

Minutes

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

Thursday, June 20, 2013

10:00 a.m. to 12:30 p.m.

Hearing Room B

Legislative Services Building

Call to Order (Kathleen McGuire) 10:02 am

Introductions and Welcomes

May 16, 2013 minutes were approved.

Action: Louise Boris is coordinating the Housing presentation in July

Update on the Juvenile Justice Subcommittee: Discussion of Proposed Legislative Changes and Determination of Task Force Support for Proposed Changes (Michael Ramirez, Anna Lopez)

1. Evaluation Deadline

- Subcommittee proposes to define it better or change the timeframe
- Challenge for counties
- If CMHIP worked with the Youth there might be more time youth would spend at home
- Making the extension for a good cause, make it limited, an extension of 15 days was suggested
- Michelle Manchester would prefer to see a recommendation from CMHIP as far as what extension should be.
- Ashley Tunstall recommended a community placement language “placed in home or other community placement”.
- Adding a policy statement that would say: “ waiting for an evaluation, every effort must be made to place juvenile at home” was suggested
- Have a continual review by court. What if we ask to make a priority for the case? Having timeframes in place. Keeping parties who held the process accountable.
- Subcommittee sees more challenges in counties vs. CMHIP. That is why we recommended some oversight.
- 119 kids were referred to an evaluator by CMHIP; there is no data on kids in control of counties.
- Suggestion- making it under custody of the most appropriate county placement.
- Cost issues: courts pay for evaluations not the administration. We don't know how many kids are out there.

Summary/Action: There might be a quick fix to the issue if CMHPE was overseeing it. CMHIP representative, Susie Wallton, and Judge Moore will consult with the subcommittee on the issue and present to this subcommittee next month.

2. Clarification and Clean-up to the language defining Competency throughout the statute and processes

- Add: finding incompetency should not be related to age.
- What was the problem with the adult definition?
- Development disability definition is missing from the proposed language
- Keep the adult statute and make sure all definitions are moved over as well.
- The group didn't have any issues with the adult definition.
- There is no definition of mental capacity.

Discussion Summary: Move the adult definition over to juvenile statute along with all definitions plus define the mental capacity.

- Janet Drake made a motion that the proposed definition of mental capacity was presented.
- Kathy McGuire summarized the discussion. Bruce Langer seconded the proposal. All in support.

Action: Subcommittee would come back within a month with the definition

3. Restorative Justice

Recommendation: there needs to be some structure for the restoration process and details about the services and payment as well as definition of roles and responsibilities for overseeing and implementing the restoration plan

- Kathleen McGuire move to approve the recommendation, Libby Stoddard seconded. All in favor. Motion passed.
- How restoration is conducted, there should be some consistency
- Restoration costs
- Restoration vs. services
- Rebecca Spiess asked for data of what counties are doing right now. She would like to have the data to make recommendations and make them consistent with data. There is no data; it is a part of a problem.
- Recommendations 1 and 3 are policy changes.
- Juvenile Justice Task Force needs to be aware of this effort.
- Michael Ramirez and the subcommittee were commended for their work

Next steps: same as recommendation for evaluation to review what the current practice is and what would be involved if CMHIP were involved in the process.

- We would recommend that Policies and Procedure changes in the various agencies.

What's going on at your agency?

- Task Force members shared the updates from their agencies.

Adjourned at 11:37 am