

- Paula Beal, Advocate for Inmates
- Sophie Cabrera, Chief, DSH
- June Clark, Deputy Legislative Affairs Secretary, Office of Governor Edmund G. Brown, Jr.
- Leslie Costalin, OTSUKA Pharmaceuticals
- Diane Cummins, Special Advisor to Governor Edmund G. Brown, Jr.
- Chris Geiger, Managing Partner & Consultant, Realignment Solutions
- Katie Howard, Executive Director, Board of State and Community Corrections (BSCC)
- Marlene C. Hurd, Commissioner, Mayor's Commission on Persons with Disabilities, City of Oakland
- Kris Kent, Assistant Secretary, California Health and Human Services (CHHS)
- Lt. Danny Lamm, California Highway Patrol
- Joseph V.A. Partansky, Advocate for Persons with Disabilities
- Linda Penner, Board Chairperson, BSCC
- Brent Reden, Chief Counsel, DSH
- Thomas Renfree, Deputy Director, Substance Use Disorders, County Behavioral Health Directors Association of California
- Nettie Sabelhaus, Senior Advisor to Governor Edmund G. Brown, Jr.
- Nathan Sharma, Rank Healthcare
- Michael Wilkening, Undersecretary, CHHS
- Molly Willenbring, Executive Director, Forensic Mental Health Association of California (FMHAC)
- Helene Zentner, Field Representative, BSCC

AGENDA ITEM 1 – Welcome and Introductions

CDCR Secretary Jeffrey Beard called the meeting to order and others in attendance made self-introductions. New Council members in attendance were specially noted -- Pamela Ahlin and Lester Pincu.

AGENDA ITEM 2 – Special Guest: Diane Cummins, Special Advisor to Governor Edmund G. Brown, Jr.

Ms. Cummins provided a through overview of the major policy and financing changes that have impacted California's public mental health and criminal justice systems, including the years prior to and during 1991 Realignment, Mental Health Managed Care, special appropriations for offender-related mental health services, Proposition 63, and 2011 Public Safety Realignment. Ms. Cummins encouraged COMIO to consider the following issues in the coming year:

- Identify "what works" in terms of best practices and program elements to close the gaps between mental health and law enforcement, promote integrated services, and result in better engagement across the two systems;
- Identify the mental health components needed when incarcerated individuals reenter the community;
- Examine ways to implement additional strategies to divert people away from the criminal justice system;
- Identify the components of good training programs for law enforcement;
- Identify effective services that prevent juveniles and adults with mental illness from becoming involved in the criminal justice system; and
- Identify the most important interventions for juveniles, particularly in light of the substantial attention that has been devoted to the adult criminal justice population in recent years.

Accompanying Ms. Cummins was Michael Wilkening, Undersecretary, CHHS, who provided an update on the state's efforts to address the waitlist for treatment in state hospitals among individuals who are Incompetent to Stand Trial (IST). Mr. Wilkening described the additional beds being made available in state hospital and at the community level, and mentioned a current contract with U.C. Davis to examine the reasons the population who are IST has been growing significantly. Mr. Wilkening encouraged COMIO to focus on ways to divert individuals away from the criminal justice system, which will in turn reduce the demand for restoration of competency services.

AGENDA ITEM 3 – Katie Howard, Executive Director; Helene Zentner, Field Representative; BSCC

Ms. Howard and Ms. Zentner provided a brief description and update on a number of BSCC activities of interest to COMIO, including recidivism reduction grants for local service providers, Mentally Ill Offender Crime Reduction (MIOCR) grants, the development of performance metrics for community corrections, funding for better jail capacity to provide treatment and programming, and collecting information about counties' AB 109 implementation. Judge Manley and Mr. Meyer were thanked for their participation in the MIOCR grant development process this year. The Board hopes MIOCR proposals will be submitted in April, final recommendations on grant awards would be made to the BSCC in June, and contracts would start July 1.

AGENDA ITEM 4 – Millicent Tidwell, Director, Division of Rehabilitative Programs, CDCR

Ms. Tidwell provided a brief update on a new CDCR Male Community Reentry Program. The 2014-15 state budget allocated funding to CDCR from the recidivism reduction fund to serve the high-need population of inmates with mental illness and help them to transition seamlessly and safely from prison to the community. CDCR hopes the project will improve both short- and long-term goals for the mental health population. A small number of proposers are working with CDCR to develop the first few projects to be implemented.

AGENDA ITEM 5 – Lisa L. Heintz, Chief Clinical Program Administrator, Division of Adult Parole Operations, CDCR

Ms. Heintz provided a brief update on a new CDCR Mental Health Case Management Reentry Pilot Program. The 2014-15 state budget allocated funding to CDCR for a three-year pilot project that will provide social workers at six parole outpatient clinics in California to help stabilize, transition, and sustain the community reentry of parolees with mental illness. The program will work in coordination with the department's Integrated Services for Mentally Ill Parolees (ISMIP) program.

AGENDA ITEM 6 – Setting COMIO Priorities for 2015

During its December 12, 2014 Council meeting, COMIO members identified a range of potential areas of focus and deliverables for 2015-16. In an effort to ensure COMIO's activities over the coming year yield products that are most timely, helpful, and relevant, the Council's Executive Officer conducted outreach to an array of key stakeholders to get their perspectives (including Administration, state agency, legislative, and judicial branch staff; county and non-profit behavioral health providers; state and local law enforcement; hospitals; and mental health and disability rights advocates). While the individuals consulted were not asked to provide a formal position on behalf of their organizational affiliations, they did provide informal feedback we might bear in mind.

ACTION: Given the Council's resources and early feedback obtained from stakeholders, COMIO members approved prioritizing the following three areas of focus for 2015-16: *To identify and promote integrated, cost effective strategies to: (1) Divert Persons with Mental Health Needs from the Criminal Justice System; (2) Improve First Responder Training for Encounters with Persons with Mental Illness; and (3) Prevent Youth with Mental Health Needs from Becoming Involved in the Juvenile Justice System.* COMIO will also be responsive to other matters, as they arise. Council members indicated their interest in participating in work groups for each of the three areas and agreed to have initial discussions about the scope of each priority area, deliverables, and stakeholders to engage.

ACTION: COMIO members approved postponing the annual COMIO Best Practices awards until next calendar year (2016) to ensure the next round of awards receive the time, focus, and attention they need to be successful.

AGENDA ITEM 7 – COMIO Meeting Minutes

ACTION: The COMIO meeting minutes for November 20, 2014 and December 12, 2014 were approved.

AGENDA ITEM 8 – COMIO Organizational Discussion Items

COMIO currently has a vacancy to be appointed by the Governor, and a vacancy to be appointed by the Assembly Speaker. Additionally, Council members discussed COMIO's ability to propose legislation. Secretary Beard clarified that COMIO should improve its efforts to provide information to the Legislature in an aim of advising and educating. However, COMIO as a body may not lobby the Legislature due to the political conflicts that would arise. While COMIO should fulfill its statutory mission of identifying and promoting strategies that improve services for individuals with mental health needs, it is not an independent body that can establish its own political positions on specific legislative proposals. Under current law, the Council is established within CDCR.

AGENDA ITEM 9 – Agenda Setting for Next COMIO Meeting

COMIO's next meeting will occur March 18, 2015 from 11:00 A.M. to 1:00 P.M. in Monterey prior to the beginning of the Forensic Mental Health Association of California annual conference. Agenda topics may include COMIO's work plan for 2015, a legislative update, and an update on juvenile competency restoration legislation.

The meeting adjourned at 2:09 P.M.