

MINUTES

Task Force for the continuing Study of the Treatment of Persons with Mental Illness Who are Involved in the Criminal Justice System

June 21, 2012

10:00 a.m. – 12:30 p.m.7

Legislative Services Building

Call to Order – 10:06 a.m.

The Task Force for the Continuing Study of the Treatment of Persons with Mental Illness who are Involved in the Criminal Justice System meeting was called to order at 10:06 a.m. by Kathleen McGuire, Chair of the Task Force.

Introductions and Welcomes

Introductions were made around the room. Task Force members and guests introduced themselves.

Minutes Approval

Jeanne Smith moved that the May 17, 2012 minutes of the Task Force for the Continuing Study of the Treatment of Persons with Mental Illness who are Involved in the Criminal Justice System be approved as provided. Marc Condojani seconded. Motion passed.

Not Guilty by Reason of Insanity (NGRI) Education Curriculum –Patients’ Perspective

Michele Manchester introduced the speakers.

David, Pueblo, on conditional release since 2002, was sentenced to county jail for an assault. When evaluated he was found NGRI. David shared that the medication helped him a lot. He continues to take his medication and finds he is in control when taking it. He was diagnosed with paranoid schizophrenia and in 1979 he wasn't doing well in treatment. He ended up relapsing in 1992 and in 2002 he was reevaluated. When David got a second chance in treatment he got the best of it: he followed the hospital rules, because the hospital was working with him, he managed to get back into the community and came home from the hospital in 2004. Today he has a roommate, cooks, and finds that the hospital has done a big difference for him. He shared he is happy to be out in the community and today he is in a better spot.

Rusty, Pueblo, spent 21 years in the hospital. Was sentenced for an attempted murder and a break in, was diagnosed with a borderline personality disorder. Rusty shared the state hospital saved his life. The hospital used various therapies in his treatment; he also had a good therapist. After being in the hospital for 10 years he was less dangerous. He got an apartment, got a college degree. He got out of the hospital 10 years ago. In his view, there are limited facilities in prisons, if you send people with mental health illnesses are sent to prison; they come out with mental illnesses. Malingers make it difficult for people with mental health illnesses. Rusty goes to AA, attends “groups” and is happier now than ever. The hospital gave him an opportunity to change his life. There are hospital rules in place however the patients have a choice of working with the staff on their treatment. He noted that some patients resist treatment. He mentioned there were positive changes in the hospital that took place in 1986 that included more focus on staff growth and development. RSO model and SOMB model are used in sexual treatment program which is an integral part of the treatment program.

Beth, Denver, was found NGRI in 1998 for two counts of first degree murder. She was diagnosed with postpartum psychosis. Beth shared her experience being on three different wards from highest security to minimum security and the therapies used on each ward: community therapy groups on the highest security ward, family therapy and cooking groups on the medium security and community, recreational

and occupational therapies on the minimum security ward. Beth shared that the skills learned on a variety of groups helped her.

Beth gave some examples of privileges one could earn in the hospital including on ground supervised/unsupervised, off ground unsupervised, group therapy, crime groups, chain groups, etc. When Beth earned an unsupervised off grounds privilege, she went home for 3 days each month. Slowly she integrated back into the community and in 2004 was conditionally released after spending 14 years in the state hospital. She got back with her family and became an outpatient patient. She learned about her mental health issue at the leadership academy and also taught at the academy. Beth volunteers at the computer lab and presents on the topic of postpartum depression. She admits if she was imprisoned she would have spent a life in prison.

Kathy McGuire thanked presenters for their time and presentations.

Subcommittee Updates

Medication, Health Care, and Public Benefits

Susie Walton reported there are no updates from the Subcommittee

Medication Consistency Subcommittee

Joanie Schoemaker reported there are no updates from the Subcommittee

Juvenile Justice Subcommittee

Michael Ramirez reported there are no updates from the Subcommittee

Behavioral Health Transformation Council Update

Jeanne Smith reminded that the Council is meeting tomorrow morning, the Cabinet members are going to be in attendance. A discussion of work of various subcommittees and setting the agenda for the future will be a part of the meeting. If anyone has thoughts regarding future agenda items please let Jeanne Smith know. Criminal Justice Subcommittee will report on the session that reviewed how certifications collide with the criminal justice system. The three sessions held by the Subcommittee reviewed how the law works and doesn't work from the practical perspective when interaction between civil and criminal system occurs. Information sharing continues to be a big issue. We are not presenting any legislative suggestions, however there are some mechanical recommendations like getting access to state judicial database that might change information access. The Council meets at CDHS, 1575 Sherman Street, Conference Room 4A/4B, 10 am-12 pm and it is open to the public.

EPIC project that provides training to case workers in probation, DOC, DBH and county jail on motivational interviewing and mental health first was just awarded JAG Grant.

Other Updates

Kathy McGuire reminded the subcommittees' members to give any potential legislative suggestions to this Task Force by August meeting for suggestions to move forward at the next legislative session.

Kathy McGuire also gave an update on the bills pertaining to people with mental health conditions that were passed during the past legislative session:

- HB 12-1100- Concerning the admissibility in criminal proceedings of the results of a prenatal screening for illegal substances

- SB 12-020- Authorizes Legal Immunity to Drug Overdose Reporters
- HB12-1140-Concerning the duties of the CDPHE as coordinator for suicide prevention programs throughout the state.

Criminal justice related bills:

- HB12-1139- Concerning pretrial detention of children prosecuted as adults
- HB12-1271-Concerning charging juveniles by direct file of information or indictment in district court
- HB12-1310- Criminal procedure omnibus bill – makes numerous changes to statutes on sentencing, court procedure, and specific offenses. The bill centralized drug funding. Jeanne Smith added that the bill included a request from legislature to Commission on Criminal and Juvenile Justice (CCJJ) to reconsider the drug sentencing laws that the Commission originally decided not to move forward with, the bill now directs the Commission to research the changes in drug sentencing laws.

Gina Shimeall mentioned that a discussion around potential legislation to redefine gravely disabled came up at several meetings she attended. The concern raised by jails and prisons is that the individuals are being released from the institution without medications. Those who are discharged and trying to get medications are being looked at as not a threat to themselves and others and as not gravely disabled when they are institutionalized which changes rapidly when they are released from the institution. Kathy McGuire asked if this is something that was discussed at the Behavioral Transformation Council sessions. Jeanne Smith responded it is something different and DBH is looking at this issue. She added that this issue came up at the study group of certifications issues and DBH is leading the charge.

Marc Condojani responded that DBH is exploring how to make involuntary processes and way to make them more consistent. Criminal justice and civil proceedings are different, they don't always match, they are different jurisdictions, DBH certainly would want to explore this issue.

Kathy McGuire asked if this Task Force should study this issue after NGRI. Jeanne Smith responded that DBH has an ongoing group. Chris Habgood noted that DBH is committed statutorily to convene work groups to make legislative changes. Kathy McGuire asked if DBH is willing to present on the issue and if October/November is the best time for that. Gina Shimeall agreed that November is a good time to have DBH make a presentation. Chris Habgood responded that they will be happy to present.

Deirdre Parker shared a newspaper article *A tale of two losers* published 6-8-12 that was focusing on the topic of today's discussion.

Michele Manchester reminded that the presentation on how the state hospital facilities monitor the conditional releases will be presented at the next Task Force meeting.

Kathy McGuire asked if the Task Force members are interested in visiting the state hospital individually and/or as a group to please let Kathy McGuire know. Michele Manchester welcomed members to visit as a group or individually whenever they are in the area.

What is happening in your agency?

Kathy McGuire stated that the Public Defender's Office is proactively addressing the issue of effects of PTSD among defenders; the office is doing new hire and management trainings on mental health.

Marc Condojani reported that DBH has launched a C-Stat initiative, which is a performance based analysis strategy to allow every CDHS program to focus on and improve performance outcomes. Speak Now Campaign is campaign launched by DBH that encourages parents to discuss the dangers of teen drinking with their kids.

Ashley Tunstall reported that NYC held its training symposium focused on trauma on June 7 and 8. NYC will be focusing on trauma in its work in the future.

Joanne Shoemaker reported that American Correctional Association Conference is taking place in July in Denver. Miss America is a keynote speaker whose focus is on children of parents who are incarcerated. She is a child of incarcerated parents herself. ACA website has more information about the event. 2,000 correctional professionals are expected to attend.

DOC was required to do a sex offender treatment program evaluation. The solicitation is posted on the state's BIDS website and will be closed on June 29th.

11:51 a.m. – Adjourn

The Task Force for the Continuing Study of the Treatment of Persons with Mental Illness who are Involved in the Criminal Justice System was adjourned at 11:51 a.m.