

COUNTY OF SACRAMENTO CALIFORNIA

For the
Agenda of:
September 13, 2007
9:30 a.m.

To: Board of Supervisors
From: Countywide Services Agency
Subject: Report Back On The Preliminary Results Of The Mental Health Court
Contact: Penelope Clarke, Administrator Countywide Services Agency

Background

The Sacramento County Mental Health Court is a collaborative, interdisciplinary team, and includes the Sacramento Superior Court of California and the following Sacramento County departments: Office of the Sheriff (Jail Psychiatric Services), Probation, District Attorney, Public Defender and Department of Health and Human Services Division of Mental Health (DHHS-DMH).

During Final Budget Hearing on September 14, 2006, the Board approved the concept of the Mental Health Court Pilot Program, funding for Department of Health and Human Services and Probation in the amount of \$192,470 and \$102,465 respectively. The Board requested additional information prior to the expenditure of any General Fund appropriations on the pilot program.

On December 5, 2006, by Resolution No. 2006-1390, the Board approved the Sheriff applying for State Mentally Ill Offender Crime Reduction (MIOCR) grant funds of \$1.5 million, which required a 25% match of local funds or in-kind services.

On January 23, 2007 Sacramento Superior Court conducted a workshop that addressed the Board's concerns. During Mid-year budget hearings on January 31, 2007 the Board approved the expenditure of the General Fund appropriations and the creation of a new position with the Probation Department.

Discussion

Each of the stakeholders has provided an update as to the status of their piece of the pilot program, along with their comments.

Sacramento Superior Court of California

Since it began on Valentine's Day, February 14, 2007, the Mental Health Court (MHC) has been awaiting implementation of the two scheduled treatment programs; one funded by Proposition 63 (Mental Health Services Act) and the other funded by State Mentally Ill Offender and Crime Reduction Act (MIOCR). Proposition 63 will fund the TCORE phase of treatment, which is being coordinated and planned through DHHS-DMH. Pivotal to the success in using TCORE is the hiring of two Mental Health Peer/Family Advocates (General Fund component) who will transport defendants to and from court and treatment programs as needed. These two positions were not funded until July 1, 2007 and have yet to be filled due to the time needed by DHHS to process the Request for Applications from community-based organizations, negotiate and execute contracts. The MIOCR phase of the treatment program is being coordinated and planned through the Sheriff's Department. The funding for MIOCR was in danger of being deleted from the State budget, but was funded in the final State budget.

The MHC has used this time to streamline its processes and get ready for full implementation. Even though the two MHC treatment programs are not available yet, the MHC has accepted a small cadre of inmates of the jail with dual diagnoses (serious mental illness and addiction). These defendants were chosen for this early planning stage because each of them already has existing treatment programs in the community.

On Wednesday afternoons, Judge Talmadge Jones hears these matters after receiving the input of MHC team members. Most matters are resolved in the judge's chambers prior to the hearings. Of these few defendants accepted into the MHC since February, 2007:

- One has remained jail free;
- One has been jailed only once;
- One faces conservatorship and hospitalization from acute psychiatric problems;
- One has been jailed 4 times and faces deletion from MHC;
- One is a new participant, and will be entering a residential program upon release from jail on September 6th.

Now that funding under MIOCR has been secured by the signing the State Budget Act, the planning process of implementing this program has resumed. Also, the contracts that will provide for the two advocates is nearly complete. The MHC will be fully functional with a much greater number of defendants in latter September, all of which will have access to treatment programs never before available to a defendant with serious mental illness. It will be exciting for the MHC team and the Board to see the results. MHC will carefully monitor their progress for that purpose.

Sheriff

Correctional Health Services Jail Psychiatric Services is providing referrals of inmates according to their meeting the criteria for mental health target population and providing these referrals to the Superior Court Mental Health Court Coordinator. This process has been working very effectively and no issues have surfaced.

Additional Expansion Opportunity for the Mental Health Court Pilot:

On December 5, 2006, by Resolution No. 2006-1390, the Board approved the Sheriff applying (on behalf of all the partner agencies) for Mentally Ill Offender Crime Reduction (MIOCR) grant funds of \$1.5 million, which required a 25% match of local funds or in-kind services. The grant application was approved in the amount of \$766,896 which half of this funding was to be used to fund 2.0 Probation officers and 1.0 Deputy Sheriff's. This funding expansion would add 35 slots to the original 25 slot pilot for a total of 60 participants. In addition, the remaining half of the funding was to provide mental health services at the Sheriff's Work Release facility through the Center for Corrections Alternative (CCAP) Program. Subsequent to the original approval, the funding was delayed as part of the State budget process. The Sheriff's application (on behalf of all the Sacramento County partners) has been approved at the original funded amount, however, this process has set back the program expansion date from July 1, 2007 to a tentative date of November 2007.

Probation

On January 31, 2007 the Board of Supervisors approved SRA No. 2007-119B by Resolution No. 2007-0151, approved the addition of 1.0 Senior Deputy Probation Officer- Limited Term, for the Mental Health Court Pilot Program.

The Sr. Deputy Probation Officer who filled the position has been working diligently with the Court, District Attorney and Public Defender to set the framework for Court proceedings and community supervision/programming for probationers accepted into Mental Health Court. Although significant strides have been made in developing the infrastructure of the program, there is some concern on the part of the Probation Department that the caseload numbers are lower than expected. The Court had projected full implementation of the MHC by July, thus it still may be too soon to get an accurate feel for the number of probationers that may be accepted and actually participate in the program depending on if the Court is currently operating at the "full implementation" stage. Understanding that the program started off "small", hearing the first case in February, it is now the beginning of September and the caseload of the Probation Officer stands at a total of four cases, one of those which is in warrant status.

District Attorney

The District Attorney's Office has had difficulty jump starting the program because of a lack of resources on the treatment side. However, the District Attorney's Office has had several defendants enter pleas and placed on probation under the jurisdiction of the Mental Health Court. It is far too early to measure success at this point, but early indications suggest the program has the potential to meet its objectives.

Public Defender

The referral process has been slow to start. However, it is anticipated there will be many more clients referred to the program during Fiscal Year 2007-08. In the meantime, the clients who are participating in MHC are receiving the kind of support and supervision in the community that they so desperately need. The Public Defender is staffing the court with a senior attorney who receives referrals to the Mental Health Court from the court coordinator. If an agreement is reached that the client is appropriate for the court, the attorney goes to interview the client in custody at the Main Jail. If the client agrees to participate in Mental Health Court, the case is

taken off of its regular court track and placed on the next available Mental Health Court calendar which is currently being held in Department 39 on Wednesday afternoons. At that time, the case is staffed with the Mental Health Court team, taking input from the client's Sacramento County Mental Health personal service coordinator. If a determination is made that the client has stabilized on his medications, the client is generally released the next day from the jail into treatment. The public defender maintains an ongoing relationship with these clients as they receive treatment in the community, supervision by probation, and on going court review. All members of the Mental Health Court team have been working together with the common goal of making the program a success by taking these clients out of the jail and getting them into treatment in an effort to break the costly cycle of recidivism and repeated incarceration.

Health and Human Services Division of Mental Health

Health and Human Service's involvement in the Mental Health Court is to provide two mental health advocates for three years with the intent of beginning in Fiscal Year 2007-08. The Department's Division of Mental Health (DMH) initiated a Request for Applications in February 23, 2007. The Request solicited community-based providers to furnish two full-time equivalent Mental Health Advocates. The Board approved the contract provider, Transitional Living and Community Support (TLCS), by Resolution Number 2007-0761 on June 12, 2007. DMH has competed negotiations with TLCS and the contract will be executed as soon as possible.

Respectfully submitted,

APPROVED:

PENELOPE CLARKE, Administrator
Countywide Services Agency

TERRY SCHUTTEN
County Executive