

COUNCIL ON MENTALLY ILL OFFENDERS

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

MINUTES

January 24, 2013

LOCATION: 9272 Laguna Springs Drive, Elk Grove, CA 95758, Room 332

IN ATTENDANCE AT 9272 Laguna Springs Drive:

Council Members

- **Chairperson:** Jeff Beard, Secretary
- **Vice Chairperson:** Manuel Jimenez, Mental Health Director, Merced County
- Dave Lehman, Retired Chief Probation Officer, Humboldt County
- Dr. Glenn Hammel, Ph.D.
- James W. Sweeney, J.D., Principal, James W. Sweeney & Associates
- The Honorable Stephen V. Manley, Santa Clara Superior Court Judge
- Mark Grabau, Ph.D., Department of State Hospitals (on behalf of Director Cliff Allenby)
- David Meyer, J.D., Clinical Professor/Research Scholar, USC Keck School of Medicine
- Charles Walters, Ph.D., Law Enforcement Consultant, Orange County
- Toby Douglas, Director, California Department of Health Care Services

CDCR Staff

- Dr. Diana Toche, Director, DHCS, CDCR
- Robert Storms, Chief Clinical Program Administrator, CDCR
- Alicia Aguilar, DHCS, CDCR
- Pam Michel, DHCS, CDCR
- Kathryn Tebrock, Deputy General Counsel, CDCR
- Nick Weber, Staff Council, Office of Legal Affairs, CDCR

Interested Parties

- Carol Hulsizer, Merced County
- Molly Willenbring (FMHAC)
- Sterling Price, Executive Director, Department of State Hospitals
- Lawrence Fong, CEO, California Health Care Facility, CDCR
- Joseph A. Partansky, Advocate for the Frail, Elderly, and Person with Disabilities

AGENDA ITEM 1 – Introduction/Welcome – Chair

The meeting was called to order at 11:30a.m. Introductions and welcoming was done by Manuel Jimenez and Dr. Diana Toche.

AGENDA ITEM 2 – Adoption of Minutes (December 6, 2012)

Minutes from the December 6, 2012 meeting were reviewed and adopted.

AGENDA ITEM 3 – Old Business

a) MOU/ with FMHAC

- **Katherine Tebrock**—A solution to the MOU agreement with FMHAC is in the works but still being worked on, so that Government Code provisions won't be challenged in the future. She asked her legal staff to review the (1) bidding process, and (2) 15% Administrative costs (revenue to FMHAC). CDCR Legal is looking at the function of State employees while supporting the work of COMIO, per Govt Code 19130.
- **FMHAC and Manuel Jimenez**—They said these issues were already resolved and vetted, per Tom Gilevich, recently retired CDCR staff counsel.
- **Charlie Walters**—We [COMIO] are an Advisory Committee, no funds are being raised. This was settled three years ago at our Seaside meeting.
- **James W. Sweeney**—The MOU draft was written by the well-known law firm of BEST BEST & KRIEGER, in Riverside, CA. They are experts in this field of the law. Charlie Walters solicited them and their services at no fee.
- **Manuel Jimenez**—Could we really pay 15% Administrative costs, or is it limited to 10%? Based on the fact that we are a 501.c3, a non-profit organization.
- **Charlie Walters**—Bids and contracts that would be executed, if any, would not be subject to the CDCR process. It's the non-profit organization who would do any bidding or contracts. He discussed his experience consulting with the National School of Philanthropy at Indiana University.
- **CDCR Secretary Jeff Beard**—Discussed the situation for non-profit organizations in the state of Pennsylvania, where he is from. Also, with CDCR Realignment, the burden is bigger. Secretary Beard

and CDCR Chief Deputy General Counsel, Katherine Tebrock, will meet to review the MOU before the upcoming March 13th COMIO meeting in Monterey.

MOU Motion

- Motion was made to present the approved/signed MOU with FMHAC at the next COMIO meeting on March 13, 2013 in Monterey, CA.
- Motion was adopted by the COMIO members, unanimously.

b) Annual Report

The Annual Report was handed out to all COMIO members, but was tabled for the next meeting.

c) Best Practices

A meeting was scheduled for February 26, 2013 with Dave Lehman, Manuel Jimenez, Charlie Walters, and Judge Manley to review the Best Practice proposals that we received. Scoring of the two Best Practices were made and there was a discussion about future development of screening criteria. The Best Practices Award will be given at the March 13, 2013 meeting in Monterey, CA.

AGENDA ITEM 4 – New Business

a) Presentation by Larry Fong, CEO, Stockton Mental Health Facility (CHCD/CA Health Care Facility)

- The California Health Care Facility will open in Stockton, CA in July 2013. It will house over 2,000 employees and will have Medical, Health, Dental, Vision, Nursing, and diagnostics. The facility will have an inmate housing unit containing visiting spaces, Board of Parole hearing rooms, and staff services. The housing units range in size from 30 to 100 beds, depending on the acuity of the inmate-patients who reside in them. The DeWitt Nelson Correctional Annex is scheduled to open sometime in spring 2014. Specialized medical and mental health services will be provided to the 1,133 inmate patients housed at this facility.
- There is a possibility to have a warehouse geriatric facility.
- **Question from Manuel Jimenez:** Are some inmates being transferred to CHCF?
 - Answer (Mark Grabau): DSH will. DSH taking beds down at SVSP.
 - Response (Mr. Fong): CHCF – 542 Beds/432 Intermediate Beds.
- **Question from James W. Sweeney:** Where did all the money come from?
 - Answer (Dr. Diana Toche/Katherine Tebrock): AB 900.
- **Question from DSH Representative (Mark Grabau):** How are “housing issues” going to be addressed?
 - Comment from Manuel Jimenez: We are struggling in Merced County.
- **Question from FMHAC Rep—**What about the output component, out in the community?
 - Answer: EOP (Enhanced Outpatient Program), in the prison, housed inside.
- Larry Fong offered to come back to COMIO at a later time, at Dr. Toche’s invitation, to discuss the CHCF Stockton facility and to provide a slide show.

b) Discussion and Public Comment

No discussion or public comment was made.

Next Meeting

- 1) MOU with FMHAC
- 2) Approval of Annual Report

*Next COMIO Meeting – March 13, 2013
Hyatt Regency Resort & Spa, Monterey
1 Old Golf Course Road
Monterey, CA 93940