

## **COUNCIL ON MENTALLY ILL OFFENDERS**

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

### **MINUTES**

**November 17, 2011**

**LOCATION:** CDCR Headquarters Office – 1515 S Street – Conference Room 502S – Sacramento 95811

#### **IN ATTENDANCE ON CONFERENCE CALL:**

##### **Council Members**

Dave Lehman, Chief Probation Officer (Retired)

Dave Meyer, J.D., USC Institute of Psychiatry, Law and Behavioral Science

#### **IN ATTENDANCE AT 1515 S STREET:**

##### **Council Members**

Charles L. Walters, Ph.D., Law Enforcement Consultant, Orange County

James W. Sweeney, J.D., Principal, James W. Sweeney & Associates

Jon DeMorales, Executive Director, Atascadero State Hospital

##### **Interested Parties**

Joseph Partansky, Advocate PWDs

Mark Grabau, DMH/FMHAC

Molly Willenbring – FMHAC

Shawn Rowland – East Bay Community Recovery Project

Tina Hartmann – Sunovion

##### **CDCR Staff**

Diana Toche, CDCR, Statewide Dental Director, DCHCS

Julia Rodden, CDCR, DCHCS, Office of Strategic Management

Marcia Brady, CDCR/DAPO/PHMU

Peggy Ritchie, CDCR, Deputy Director, DCHCS Office of Strategic Management

Sharon Aungst, Director, DCHCS, CDCR

Sondra Jacobs, CDCR/DAPO/PHMU

Thomas L. Gilevich, Assistant Chief Counsel, CDCR, Office of Legal Affairs

#### **ABSENT:**

##### **Council Members**

Cliff Allenby, Ph.D., Acting Director, California Department of Mental Health

Matt Cate, Secretary, CDCR (Chairperson)

The Honorable Stephen V. Manley, Santa Clara Superior Court Judge

#### **AGENDA ITEM 1 – Introduction/Welcome – Chair**

The meeting was called to order at about 11:00a.m. Introductions and welcoming was done by Peggy Ritchie and Thomas Gilevich, as Matt Cate was not in attendance. A quorum was present in person and through conference calling. Thomas Gilevich facilitated the meeting on Secretary Cate's behalf.

#### **AGENDA ITEM 2 – Adoption of Minutes (September 15<sup>th</sup>, 2011)**

Minutes from the September 15<sup>th</sup> meeting were reviewed and adopted.

#### **AGENDA ITEM 3 – Old Business**

##### **a) AB 109**

Sharon Aungst, Director CDCR Division of Correctional Health Care Services, announced that she is leaving CDCR on December 2nd. Sharon will be going to work for California Forward. Diana Toche, Director of the Dental program, will be acting in Sharon's place.

Sharon stated that some of the biggest issues with AB109 have been related to mental health. Within the Division and its mental health program, a group has been set up to review the pre-release systems in

place between CDCR and county probation services. A process has been developed and is available on the intranet, as well a booklet on post-community release supervision. The resource guide for coordinating mental health services for inmates going to county supervised probation is available on the internet at <http://www.cdcr.ca.gov/realignment/docs/PRCS-mental-health-info.pdf>. In conjunction with a wide variety of stakeholders, including county representatives, have participated in various work groups. Counties are given the opportunity to opt in or opt out of the process in reference to receiving information for EOP offenders before the offender is released. If the county opts in, there is a standard set of information that is sent to the county mental health. The key idea is to get the information to them ahead of time so there will be a way to follow up and arrange for care from county or community resources. CDCR's goal is to help support counties to make the decisions concerning the services and care that only they can arrange for the inmates being placed on probation.

For the next meeting, we will seek input from larger counties on their experiences. It can be expected that both state and county processes will evolve and change.

**b) Best Practices**

The 2011 awardees and descriptions of their programs are posted on the COMIO website. The awards will be presented at the Forensic Mental Health Association of California (FMHAC) meeting in Seaside on March 22, 2012. Announcements have been sent out requesting nominations for 2012 Best Practices Awards.

**c) Update the Status of the Privatization of a CEO for the Council and a Public/Private Partnership with a Local Not For Profit – Update Status of MOU/Agreement with FMHAC**

Charles Walters began his update by acknowledging James Sweeney, Molly Willenbring and Mark Grabau for all their effort and support. The drafted agreement is with the law firm and a draft will be available for distribution in a few weeks. A chronological timeline was given on what has been accomplished so far:

- July: The Council appointed a committee to start working on a new partnership concept with FMHAC
- August: Research was done on fiscal sponsorship modeling, MOU examples, and how to put the components. Charles met with attorneys, on a pro bono basis, to start this process and came up with an action plan.
- October: Molly and Charles visited San Francisco and went to the West Coast headquarters for the Foundation Center in New York. They looked at private foundations and opportunities that can be used to move this effort forward. The topical outline for the agreement was designed and Molly sent it to the law firm.

The proposed joint venture agreement between COMIO and FMHAC includes: collectively applying for grant funding, sharing an Executive Director and ensuring there is adequate support for programs and COMIO efforts. Charles has been working with the FMHAC to provide an appropriate and effective design that will meet State requirements and to fulfill the Council's statutory mission. The documents should be available for review and discussion by the January meeting.

Opportunities for grants and funds to provide support are also being considered and Charles is networking with representatives from various foundations.

**d) Update on Council Membership**

The Governor's office has been contacted and two letters have been drafted to the Senate Rules Committee and Speaker of Assembly. Tom Gilevich has these letters for Matt Cate's signature.

**AGENDA ITEM 4 – New Business**

**a. Annual Report**

The annual report is due in December and voted on in January. The initial draft is in the packets handed out at today's meeting. The main body of the report will be sent electronically to council members for input and feedback.

**b. Best Practices Review Committee**

David Meyer, David Lehman, and Jon DeMorales volunteered to review applications that are received. Julia Rodden will send out the criteria matrix to the council members.

**c. Elect Vice Chair Nominations and Vote**

The statute designates the Secretary of CDCR at the COMIO chair. Traditionally, the vice chairperson has been the Director, Department of Mental Health, but the position is to be selected by the membership. Tom asked to defer this item until the vacancies are filled. Mr. Sweeney indicated that would it would be prudent to keep Mr. Allenby as Vice Chair as this has historically been the case. Mr. Sweeney did not think we should wait until all vacancies are filled as this may take a long time. This will be put on agenda for next meeting.

**d. Travel Accommodations**

Peggy Ritchie and Jon DeMorales briefed the Council about their meeting with Cliff Allenby to discuss the Department of Mental Health (DMH) roles regarding member travel and arrangements for the Council's meeting at the Forensic Mental Health Association of California conference. DMH has taken care of travel for members and arranged for a conference room for the Council meeting. The point of contact for Council members is Mary Black at DMH.

**e) Reminder About Guests**

Members were reminded to advise staff on any proposed agenda items and guest speakers in advance.

**f) Blog on Website**

Once the partnership with the FMAC is established blogs and linkages with COMIO's site can be established.

**AGENDA ITEM 5 – Standing Agenda items**

**a. Strategic Planning Teams: No specific action.**

**Miscellaneous**

**Recidivism**

The Council discussed the state of research on the 77% recidivism rate in CDCR and what leads offenders to recommit and whether there had been research done by CDCR on the inmates with mental illness. Nationally there has been research on recidivism for inmates with mental illness. Every system is different and research terminology and definitions of recidivism are different, however main concepts could be reviewed and applied as we approach strategies to reduce recidivism. Peggy Ritchie will follow up with Office of Research and national websites.

**Marcia Brady**

James Sweeney introduced and welcomed Marcia Brady to the meeting. She works for CDCR in the Division of Adult Parole Operations. She is new to the DAPO transitional program.

**RAND Study**

Sharon suggested the most recent RAND Study be looked at. The link to the report will be provided to members.

**Texas Organization**

Early in COMIO's history, a similar group from Texas attended a meeting. The Council requested that staff explore what Texas and other states may be doing with respect to agencies or groups with a similar function as COMIO.

**Action items**

<b>Action item</b>	<b>Responsible Party</b>
Draft MOU	Charles Walters and James Sweeny, Council, Tom Gilevich, CDCR
Best Practice Reviews as Needed for 2012	David Lehman, David Meyer, Jon DeMorales
Travel expenses in general and Conference Room for March 21 Meeting	Cliff Allenby (Mary Black) DMH
AB109 Updates	CDCR Mental Health, David Meyer, LA Updates
Re-send Council members AB109/Mental Health Link	Julia Rodden, CDCR
National Research links: Recidivism and Inmates with Mental Illness	Peg Ritchie
Council Vacancies-Letters	Tom Gilevich
Review literature used in overcrowding courts related to inmates with mental illness	Tom Gilevich
Link to recent RAND study on health issues and inmate releases	Peg Ritchie
Review minutes and contact the organization in Texas and request another presentation to COMIO	James Sweeney, Peg Ritchie

**ADJOURNMENT**

The meeting adjourned at 1:00pm.

\*Next COMIO Meeting – January 19, 2011 **11:00am – 1:00pm**  
CDCR Headquarters Office – 1515 S Street – Conference Room 502S – Sacramento, 94283

Respectfully Submitted,  
Julia Rodden, Office of Strategic Management