

COUNCIL ON MENTALLY ILL OFFENDERS

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

MINUTES

May 21, 2009

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

In Attendance:

Council Members

Joel Fay, PsyD, Officer, San Rafael Police Department
Dave Lehman, Chief Probation Officer (Retired)
Wendy Lindley, Judge, Orange County Superior Court
Duane E. McWaine, M.D., Medical Director, DHCMHC, Los Angeles
David Meyer, J.D., USC Institute of Psychiatry, Law, and Behavioral Science
Charles L. Walters, Ph.D., Assistant Sheriff, Orange County

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
Rollin Ives, Acting Deputy Director, Correctional Mental Health Services
Aaron Carruthers, Special Advisor, CDCR
Molly Willenbring, Executive Director, FMHAC
Steve Keithley, Field Representative, CSA,
Suzie Cohen, Consultant, CSA
Jan Hagen, Manager, CDCR
Patricia Butler, R.N., Butler Consulting
James Kenshalo, LCSW, Contra Costa County
Erika Barrow, MH, Contra Costa County
Steven Price, DPM II, CDCR-EIS
Kit Wall, Local Government Relations, Eli Lilly & Company

Absent:

Matt Cate, Undersecretary, CDCR (Chairperson),
Stephen W. Mayberg, Director, Department of Mental Health (Vice-Chairperson)
Jo Robinson, M.F.T., Assistant Director, San Francisco Jail Psychiatric Services
James W. Sweeney, J.D., Principal, James W. Sweeney & Associates

AGENDA ITEM 1 – Introduction / Adoption of Previous Meeting Minutes

Acting Chairperson David Meyer called the meeting to order at 11:10 A.M. A quorum was present. Guests were welcomed and introductions were made.

Joel Fay moved and Charlie Walters seconded a motion to accept the minutes of the previous meeting held on March 18, 2009. The motion was PASSED.

AGENDA ITEM 2 – Continuity of Care

Representing Secretary Cate, Special Advisor Aaron Carruthers discussed a letter sent to Ms. Wendy Rae Hill, Director of Government and Political Affairs for the California Chapter of the National Association of Social Workers in response to her letter of April 3, 2009. In her letter, she urged the development of a Memorandum of Understanding (MOU) between CDCR and DMH to facilitate the transfer of seriously mentally ill individuals into community services. Secretary Cate submits that an MOU will not resolve the issue because it is county level attention that is needed. The reality, he notes, is that local Directors and local mental health agencies have been the problem.

AGENDA ITEM 3 – Facilities Needs Survey

As introduced at COMIO's January meeting, the CSA has initiated planning to implement a COMIO endorsed study that would address:

- The intake and release process followed in jails and juvenile halls
- A review of the medication follow-through, and

- A review of space and programming allocations for mentally ill offenders.

CSA staff Steve Keithley and Consultant Suzie Cohen provided an update on their progress. During April telephone meetings as well as an on-site meeting with committee members were held to obtain a first run at the most critical issues and concerns. An early draft is now being reworked. A more finished product is planned for review at the July COMIO meeting.

AGENDA ITEM 4 – AOC Task Force Update

Judge Lindley reported that the AOC Task force is a good forum for COMIO issues such as the projects supported in motion form at the January COMIO meeting. She noted that representation on this Task Force has fewer judges than usual. While a variety of subjects are being addressed by the Task Force, most issues center on the judges. Judges who have been doing probate and mental health for years are often very resistant to change and to formalizing mental health courts. Based on this situation, the reason why this AOC Forum is so useful is that is focused on developing action strategies.

AGENDA ITEM 5 – Incompetence to Stand Trial Treatment in Jails, P.C. 1369.1

One subject being discussed in the above mentioned Task Force is the large number of people found to be incompetent to stand trial but State Hospitals will not admit them until there is somebody released from that same county. This results in excessively long delays for individuals waiting treatment – instead they remain in jail. As of April over 300 are waiting in jails. Chairperson Dave Meyer asked the DMH representative when the DMH report on 1369.1 is due out since it had been scheduled for a January release. Apparently a revised release date has not as yet been set.

AGENDA ITEM 6 –Mental Health Assessment Tool for Jails

Judge Manley stated that a subcommittee of the above mentioned Task Force is recommending that this assessment tool be mandated for use by all jails.

AGENDA ITEM 7 –Strategies toward MHSA Funding

It was agreed to table this discussion until the results of the upcoming election next week are known.

AGENDA ITEM 8 – Old Business

- 1) 2009 Best Practices – The selection Committee composed of Duane McWaine, Dave Lehman, and Dave Meyer reported on the success of the award ceremony in the evening following our March COMIO meeting in Seaside. The recipients of both Best Practice Awards were present to receive their awards and were applauded broadly by the audience gathered for the keynote evening of the annual Forensic Mental Association Annual Conference. The Committee expressed appreciation to Executive Officer Lammers for making the Committee's job a smooth one through efficient application distribution and planning.
- 2) Podcast enhancement for COMIO website – A subcommittee of Charlie Walters and Joel Fay is aiming to have the NIC satellite/internet broadcast *The Mentally Ill in Jail-Whose Problem Is It Anyway* (scheduled for July 15 and featuring COMIO's Jo Robinson) to be made available as a podcast soon after the presentation. Coordinating from the CDCR end are Steve Price and Jan Hagen present at today's meeting.

AGENDA ITEM 9 – New Business

- 1) Bruce Slavin offered to assess the overall charter for boards and commission and to address a variety of issues, e.g., confirm the meaning of a quorum for this group, define our roll and relationship with the legislature, and redefine the structure of meetings, etc. His observations will be offered at the September meeting.

- 2) COMIO Member Joel Fay was congratulated for the recent honor bestowed upon him by the Forensic Mental Health Association of California. He was given the Christine M. West Award for his significant individual contribution, dedication, hard work and highly effective support to the field of Forensic Mental Health – BRAVO!

ADJOURNMENT

A motion was made by Duane McWaine and seconded by Dave Lehman to adjourn the meeting. The motion passed and the meeting was adjourned at 1:00 P.M.

The next COMIO meeting will be held on Thursday July 16 at CDCR Headquarters in Sacramento at 11:00AM.

MINUTES RECORDED AND SUBMITTED BY:

Allan Lammers,
Executive Officer, COMIO