

COUNCIL ON MENTALLY ILL OFFENDERS (COMIO)

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

MINUTES

January 23, 2014

**LOCATION: 1515 S. Street, Executive Conference Room 502, South Building
Sacramento, CA 95814**

IN ATTENDANCE AT 1515 S. Street, Executive Conference Room

COMIO Council Members

- David Lehman, Chief Probation Officer (Ret), Humboldt County
- Patrick Dwyer, Law Enforcement Consultant, Santa Clara County (via conf line)
- Charles L. Walters, Ph.D., Law Enforcement Consultant, Orange County
- The Honorable Stephen V. Manley, Santa Clara Superior Court Judge
- James W. Sweeney, J.D., Principal, James W. Sweeney & Associates

CDCR Staff

- Nicholas (Nick) Weber, Attorney, Office of Legal Affairs, California Department of Corrections and Rehabilitation (CDCR)
- Dr. Corey Scheidegger, Ph.D., Psychologist, Statewide Mental Health Program, Division of Health Care Services (DHCS), CDCR
- Dr. Felicia Bloem, Ph.D., Psychologist, Statewide Mental Health Program, DHCS, CDCR
- Pamela Michel, Statewide Mental Health Program, DHCS, CDCR
- Fu Yiu (Yoyo), Statewide Mental Health Program, DHCS, CDCR
- Virginia Steele-Pirie, RN, Nursing Consultant, Statewide Mental Health Program, DHCS, CDCR
- Tosca Toussuint, LCSW, Division of Adult Parole Operations, CDCR

Interested Parties

- Joseph V. A. Partansky, Advocate for Persons with Disabilities
- Rita McCabe, Assistant Division Chief, Mental Health Services Division, California Department of Health Care Services
- Sophie Cabrera, Department of State Hospitals
- Erika Barrow, Contra Costa County Behavioral Health Services
- Jim Kenshalo, LCSW, Contra Costa County

AGENDA ITEM 1 -Introduction/Welcome – Nick Weber

The meeting was called to order at 11:10am. Introductions and welcoming were done by Nick Weber.

AGENDA ITEM 2 – Adoption of Minutes (November, 2013)

Minutes from the November 21, 2013 meeting were reviewed and adopted.

AGENDA ITEM 3 – Public Comments

- 1) Mr. Joseph Partansky, Advocate for Persons with Disabilities, requested adding COMIO members' contact information on COMIO website.
- 2) Mr. Partansky informed the other attendees about the Center for Psychic Rehabilitation at Boston University, which he described as a good program with a very good website (<http://www.bu.edu/>). Specifically two readings were recommended. 1) *Synthesis of the Research Literature on Job Accommodations for People with Psychiatric Disabilities* (1990-2010). 2) Schultz, I & Rogers, E. S., (Eds.) (2010) *Handbook of Job Accommodation and Retention in Mental Health*. New York: Springer.

AGENDA ITEM 4 – Chair Report

Mr. James Sweeney requested the Chair Report to be deferred because the COMIO Chairperson, Dr. Jeffrey Beard, was not present at the meeting.

AGENDA ITEM 5 – Old Business

a) COMIO Website Update Follow Up

There was a discussion regarding updating the COMIO web page. Yoyo discussed the need for up-to-date information for the current Council members on the COMIO page. Yoyo requested Council members provide her with a short bio which she could have posted to the site.

- **James Sweeney**-would like to see a clear, transparent picture of the COMIO Council emphasizing (1) its legislative purpose, (2) what the Council does, and (3) where the Council meets.
- **Charles Walters**-asked Yoyo to provide a draft of the COMIO website update, as well as the bio drafts, to the Council members before the next meeting in March, so they could work together to review the drafts, edit the drafts and ensure the members' bios were of uniform length and similar in format.
- **Joseph Partansky**-commented that the COMIO website currently shows prior Council members who no longer serve and provides zero contact information for either a staff person or for any of the current Council members.
- **Nicholas Weber**-suggested that Yoyo request a designated COMIO mailbox be created for the website.

b) Strategic Plan Proposal for 2014

- **Charles Walters**-discussed that the Council created a Memorandum of Understanding (MOU) to raise funding and to distribute funding and resources to third sector organizations that support necessary services to mental health patients; however, the MOU was declined.
- **David Lehman**-addressed the need of an Executive Director for the purpose of seeking and raising funds, as well as helping with COMIO COMIO and its needs. Mr. Lehman asked Yoyo to post the proposed 2014 Strategic Plan to the COMIO webpage.

c) Letter to CDCR Secretary Beard Addressing the Need of an Executive Director for COMIO

Mr. Manuel J. Jimenez, Jr., Vice Chairperson for the Council, wrote a letter to CDCR Secretary Dr. Jeffrey Beard, dated January 3, 2014, clarifying the Council could meet its statutory mandates with even just a part-time Executive Director, and that Section 6044(g) allows the California Department of State Hospitals and the State Department of Health Care Services to supply funding to fill this position. Mr. Jimenez was not present at the meeting. The letter was reviewed during the meeting and the Council discussed the great need they have for an Executive Director. The council members have discussed that one of the previous executive directors who had functioned as COMIO Executive Director was a State of California Retired Annuitant with work experience with the State Board of Corrections and it produced good results.

A small workgroup formed to continue to work on the issue of procuring at least a part-time Executive Director. The new Executive Director Workgroup consists of Mr. David Lehman, Mr. Charles Walters, and Mr. James Sweeney.

Ms Sophie Cabrera, of Department of State Hospitals, asked for more clarification and information about the responsibilities and requirements in assisting with funding to fill the Executive Director position. Ms. Rita McCabe, the representative from the California Department of Health Care Services, wanted to know more regarding the subject of supplying funding to fill this position as well.

d) Action Items Updates

Yoyo provided updates on action items.

- I. Yoyo to work with CDCR IT to remove outdated information from COMIO webpage-***In progress***
- II. COMIO Council Members review the COMIO webpage and send revisions to Yoyo-***In progress***
- III. Council Members review the Strategic Plan and send all comments to Yoyo-***In progress***
- IV. Yoyo drafts and prepares Best Practices materials and e-mails out the Best Practices to the Chief Probation Officers and the Mental Health Directors-***Accomplished, it has been posted.***

- V. Best Practices Panel for 2013 has been selected. The panel members are Mr. Manuel Jimenez, Mr. Mark Grabau, and Ms. Brenda Grealish-**Accomplished**
- VI. Yoyo is to schedule a meeting with the panel members to score the Best Practices-**Date had been set for 1/31/2014**
- VII. Schedule a conference call with Mr. Lehman and Mr. Jimenez prior to the official COMIO meeting to prepare agenda items and packets-**Accomplished, met on 12/31/2013 via conference**
- VIII. Mr. Manuel Jimenez to write a letter responding to Secretary Beard's letter-**Accomplished, sent**
- IX. Mr. Patrick Dwyer drafts a letter to the Executive Director of the California Commission on Peace Officer Standards and Training and sends to Mr. Manuel Jimenez for final review. After the letter is finalized, Mr. Manuel Jimenez will mail out the letter -**Accomplished, the Council members reviewed the letter drafted by Mr. Patrick Dwyer and it will be sent once the signature from Mr. Jimenez.**
- X. Mr. Manuel Jimenez to write a letter to the County Fire Chief asking about their training that is done through the Community College District and to include the Division of Juvenile Justice-**Defer**

AGENDA ITEM 6 – New Business

a) Annual Report

Mr. Nick Weber has prepared the draft of the COMIO 12th Annual Report, December 2013, which was included in the meeting packet. The draft was provided to the Council members prior to this meeting, and they voted to approve it. Mr. Nick Weber will send the finalized copy to Yoyo for distribution.

- **David Lehman**-stated that these reports go to the Legislature, not just to the CDCR Secretary, and this needs to be corrected on the COMIO web site.

b) Best Practices

2014 Best Practices information was posted on the COMIO website on December 4, 2013. The deadline for applications was January 17, 2014. Yoyo has received one application.

- **Judge Stephen Manley**-stated that the Council should consider highlighting innovative and promising mental health programs in the community rather than just those who have the documented research to prove their effectiveness for the "Best Practices" award. Judge Manley suggested that the Council give a special "Promising Practices" award for innovative programs and strategies in addition to the current one for Best Practices. Judge Manley recommended two groups, one is the group who is working with Parole Reentry Program and the other one is the Pre Trial Program in Santa Cruz.
- **Charles Walters**-recommended a group that based on Hollywood providing excellent services to the community. Charles Walters stated that he would reach out to the organization director and would assist to put together an application for this special award.

The Council members agreed with Judge Manley's suggestion to give an award and recognition to at least two to three programs that are innovative, promising, and emerging. These are programs that may not be able to prove effective results through research data but are displaying innovative strategies and actively pursuing positive results for those in need in their communities. The Council members will work together to choose the recipients for the new award, as well as agree on the formal name of the award, and provide information to Yoyo so the new awards can be part of the next meeting on March 19, 2014.

- **Joseph Partansky**-shared to the group that there is an updated review of Best Practices on Stanford University's website.

c) Relationship with Forensic Mental Health Association of California (FMHAC)

Mr. Charles Walters suggested this item to be deferred and revisited on the next meeting since Molly Willenbring, Executive Director of FMHAC, was not present at the meeting.

d) Mental Health Funding Opportunity

Ms. Darby Kernan, representative from State Senate President pro Tem, Darrell Steinberg's office, gave a presentation about The Mentally Ill Offender Crime Reduction Grant (MIOCRG) Program and funding

opportunity to the Council members and other attendees. She informed that Senator Darrell Steinberg is proposing \$50 million for mental health funding from the State's General Fund; \$25 million to be allocated for adult services and \$25 million to be allocated for juvenile services. This mental health funding will have new oversight as compared to the past, possibly from State Treasurer's Office officials. Ms. Kernan also reported that Governor Brown has put \$81 million in the Budget Proposal for CDCR Recidivism Programs. These evidence-based reentry programs have to be supported by documented research of their effectiveness.

- **James Sweeney**-showed concern about individuals leaving the State Prison System with mental health issues as well as severe physical issues.
- **Darby Kernan**-reiterated that the proposed funding is to encourage more Triage Beds and build more Crisis Beds because there is a greater need in the community than there are available mental health beds.

Discussions (non- agenda items)

a) Competency Assessment Needed for Incarcerated Juveniles

Judge Manley has discussed the issue of determining the competence of juveniles under the jurisdiction of the juvenile courts. Judge Manley told the group that elements of competency have been established and standardized for incarcerated adults but not for incarcerated juveniles. Currently, there is no standardized mental health assessment of juveniles in prisons, and a statutory fix is needed.

- **James Sweeney**-suggested that the Council members bring this issue to the attention of State Senate President pro Tem and mental health advocate, Darrell Steinberg.

A Motion was made by Council members that COMIO Chairperson, Dr. Jeffrey Beard, or the Vice Chairperson, Mr. Manuel Jimenez writes a letter to Senator Darrell Steinberg requesting that Senator Steinberg spearhead the development and enactment of legislation to ensure appropriate standardized competency assessments for juveniles under the jurisdiction of the California Juvenile Court System.

b) California Governor's Department of State Hospitals Workgroup

Judge Stephen Manley discussed that the Governor's Office formed a workgroup regarding the California Department of State Hospitals. Currently there are approximately 300 adults waiting to get into a state hospital, as ordered by the courts. However, individuals may not be going into the State Hospital System at all when there are not enough available beds, partly because of the disorganization within the Department, among other causes.

Judge Manley asserted that judges should be part of this state workgroup; judges should be heard because they are making these court orders that are not being fulfilled. Judge Manley also explained how judges are in the serious predicament of having to make an order regarding an individual for placement in the community only one day before the individual's release, and that is not enough time for proper placement for mentally ill individuals.

Action Items

- 1) Council members to provide Yoyo with short bio and current photo
- 2) Yoyo will provide draft of COMIO statement of function/purpose and members' bios to Council Members before next meeting
- 3) Yoyo to request a Designated Mailbox for the COMIO website
- 4) Yoyo to post 2014 Strategic Plan to COMIO website
- 5) Yoyo will organize conference calls between meetings for Council to draft the agenda items
- 6) Yoyo will post 12th Annual Report on the COMIO website and distribute to the members when Nick Weber has finalized it
- 7) Nick Weber provide 12th Annual Report to the State Legislature and correct COMIO website citation that Annual Report is only provided to the CDCR Secretary
- 8) COMIO Workgroup (Mr. Lehman, Mr. Walters, and Mr. Sweeney) to seek at least a part-time Executive Director
- 9) Council members will add 2 to 3 recognition awards to Best Practices award ceremony in March
- 10) Mr. Jimenez send letter to Exec Dir of the CA POST Commission and Yoyo will send copies to the Council members

- 11) Mr. Jimenez send letter to Senator Darrell Steinberg requesting legislation for juvenile justice competency standards

ADJOURNMENT

The meeting adjourned at 12:36pm.

***Next COMIO meeting – March 19, 2014, 11:00am to 1:00pm**

Hyatt Regency Resort & Spa

1 old golf road

Monterey, California 93940

Meeting Room to be Announced