



CCJBH

Council on Criminal Justice and Behavioral Health

Building bridges to prevent incarceration

Reentry and Reintegration Workgroup

July 24, 2020



Agenda

1:00 PM Welcome & Introductions

1:10 PM Overview of Workgroup Purpose and Key Issues in the Landscape

2:00 PM Topics for the Workgroup in 2020: How do we prevent individuals who are released from returning to jail, prison and state hospitals?

2:50 PM Next Steps



Agenda

1:00 PM

Welcome & Introductions

- Council Members

1:10 PM

Overview of Workgroup Purpose and Key Issues in the Landscape

1. Intended Outcomes and Timeline
2. Rapidly Changing Environment
3. Workgroup Participants Input on Purpose and Key Issues

*****PUBLIC COMMENT*****



Agenda

2:00 PM

Topics for the Workgroup in 2020: *How do we prevent individuals who are released from returning to jail, prison, and state hospitals?*

Discussion and Q and A

1. Best practices in pre-release and discharge planning
2. Maximizing Medi-Cal especially in light of Large # expedited release orders
3. Housing Outcomes post COVID-19
4. MHSA Issues/ Fiscal Crisis

*****PUBLIC COMMENT*****



Agenda

2:50 PM

Next Steps

- Identifying Stakeholders to outreach and engage for participation and content review
- Other Comments and Questions

Next Council Meeting: August 27, 2020 2PM -4:30PM

Next Workgroup: September 18, 2020 10 AM - 12PM



Welcome and Introductions



Overview - Outcomes and Timelines

Product

- Fact Sheet or Policy Brief with recommendations to include in the annual legislative report.

Timeline

- First draft review and comment at the September 18, 2020 meeting.
- Final Draft complete by October CCJBH Full Council Meeting.



Key Issues in the Landscape

Pre-COVID-19

- Marginalized Groups are Overrepresented in the Criminal Justice System

Rapidly Changing Environment

- Public Health Crisis
- Fiscal Crisis
- Racial Justice Crisis



Over-Represented Marginalized Groups

2.2 MILLION individuals are currently incarcerated in the U.S.

Formerly incarcerated people are almost **10 times** more likely to be **homeless** than the **general public**, and **20 times** more likely, if the individual has a **mental illness**

Nearly **75%** of jail inmates with a diagnosis of **mental illness** also struggle with **substance use disorder**.

Adverse Childhood Experience Scores (ACEs) of **4 or more** have a strong correlation between **negative physical and mental health outcomes in adulthood**.

Children/Youth with ACE scores of **8, 9, and 10** are more likely to become incarcerated adults.



Over-Represented Marginalized Groups

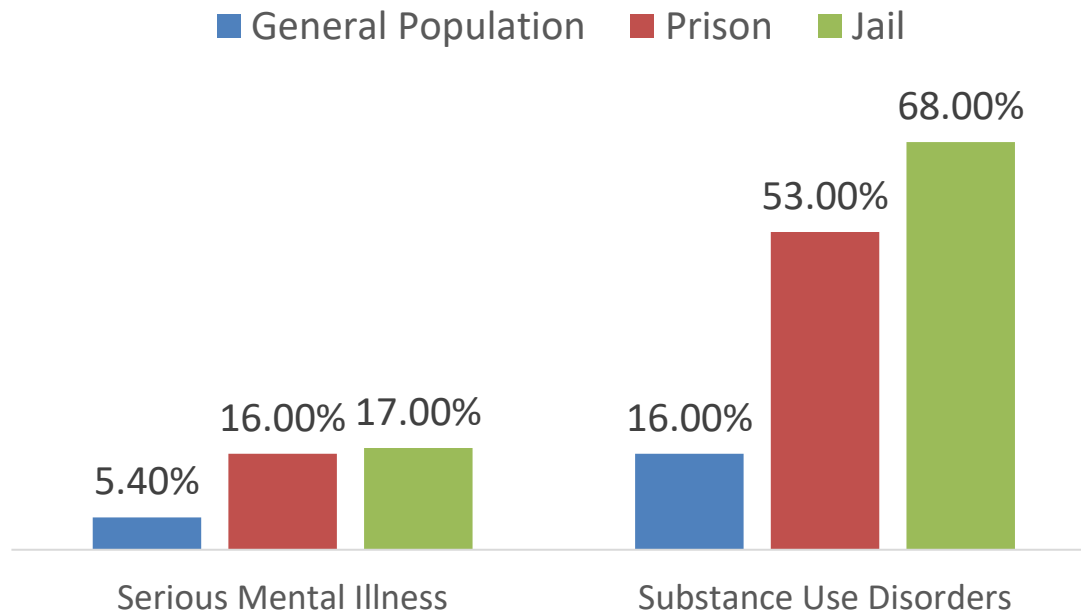
Law enforcement officers are often the first responders to address mental health crisis which leads to an overrepresentation of individuals with behavioral health issues in the criminal justice system.

- County jail profile survey data shows a prevalence rate of 27% of the jail population is living with SMI.
- For individuals returning home from state incarceration, roughly 32% (including 7.6% designated as Enhanced Outpatient Program and 24.5% as Correctional Clinical Case Management System level of care) are identified with mental health treatment needs.
- Estimated prevalence of SUDs, including alcohol, opioids, and methamphetamines among CDCR's population is approximately 70%.



Over-Represented Marginalized Groups

Estimated Proportion of Adults with Mental Health and Substance Use Disorders

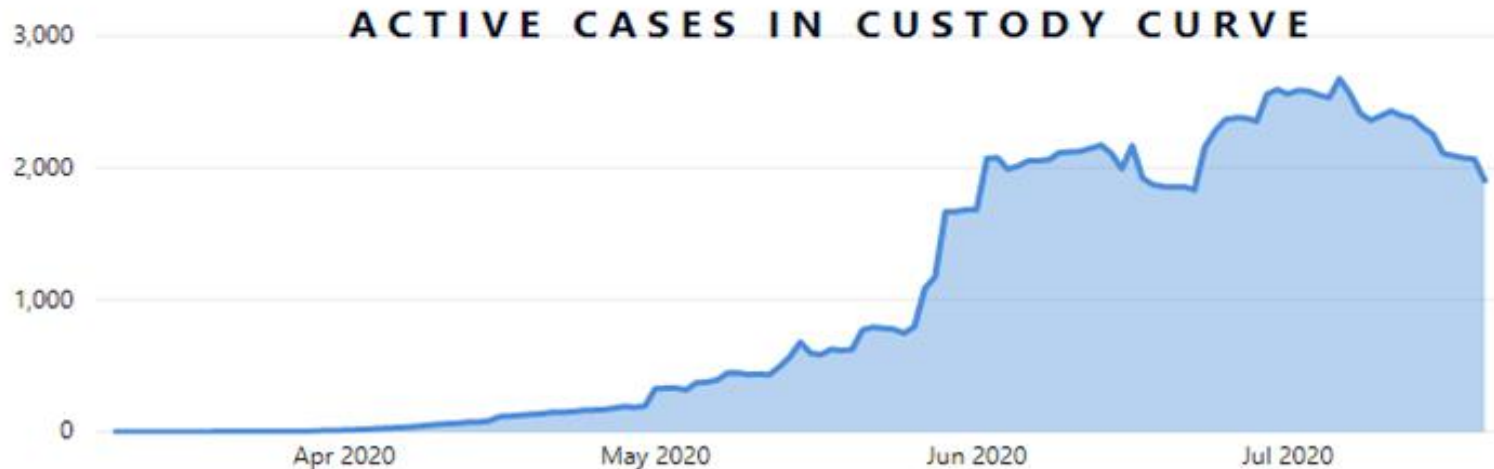


Over-Represented Marginalized Groups

- Justice System overrepresentation is a complex web of interconnected disparities including race, gender, minor status, sexual and gender-identity, poverty and homelessness. (Wiener, 2019)
- Individuals who identify as LGBTQ are overrepresented at 3 times the rate in jails and prisons
- Though Hispanics and African Americans make up approximately 32% of the United States population, they comprise approximately 56% of all incarcerated people (Kaeble, & Glaze, 2016).
- African Americans are incarcerated at more than 5 times the rate of whites.
- The incarceration rate for African American women is twice that of white women.

Rapidly Changing Environment

COVID-19 Public Health Crisis



*Patients who released while active, resolved, or died are not included in graph above.
Active case count by date may be delayed 2-3 days while awaiting test results.

“As of July 16, 2020, more than 6,500 incarcerated people and more than 1,200 staff members have tested positive for COVID-19 in California prisons ... The Department has lost two staff members and 37 incarcerated people.”



Rapidly Changing Environment

COVID-19 Public Health Crisis - Expedited Releases

Prison Population

- As of July 23, there are 102,137 people in California's prisons.
- 12,181 have been released since March 11, 2020.
- Largest releases in recent history.
- 8,000 could be eligible for release by the end of August.

Jail Population

- 27.5% reduction in Average Daily Jail populations
- Between February 29, 2020 and July 11, 2020
- Jail Profile Survey data reports populations dropped from 72,758 to 52,775



Public Health Crisis

Health and Human Services

DHCS/Medi-Cal

- 1115 extension not yet approved by CMS*
 - Waiver extension proposal released for public comment on July 22
 - 30-day comment period will close on August 21 (1115waiver@dhcs.ca.gov)
 - Goal to submit 1115 Extension request to CMS by September 15
 - Would include extended funding for Whole Person Care Pilots and DMC-ODS

- 1915(b) waiver was extended to December 31, 2020 – seeking additional 1-year extension
 - 30-day comment period will close on August 21 (MCBHD@dhcs.ca.gov)

- Provides for reimbursement even without a diagnosis for SUD services



Fiscal Crisis – Induced by COVID-19

The 2020-21 Budget Closes a \$54.3 billion gap

- Public Education, Vulnerable Populations and Californians facing the greatest hardships were protected
- Significant cuts were protected with the anticipation of federal funding, reserves, triggers, revenues, borrowing, transfers, deferrals, and other solutions
- There was **NO** room for expanding or funding new programs



Fiscal Crisis

Department of Health Care Services

- Medi-Cal budget is \$99.5 billion (\$22.7 billion General Fund) in 2019-20 and \$115.4 billion (\$23.6 billion General Fund) in 2020-21.
- The 16% increase in total fund cost in 2020-21 compared with 2019-20 is attributed to the COVID-19 pandemic, including a projected increase in caseloads.
- This increase is associated with higher projected unemployment & COVID-19 as the **temporary suspension of program disenrollment** as a condition of receiving the temporary increase in the Federal Medical Assistance Percentage (FMAP).



Fiscal Crisis

Department of Health Care Services (cont.)

- The Budget assumes caseload will peak at 14.5 million in July 2020, or about 2M above what caseload would have been absent the COVID-19 pandemic.
- The Budget includes \$898.6 million (\$319.0 million General Fund) in 2019-20d \$6.9 billion (\$2.4 billion General Fund) in 2020-21 for increased caseload.



Fiscal Crisis

Significant Adjustments:

- **Behavioral Health Counselors in Emergency Departments**—The Budget maintains one-time \$20 million General Fund to hire behavioral health providers and peer navigators in emergency departments to screen patients and offer intervention and referral to mental health or substance use disorder programs.
- **Medi-Cal Enrollment Navigators**—The Budget maintains one-time \$15 million General Fund for the Medi-Cal Health Enrollment Navigators program.



Fiscal Crisis

Department of Social Services

- \$37.1 billion (\$11.6 billion General Fund)
 - More budget, less from General Fund

Department of State Hospitals

- \$2.1 billion (\$1.9 billion General Fund) in 2020-21

Several Key Initiatives were Scrapped



Fiscal Crisis

Homelessness and Local Governments

- The Budget continues California's commitment to resolve the state's homelessness crisis. The state's approach has been to simultaneously focus on preservation and new affordable housing production while also investing in comprehensive solutions to address homelessness. The strategy to achieve these goals has evolved given the state's fiscal constraints and immediate needs.

Project Roomkey

- A multi-agency state effort to provide safe isolation hotel and motel rooms prioritizing vulnerable individuals experiencing homelessness.
- Chapter 2, Statutes of 2020 (SB 89) - provides emergency expenditure authority of up to \$1 billion for COVID-19 relief.



Fiscal Crisis

Homeless, Housing Assistance and Prevention Programs (HHAP)

- \$300 million General Fund for additional HHAP grants to be distributed based on the 2019 homelessness point-in-time counts.
 - \$130 million is for cities with populations of 300,000 or more
 - \$90 million is for Continuums of Care
 - \$80 million is for counties.
- \$300 million may be used for operating costs for Roomkey facilities and for evidence-based solutions that include rapid rehousing; rental subsidies; subsidies for new and existing housing and emergency shelters; services such as workforce, education, and training programs to support housing stability; and increasing permanent housing through efforts that include hotel and motel conversions.



Fiscal Crisis

Public Safety

Department of Corrections and Rehabilitation

- Sustains prior investments that support the Administration's long-term goals of further improving rehabilitation, reentry and restorative justice programs.
- The Budget includes total funding of \$13.4 billion (\$13.1 billion General Fund and \$311 million other funds) in 2020-21 for the Department.



Fiscal Crisis

Public Safety

➤ Eliminate the Integrated Services for Mentally Ill Parolee Program (ISMIP)

- ISMIP provides wraparound services, including some transitional housing, for approximately 1,500 of the 18,000 mentally ill parolees.
- Costly (\$10,000 per parolee annually)
- Shown limited effectiveness at reducing recidivism.
- Policies will be adjusted to connect these individuals with community resources.
- Expected to result in savings of \$8.1 million General Fund in 2020-21 and \$16.3 million ongoing General Fund.
- Statutory changes are necessary to eliminate the program.



Fiscal Crisis

Public Safety

Deferred Action on Parole Outpatient Clinics (POC)

- Parole Outpatient Clinics - Deferred the elimination or cuts to the POC/BHR program.

Restored Funding for the Adult Reentry Grants at BSCC

- \$37 million in General Fund will be allocated on-going
 - \$18.5 million for warm handoff services.
 - \$18.5 million for rental assistance.



Racial Justice Crisis

Racial Justice Movement

The COVID-19 Pandemic is uniquely and acutely affecting populations returning from incarceration.

These populations already experience layers of social injustices, elevating risks of negative outcomes, including virus exposure and recidivism stemming from, at minimum, a lack of quality housing, healthcare, and employment opportunities.

While resources are strained, examining existing policies and procedures can always reveal room for improvement.



Racial Justice Crisis

Rates of incarceration are disproportionately high for racial and ethnic minorities

- African Americans and Latinos collectively represent 30 percent of the U.S. population, but make up more than half the prison population.
- At the end of 2016, African Americans made up 26% of parolees but only 6% of California's adult population.
- Whites also make up 26% of the parolee population but comprise a much larger share—41%—of the total adult population.
- Latinos account for 40% of parolees and 35% of California adults, while 7% of parolees—and 18% of the adult population—are persons of other races.



2020 Topics for Workgroup

How do we prevent individuals who are released from returning to jail, prison, and state hospitals?

➤ Discussion Q & A



Issue Areas

Housing and Homelessness

- Best Practices in pre-release and discharge planning

Health Care and Behavioral Health Care

- Maximizing Medi-Cal especially in light of the large number of expedited releases

Employment and Income Supports

- Housing Outcomes post COVID-19

Various Social Services

- MHSA Issues/ Fiscal Crisis



Recommendation

➤ **Short Policy Brief (4 to 6 pages):**

- Outline current facts about reentry and reintegration
- Identify influence of environment context
- Outline steps forward that align with best practices, including effective state and local communication and partnerships
- Recommendations for the CCJBH annual legislative report.



Resources

- CDCR COVID-19 Main Page: <https://www.cdcr.ca.gov/covid19/>
- CDCR COVID-19 Response Efforts: <https://www.cdcr.ca.gov/covid19/covid-19-response-efforts/>
- CDCR Population Reduction Information: <https://www.cdcr.ca.gov/covid19/frequently-asked-questions-expedited-releases/>
- BSCC COVID-19 Page: <http://www.bscc.ca.gov/covid-19-information-and-updates/>
- CCJBH Snapshot of the May Revision, 2020-21 State Budget: <https://www.cdcr.ca.gov/ccjbh/wp-content/uploads/sites/172/2020/05/May-Revision-Budget-Snapshot-2020-21.pdf?label=2020-2021%20May%20Revision-CCJBH%20Budget%20Snapshot&from=https://www.cdcr.ca.gov/ccjbh/publications/>
- Preparing People for Reentry Checklist: <https://csgjusticecenter.org/publications/preparing-people-for-reentry/>
- Behavioral Health Based Strategies to Address COVID-19: <https://www.prainc.com/wp-content/uploads/2020/04/ReleasetoWhat-COVID-508.pdf>
- Recommendations for Protecting Incarcerated Youth and Adults During and in the Aftermath of the COVID-19 Pandemic: <https://www.prainc.com/wp-content/uploads/2020/04/ReleasetoWhat-COVID-508.pdf>



Next Steps

- **Identify Stakeholders for outreach, engagement, participation, and content review**

- **Other comments and questions**

- **Next Council Meeting**
 - August 27, 2020 2:00 PM - 4:30 PM

- **Next Workgroup Meeting**
 - September 18, 2020 10:00 AM – 12:00 PM

