

COUNCIL ON MENTALLY ILL OFFENDERS (COMIO)

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

MINUTES

July 24, 2014

**LOCATION: Conference Room, 510-South
Department of Corrections and Rehabilitation (CDCR)
CDCR Headquarters, 1515 S Street
Sacramento, California**

IN ATTENDANCE AT 1515 S Street

COMIO Council Members

- **Vice Chairperson:** Manuel J. Jimenez, Jr., Director, Alameda County Mental Health
- James W. Sweeney, J.D., Legislative Advocate, James W. Sweeney and Associates
- The Honorable Stephen V. Manley, Santa Clara Superior Court Judge
- David Lehman, Chief Probation Officer (Ret), Humboldt County
- Charles L. Walters, Ph.D., Law Enforcement Consultant, Orange County
- David Meyer, J.D., Professor, Institute of Psychiatry, Law, and Behavioral Science, Keck School of Medicine, University of Southern California
- Dr. Mark A. Grabau, Chief Psychologist, Department of State Hospitals (representing Cliff Allenby, Ph.D., Director)
- Brenda Grealish, Department of Health Care Services (representing Toby Douglas, Director)

CDCR Staff

- Diana Toche, DDS, Undersecretary, Health Care Services, and Undersecretary, Administration and Offender Services, CDCR
- Robert Storms, Administrator, Division of Adult Parole Operations, CDCR
- John Pryce, Division of Adult Parole Operations, CDCR
- Virginia (Ginger) Steele-Pirie, RN/NCPR, Statewide Mental Health Program, DHCS, CDCR
- Jessica Mazlum, Special Assistant to Secretary Jeffrey A. Beard, CDCR
- Fu Yiu (Yoyo), Statewide Mental Health Program, DHCS, CDCR
- Pamela Michel, Associate Health Program Advisor, Statewide Mental Health Program, DHCS, CDCR
- Tom Gilevich, Assistant Chief Counsel, Office of Legal Affairs, CDCR

Interested Parties

- Joseph V. A. Partansky, Advocate for Persons with Disabilities
- Molly Willenbring, Executive Director, Forensic Mental Health Association of California (FMHAC) (via conf line)
- Don Thompson, Associated Press (via conf line)
- Leslie Costalin, Otsuka America Pharmaceutical, Inc.
- Melinda Homola, Otsuka America Pharmaceutical, Inc.
- Tod Nicosia, Otsuka America Pharmaceutical, Inc.
- Helene Zentner, BSCC
- William Crout, BSCC
- Darby Kernan, Representative from office of California Senate President Pro Tempore, Darrell Steinberg
- Amy Jarvis, Assistant Program Budget Manager, California State Department of Finance (via conf line)

AGENDA ITEM 1 -Introduction/Welcome – Mr. Manuel Jimenez

The meeting was called to order at 11:10am. Introductions and welcoming were done by Mr. Manuel Jimenez, COMIO Vice Chairperson.

AGENDA ITEM 2 – Adoption of Minutes (May 22, 2014)

Minutes from the May 22, 2014 meeting were reviewed and adopted as written.

AGENDA ITEM 3 – Public Comments

1. Mr. Joseph Partansky, Advocate for Persons with Disabilities attended the 2014 Correctional Mental Health Care Conference sponsored by the National Commission of Correctional Health and shared some of their flyers and information with COMIO participants.
2. Mr. Partansky also discussed that The National Commission on Correctional Health Care (NCCHC) will host the upcoming National Conference on October 18 through October 22, 2014, at the Paris Hotel in Las Vegas, Nevada. The conference will include 2 days highlighting mental health issues and 2 days highlighting health care issues. This Commission promotes standards for Jail Health and Adult Care.
3. Mr. Partansky discussed an article titled, Health Care Reform 2014. This article included health care for inmates.

AGENDA ITEM 4 – Chair Report

The COMIO Chairperson, CDCR Secretary Jeff Beard, was not present at the meeting, but was represented by Diana Toche, DDS, Undersecretary of CDCR. Dr. Toche presented three items from Secretary Beard that he would like the Council members to review and discuss in the next COMIO meeting. These few items were:

1. Identify best practices for first responders dealing with mentally ill people in the community.
2. Delineate placement for the mentally ill other than incarceration in jails or prisons.
3. Regarding Integrated Services for Mentally Ill Paroles (ISMIP) Program, what can be done to improve that program? How best can the existing resources be used?

AGENDA ITEM 5 – Old Business

a) Procurement of a Part-Time Executive Director

Dr. Toche announced that Mr. Nathan Stanley, Associate Director, Statewide Mental Health Program, Division of Health Care Services, CDCR has been appointed to be the COMIO Interim Executive Director. Mr. Stanley will be assisting the Council members until CDCR finds a permanent COMIO Executive Director. Dr. Toche stated that information regarding Mr. Stanley will be sent to all Council members after the meeting and reported that CDCR is expecting the job to be filled by a governor appointee.

- **Tom Gilevich**-stated that he will meet with Mr. Stanley to discuss the mission and purpose of COMIO.
- **Dave Meyers**-stated that he would be interested in finding a permanent COMIO Executive Director
- Some of the members expressed that they would like to assist with the process of recruiting a permanent COMIO Executive Director.
- **Brenda Grealish**-asked if this position is a civil service position and if CDCR will provide a duty statement.

b) Action Items Updates

Yoyo reviewed revised guidelines for the 2015 Innovative and Promising Award; comments and suggestions discussed during the May meeting were all incorporated.

c) Panel Presentation Mr. Bob Stresak, POST

Mr. Bob Stresak, Executive Director, The Commission on Peace Officer Standards and Training (POST) gave the attendees a brief history of POST since it was established by the State Legislature in 1959 to set minimum selection and training standards for California law enforcement, explaining that currently there are 615 law enforcement agencies covering all 58 California counties. POST oversees 40 peace officer academies, including those that are agency specific and those that are college affiliated. Agencies are reimbursed by covering either the travel and per diem costs or by covering the tuition fees. Fortunately, \$3.2 million enhanced POST's budget this year. The minimum period for training is 664 hours, but the usual amount is 850 to 1,300 hours. Mandated training includes a minimum of 3 hours covering persons with disabilities and 3 hours covering mental health issues. Currently, 42 topics are under review by Subject Matter Experts, and it takes an average of 3 days to review the curriculum. Although approximately 4,000 courses are available for officer training, mental health is a priority subject. In those courses, officers are trained to see the behavioral indicators indicative of a person who is a threat to himself/herself or is a threat to others. A caution raised by Mr. Stresak is that standardized training does not guarantee standardized performance by the officers.

- **Judge Manley**-asked about the experts who determine the scope and breadth of the peace officer training.

- **Mr. Stresak**-stated that the experts were law enforcement practitioners who were experts in their respective fields. Mr. Stresak also informed the Council members that there currently is a need for Subject Matter Experts for Learning Domain 37, and they are welcome to contact Commissioner Farrell.
- **Manuel Jimenez**-discussed Crisis Intervention Team (CIT) training in the 24 to 26 law enforcement departments in Alameda County. And, Judge Manley discussed that his jurisdiction, Santa Clara County, was bearing the cost for 5 days of mental health training for law enforcement personnel from 14 different agencies.
- **Dave Lehman**-commented and offered that with collaborative and blended funding it would be possible to leverage federal funding sources beyond what a single agency could do with only state, city, or county money. This could help add civilian personnel to local law enforcement agencies to assist with mentally ill offenders.

Panel Presentation Mr. William (Bill) Crout, BSCC

Mr. William (Bill) Crout, Deputy Director, Board of State and Community Corrections (BSCC) provided information regarding BSCC. The BSCC works in partnership with local corrections systems and assists efforts to achieve continued improvement in reducing recidivism through evidence-based decision making. Council member Dave Lehman introduced Deputy Director, Bill Crout to the group. Mr. Crout gave a brief description of his work history in law enforcement, from 1968 to the present. He also shared with the Council about the new leadership at BSCC, Ms. Linda Penner, BSCC's Chairperson, and Ms. Kathleen (Katy) Howard, the new Executive Director. Mr. Crout further discussed a 1998 funding that allocated \$26 million for special programs, of which 7 counties were chosen to be the recipients. In 1998, another \$26 million was allocated and 7 more counties benefited. Later, more counties were added as a third funding stream was found. During the 1990s, there was a paradigm shift involving the correctional staff as well as the management staff resulting in greater sensitization of the staff toward mental illness. Unfortunately, a lot of the programs that started in the 1990s are not longer viable; however, there are spin-off programs that are still functioning.

Mr. Crout told the group that he is excited to see SB 1054 on the ballot. Although originally, the bill was intended to allocate \$50 million for mentally ill crime reduction grants, the sum is \$18 million now with \$9 million allocated for mentally ill juveniles and \$9 million for mentally ill adults. In addition, Mr. Crout cited AB 526 which mandates that 70 percent of the funded programs must have evidence-based practices. He also discussed other legislation seeking funding for building replacement jails and adding more mental health beds as current jails do not have space available for viable mental health programs within their facilities.

Mr. Crout and the Council members discussed the Mentally Ill Offender Crime Reduction Grant (MIOCR) Program, spearheaded by Senate President pro Tempore Darrell Steinberg, which promotes continuity of mental health care for those offenders coming out of county jails and reduction of crime through adequate funding of successful community-based treatment and services. This program helps identify mentally ill offenders and promotes mental health care for them by diverting low-level mentally ill offenders to treatment rather than jail, as well as providing follow-up services for those released from jail to keep them from reoffending.

- **Judge Manley**-expressed that the numbers of mentally ill offenders within jail populations are growing; in the past, jails were just jails for the purpose of incarceration.
- **Mr. Crout**-addressed that our society needs to look at who we now have in jails versus who really needs to be in the jails (criminal versus mentally ill prisoners).

AGENDA ITEM 6 – New Business

a) The 14-15 California Budget

Ms. Darby Kernan, from the office of Darrell Steinberg, Senate President pro Tempore, gave the Council members a short presentation on the priorities of the current legislative budget regarding mental health, for example:

- \$91 million is funded in the State budget for recidivism reduction.
- \$865,000 is funded for the California Leadership Academy (comprised of both private and public partnerships).
- \$11.8 million is funded for substance abuse treatment and substance abuse program expansion.
- \$3.7 million is funded for cognitive behavior treatment.
- \$500,000 is funded for an independent evaluation of the ISMIP Program (Integrated Services for Mentally Ill Parolees), which will be tied to the POC Pilot Program (in the 3-4 county pilot project, 21

Licensed Clinical Social Worker positions will be allocated to CDCR Paroles/Parole Outpatient Clinics for more case management, including Medi-Cal, housing and medications).

- \$8 million is funded for recidivism in community non-government organizations.
- \$5 million is funded for social innovation bonds for the research component of the Social Justice Program (from the Assembly).
- \$2 million is funded for high crime city grants (for example, for the city of Oakland).
- \$1 million is funded for programs to get people working (for example, Proposition 36 offenders with no supervision can get services from CDCR's Parole Outpatient Clinics).
- In addition, the State budget includes funding for the restoration of the Competency Program (community based treatment programs, AB1468 Trailer Bill).

Dave Lehman asked Ms. Kernan who is expected to take over the leadership role in the State Senate after Senator Steinberg "times out" this fall; she reported that Senator Kevin de Leon, representing Senate District 22 in Los Angeles, was elected by his colleagues to become the new Senate President after the departure of Senator Steinberg. Ms. Kernan added that Senator de Leon, like Senator Steinberg, also cares about all the issues surrounding law enforcement and mental illness among parolees and in the community.

b) Legislative Update

Deferred

c) Leadership, Participation, and Support

Deferred

Updates from Mr. Robert Storms

The Council members asked Robert Storms, Chief Clinical Program Administrator from the CDCR Division Adult Parole Operations (DAPO), for an update on programs he oversees regarding state prison inmates with mental health illness releasing to state Parole and to county supervision.

Mr. Storms discussed the following:

The Integrated Services for Mentally Ill Parolees (ISMIP) program was developed to supplement the Parole Outpatient Clinic program. ISMIP is a comprehensive model that provides rehabilitative mental health services to assist the low functioning high need mentally ill parolees with the development of independent living in the least restrictive environment possible. Consistent with the adult system of care model, ISMIP services include but are not limited to development of a personal services plan, linkage to food, clothing and shelter, life skills training, benefit entitlements application and appeal assistance, crisis intervention, and linkage to mental health and medical care, substance abuse treatment and academic/vocational programs. The primary goal of intensive case management services is to optimize parolee functioning by empowering the parolee to problem-solve and access available community resources to get the parolee needs met, thereby promoting self-advocacy and self-determination. The ISMIP programs are located in seven counties and provide services to approximately 500 parolees.

Regarding the CDCR program to sign up all eligible inmate-patients for Medi-Cal during pre-release planning, the University of San Diego is now the primary provider since the other provider, Kern County, chose to let their contract expire. CDCR is working on expanding these efforts to inmates releasing from Modified Community Correctional Facilities (MCCFs) and fire camps.

Mr. Storms introduced John Pryce to the Council members; he is a Supervising Psychiatric Social Worker for DAPO.

- **James Sweeney**-asked Mr. Storms to update the Council members at the next COMIO meeting (on September 25) regarding the report about the ISMIP Program by the Legislative Analyst's Office.

Adjournment of Meeting

Manuel Jimenez adjourned the meeting at 1:05pm.

Action Items

- 1) Fu Yiu (Yoyo) will send information to the COMIO Council members regarding Mr. Nathan Stanley, Associate Director, Statewide Mental Health Program, Division of Health Care Services, CDCR who has been appointed to be the COMIO Interim Executive Director.

***Next COMIO Meeting – September 25, 2014, 11:00am to 1:00pm
1515 S Street, Room 510-South
Sacramento, CA 95814**