

**Final**  
STAFF SUMMARY OF MEETING

TREATMENT OF PERSONS WITH MENTAL ILLNESS IN THE CRIMINAL JUSTICE  
SYSTEM

Date: 03/18/2011

ATTENDANCE

Time: **11:06 AM to 11:43 AM**

Conti X  
King S. \*

Place: HCR 0111

Labuda X  
Tochtrop X

This Meeting was called to order by  
Senator Tochtrop

Acree \*  
Boyd X

This Report was prepared by  
Jessika Shipley

X = Present, E = Excused, A = Absent, \* = Present after roll call

Bills Addressed:	Action Taken:
Introductions and Task Force Briefing	Committee Discussion

**11:07 AM -- Introductions and Task Force Briefing**

Senator Tochtrop called the meeting to order. Senator Boyd arrived and made opening remarks. She welcomed Jeanne Smith, vice chair of the task force, and Janet Drake, representing the Colorado Attorney General's Office. Members of the committee were given a packet of background information about the oversight committee and task force (Attachment A).

**11:10 AM**

Ms. Smith began by discussing the four subcommittees of the task force. The Medication Consistency Subcommittee looks at how to bridge gaps in sources of psychotropic medications. The Medication and Public Benefits Subcommittee is looking at whether or not jails or other places of confinement should have a process for involuntarily medicating inmates. There is currently a civil process for involuntary medication and a similar process in the Department of Corrections. Neither of those processes cover jail inmates. Ms. Smith indicated that she and Harriet Hall, chair of the task force, are struggling to find volunteers to chair subcommittees. A working group on housing looks at issues related to individuals who are both mentally ill and homeless. Ms. Smith commented that subcommittees of the task force must have task force members as chairs, while working groups may have non-task force members as chairs. The final subcommittee of the task force focuses on issues of juvenile justice.

**11:16 AM**

Ms. Smith discussed the lack of legislative recommendations for the 2011 legislative session. Senator Boyd commented about a bill that is not an official recommendation of the oversight committee, but addresses the issue of family advocates. Ms. Smith talked about bills from prior legislative sessions on the subject of family advocacy. Representative Labuda asked about the issues that are currently being studied by the task force. Ms. Smith commented about Senate Bill 11-176 concerning the use of administrative segregation at the Department of Corrections. Senator Boyd asked staff to distribute information from the task force about the issue of administrative segregation. The committee discussed the possibility of task force involvement with SB 11-176 as it moves to the House.

**11:25 AM**

In response to a question from Representative Labuda, Ms. Smith stated that the task force is also studying the topic of public benefits and eligibility for Medicaid. The committee discussed the problem of adequate health care providers who will accept Medicaid reimbursement. Ms. Smith talked about the provision of medical and mental health services to individuals in the correctional system. Offenders in community corrections and jails do not qualify for Medicaid because they are classified as inmates. County jails and community corrections facilities do not generally have the resources to provide adequate medications to mentally ill offenders. Some other states have interpreted the definition of an inmate to exclude individuals in community corrections. The committee discussed Medicaid eligibility.

**11:32 AM**

Ms. Smith talked about the assessment of the mental health needs of juvenile offenders. Senator Boyd discussed the time line for future oversight committee meetings. The committee discussed the scheduling of meetings. Jessika Shipley, Legislative Council Staff, provided a short explanation of the materials contained in Attachment A. She indicated that she would provide the committee with additional information about administrative segregation.

**11:37 AM**

Representative Labuda discussed her hope that the task force would somehow provide input about SB 11-176. Ms. Smith stated that the task force has studied the issue of administrative segregation in Colorado, but they were not consulted during the drafting of SB 11-176. She indicated that it might be difficult for the task force to become involved at this late stage of the process. Senator King commented that he is on the Senate Judiciary Committee and he has a particular interest in the administrative segregation issue. Senator Boyd spoke briefly about the history of the oversight committee and the task force. The committee discussed the membership of the task force.

**11:43 AM**

Senator Boyd adjourned the committee.