

COUNCIL ON MENTALLY ILL OFFENDERS

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

MINUTES

July 17, 2009

The California Department of Corrections and Rehabilitation (CDCR) hosted this meeting at their headquarters office - 1515 S Street, Suite 502 South, Sacramento, California.

In Attendance:

Council Members

Dave Lehman, Chief Probation Officer (Retired)
Wendy Lindley, Judge, Orange County Superior Court
Stephen W. Mayberg, Director, Department of Mental Health (Vice-Chairperson)
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, San Francisco Jail Psychiatric Services

Support Staff

Allan Lammers, Executive Officer
Bruce Slavin, Chief of Legal Policy, CDCR

Interested Parties

The Honorable Stephen V. Manley, Santa Clara Superior Court Judge
Molly Willenbring, Executive Director, FMHAC
Karen Moen, Collaborative Justice Project, Administrative Office of the Courts
Kit Wall, Consultant, Kit Wall Productions
Nick Dakis, Janssen
Tod Nicosia, Janssen

Absent:

Council Members

Matt Cate, Undersecretary, CDCR (Chairperson),
Joel Fay, PsyD, Officer, San Rafael Police Department
James W. Sweeney, J.D., Principal, James W. Sweeney & Associates
Charles L. Walters, Ph.D., Law Enforcement Consultant, Orange County

Support Staff

Bruce Slavin, Chief of Legal Policy, CDCR

AGENDA ITEM 1 – Introduction / Adoption of Previous Meeting Minutes

Vice-Chairperson Stephen W. Mayberg called the meeting to order at 11:13 A.M. A quorum was present. Guests were welcomed and introductions were made.

David Meyer moved and Duane McWaine seconded a motion to accept the minutes of the previous meeting held on May 21, 2009. The motion was PASSED.

AGENDA ITEM 2 – COMIO Future Direction

Vice-Chair Mayberg initiated the conversation by referencing the severe budget situation which now includes letting go of at least 4,600 State Government people. He noted that DMH has 12,500 employees and a \$30,000 travel budget. In spite of this **he stated that DMH will continue to support COMIO Council travel, and said that there is no recommendation to eliminate COMIO.** Judge Lindley suggested that we need to define immediate action steps to be taken.

Dave Meyer said that a primary concern is to maintain COMIO's Executive Officer position and ensure pay for the position. Jo Robinson observed that missing from our table is input from the County Mental Health Director's Association. She also suggested that our website could serve as an avenue for summarizing studies of mental health court effectiveness noting a San Francisco example where co-occurring felons recidivate least after graduation from mental health courts. Other suggestions included presenting more on our website about what we do well such as collaborative courts. Judge Manley addressed the need to push harder on what we are doing now and not allow effective programs to be eliminated. He observed that the number of mentally ill is increasing dramatically and without continuing these programs there will be an ever-increasing use of jail for this population, which will have terribly negative results down the line. Jo Robinson mentioned that we should push for engaging all County Boards of

Supervisors to get into the jail to see and talk with the mentally ill about their therapeutic experiences. Dave Lehman added that we need to work towards standardizing training and care for front line officers as well as in the courts. Dr. Mayberg summarized the discussion by saying the Council needs to:

- Develop a strategic business plan for the future to ramp up our efforts
- Nurture affiliations with other organizations
- Ensure appropriate staffing
- Address a “how to” approach that incorporates educational and advocacy functions.

AGENDA ITEM 3 – AOC Task Force Updates

- a) Mental Health Assessment Tool for Jails – Jo Robinson reported that the tool is actively being used in a pilot form in San Francisco, San Bernardino and San Luis Obispo counties. Recommendations are being made for modifications as a result of the pilots. Judge Manley mentioned that a subcommittee of this Task Force is recommending that the assessment tool be mandated for use by all jails.
- b) Incompetence to Stand Trial Treatment in Jails, P.C. 1369.1 – DMH has not announced a revised release date for this report.
- c) Checklist – The court-based strategies subcommittee is now considering this and how best to handle/incorporate the recommendations.

AGENDA ITEM 4 – Podcast Project

No progress was reported.

AGENDA ITEM 5 – Strategies toward MHSA Funding

Vice-Chair Mayberg reported that the MHSA dollars have been reduced by half due to the reduction in income from the millionaire tax. The projection is \$500-600 million which causes us to anticipate program reduction unless the counties follow a “prudent reserve”. This is a county-by-county option to follow so reductions in program will vary from location to location.

AGENDA ITEM 6 – Old Business

Dave Lehman reported on his activities as part of the Juvenile Detention Profile Survey Executive Steering Committee for the Corrections Standards Authority (CSA). A recent draft from the Committee incorporated some of Dave’s concerns to collect some good data regarding mental health cases that goes beyond just psychotropic drugs data. It is hoped that this approach might offer cleaner data while still showing need and volume of referrals to mental health. The survey is to be pilot tested during the next year.

AGENDA ITEM 7 –New Business

ADJOURNMENT

A motion was made by Dave Lehman and seconded by Jo Robinson to adjourn the meeting. The motion passed and the meeting was adjourned at 1:25 P.M.

The next COMIO meeting will be held on Thursday September 17 at CDCR Headquarters in Sacramento at 11:00AM.

MINUTES RECORDED AND SUBMITTED BY:

Allan Lammers,
Executive Officer, COMIO