

AGENDA ITEM: Update on MHSOAC Co-Occurring Disorders Report Recommendations

Panel on Criminal Justice System

- ENCLOSURES:**
- August 19, 2010 – Report on Co-Occurring Disorders (COD) Competency Status to Date
 - Memo to the Administrative Office of the Courts (AOC) on September 9, 2010 from MHSOAC regarding the status of the draft recommendations made by the Task Force for Criminal Justice Collaboration on Mental Health Issues
 - MHSOAC Services Committee Interim Stakeholder Report to the Administrative Offices of the Court, “Facilitating Better Outcomes for Persons with Co-occurring Disorders in the Courts”

LINKS TO REPORTS:

- Mental Health Services Oversight and Accountability Commission Report on Co-Occurring Disorders, Transforming the Mental Health System Through Integration
<http://www.mhsoac.ca.gov/Meetings/docs/Meetings/2008/Nov/CODReportFinal.pdf>
- Task Force for Criminal Justice Collaboration on Mental Health Issues, Draft Recommendations, Invitation to Comment July 14, 2010 – September 17, 2010, sponsored by the Administrative Office of the Courts, Center For Families, Children & The Courts
<http://www.courtinfo.ca.gov/invitationstocomment/documents/mentalhealth-rec.pdf>
- Jails and the Mentally Ill: Issues and Analysis, A Briefing Paper Developed by The California Corrections Standard Authority (CSA), At the Request of The California Department of Corrections and Rehabilitation (CDCR) Council On Mentally Ill Offenders (COMIO) - September 17, 2009
http://www.cdcr.ca.gov/comio/docs/MENTALLY_ILL_IN_JAILS_PAPER%20.pdf

OTHER MATERIAL RELATED TO ITEM: None

ISSUE

The Mental Health Services Oversight and Accountability Commission (MHSOAC or Commission) established the MHSOAC Services Committee to work on behalf of the Commission in making recommendations regarding implementation of Mental Health Services Act (MHSA) programs and services. Activities of this committee included making recommendations to improve co-occurring disorders competency. David Pating, Chair, MHSOAC Services Committee will provide an update on the MHSOAC Co-Occurring Report Recommendations.

The purpose of the Criminal Justice Panel presentation is to highlight how policy initiatives in the Criminal Justice System exemplify recommendations made in the COD Report. The Criminal Justice Panel will focus on how local jurisdictions are integrating systems and how MHSA funding has impacted on-going collaborations between County Behavioral Health, sheriffs' departments, courts, and probation. The panelist reporting on these topics include; Stephen V. Manley, Judge, Mental Health Treatment Court, Santa Clara County, Richard M. Conklin LCSW, San Diego Sheriff's Department, *Judge Stratton, Presiding Judge, Mental Health Courthouse, Los Angeles County*

BACKGROUND

MHSOAC Co-Occurring Disorders Report Recommendations

In November 2007, the Commission established a 19-member Co-Occurring Disorder (COD) Workgroup to develop comprehensive recommendations to address the needs of individuals with co-occurring mental illness and substance abuse disorders. The COD Workgroup, which met from November 2007 through June 2008, heard briefings by state leaders and experts on the status of the treatment of co-occurring disorders in California. The central finding of the COD workgroup was COD's are pervasive and disabling, yet individuals with co-occurring mental illness and substance abuse disorders are among California's most underserved. The Commission adopted the *Mental Health Services Oversight and Accountability Commission Report on Co-Occurring Disorders Transforming the Mental Health System Through Integration (COD Report) on November 20, 2008.*

Enclosed is the August 19, 2010 Report on Co-Occurring Disorders (COD) Competency Status to Date.

Task Force for Criminal Justice Collaboration on Mental Health Issues

Established in July 2007, the Task Force for Criminal Justice Collaboration on Mental Health Issues was part of a national project designed to assist state judicial leaders in their efforts to improve responses to people with mental illnesses in the criminal justice system. The task force was charged to explore ways to improve practices and procedures in cases involving adult and juvenile offenders with mental illness, to ensure the fair and expeditious administration of justice, and to promote improved access to treatment for defendants with mental illness in the criminal justice system. The judicial system is uniquely positioned in coordinating an appropriate response to the disproportionate number of people with mental illness in the criminal justice system. According to the Bureau of Justice Statistics, 56 percent of state prisoners and 64 percent of jail inmates nationwide were clinically diagnosed as having a mental disorder,

received treatment by a mental health professional or experienced symptoms of a mental disorder in the previous 12 months. The link to the Task Force for Criminal Justice Collaboration on Mental Health Issues, Draft Recommendations, Invitation to Comment July 14, 2010 – September 17, 2010, sponsored by the Administrative Office of the Courts, Center For Families, Children & The Courts is listed above.

On September 9, 2010, the MHSOAC provided comments to the AOC on the Task Force Recommendations. The comments sought to clarify several task force recommendations which related to the MHSA. A copy of these comments is enclosed for your review.

Interim Stakeholder Report to the Administrative Offices of the Court

In March 2009 the Administrative Office of the Courts (AOC), represented by Judge Wendy Lindley, approached the California Department of Mental Health, Department of Alcohol and Drug Programs and the MHSOAC to provide input to the courts to facilitate better outcomes for persons with co-occurring mental illness and substance abuse disorders who are involved in the criminal justice system. The MHSOAC Services Committee convened a sub-committee which issued the enclosed Interim Stakeholder Report. This report summarized stakeholder comments made during MHSA Services sub-committee discussions on the impact of co-occurring disorders in the criminal justice system. The issues and recommendations identified by this stakeholder group do not represent formal recommendations of the MHSOAC. Several of the subcommittee comments were later incorporated into the Task Force Report.

Jails and the Mentally Ill: Issues and Analysis

In early 2009, the Corrections Standards Authority (CSA) was asked by the California Department of Corrections and Rehabilitation’s (CDCR) Council on Mentally Ill Offenders (COMIO) to produce a ‘white paper’ discussing key issues and best practices related to the increasing population of mentally ill people in jails. To further the effective management of inmates with mental illness, the paper was charged with addressing such issues as classification, housing, programming, treatment, staffing and staff training. The paper was intended to be a resource for COMIO, CSA, the California State Sheriffs Association (CSSA) and jail managers statewide.

The California Corrections Standards Authority (CSA) convened a Mentally Ill in Jails Workgroup, comprised of custody and mental health practitioners from jails across the State to develop a briefing paper. The Workgroup, supported by CSA staff and a consultant, devoted considerable time and effort to producing a relatively brief and readable paper that addresses some of the most pressing issues facing California’s jails and presents helpful information to support jails in their ongoing work with mentally ill

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TAB SECTION: 3

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DATE OF MEETING: 11/18/10

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DATE MATERIAL PREPARED: 11/8/10

people who come in contact with the criminal justice system. A major finding of the paper is that it is essential for there to be a unified approach incorporating the many disciplines and agencies that share – or should share the responsibility for working with mentally ill people and people with co-occurring mental health and substance abuse disorders in local custody. Multi-agency problems, like those surrounding the treatment of mentally ill people, people with COD and other special needs people in jails, demand multi-agency solutions.

The link to the briefing paper that was completed on September 17, 2009 is listed above. It is COMIO's and CSA's intention to continue to facilitate discussion and collaborations that are beneficial in solving problems and advancing best practices related to the mentally ill in jails.