

**Final**  
STAFF SUMMARY OF MEETING

TREATMENT OF PERSONS WITH MENTAL ILLNESS IN THE CRIMINAL JUSTICE  
SYSTEM

Date: 03/21/2014

ATTENDANCE

Time: **01:35 PM to 02:48 PM**

King E  
Rosenthal \*

Place: HCR 0112

Tochtrop X  
Wright X

This Meeting was called to order by  
Representative Labuda

Newell X  
Labuda X

This Report was prepared by  
Amanda King

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

Bills Addressed:	Action Taken:
Introductions and Welcomes	Witness Testimony and/or Committee Discussion Only
Consideration of Advisory Task Force Appointments	Recommendation(s) Approved
Discussion of Advisory Task Force Activities	Witness Testimony and/or Committee Discussion Only

**01:35 PM -- Introductions and Welcomes**

Representative Labuda made introductory remarks about the Continuing Examination of the Treatment of Persons with Mental Illness Who are Involved in the Criminal and Juvenile Justice Systems (MICJS) Legislative Oversight Committee.

**01:36 PM -- Consideration of Advisory Task Force Appointments**

Kerry Pruett, who is the Mental Health Programs Administrator for the Department of Corrections, discussed her professional experience and her appointment to the MICJS Task Force. Ms. Pruett is filling one of the vacancies on the MICJS Task Force designated for a Department of Corrections representative. Ms. Pruett responded to questions from the committee about the challenges in the criminal justice system to providing offenders access to the treatment they need. Ms. Pruett stated that additional staff is needed. She discussed the training that is provided to staff, including trauma-informed care training. She discussed group therapy and the need for additional therapists.

Ms. Pruett responded to questions about whether improvements can be made in the criminal justice system without additional appropriations. Ms. Pruett stated her concerns about the majority of the persons with mental illness being treated in jails and prisons. She discussed the need for mental health services in the community before someone enters the criminal justice system. Representative Labuda discussed the closing of institutions and the lack of a safety net system for persons with mental illness. Senator Newell discussed speciality courts, such as the mental health courts, and the recent legislative efforts to address mental health needs. Ms. Pruett discussed the importance of identifying mental health needs immediately upon intake and having licensed mental health professionals involved in the intake and diagnostic process.

**01:53 PM**

17th Judicial District Attorney Dave Young discussed his professional experience and his appointment to the MICJS Task Force. Mr. Young discussed the Community Engagement, Supervision, and Evaluation (CESE) Program, which is a post-conviction program for offenders with mental illness that provides services such as group and individual therapy, probation supervision and monitoring, and medication management. He stated that the 17th Judicial District is in the process of establishing a mental health court and that it would be an expansion of the CESE Program.

Mr. Young responded to questions about the Adams County Youth Initiative and competency determinations for juveniles. In response to a question, Mr. Young discussed balancing public safety and victims' rights with defendants' rights. Mr. Young responded to questions about whether other judicial districts are implementing programs like the CESE Program. He discussed his involvement with the Colorado District Attorneys' Council and his ability to communicate with other district attorneys. He discussed the lack of resources in rural jurisdictions of the state.

Senator Newell discussed a recent public radio story concerning the Encompass treatment program at Adams City High School. Mr. Young discussed the North Metro Task Force and its effort to address teenage prescription drug abuse. He responded to questions about his involvement with death penalty cases.

**02:09 PM**

Susie Walton, chair of the MICJS Task Force, discussed the appointment of Walt Pesterfield and Karen Knickerbocker, who were unable to attend the meeting, to the MICJS Task Force. Mr. Pesterfield will be filling the other Department of Corrections position on the MICJS Task Force, and Ms. Knickerbocker will be filling the criminal defense bar position on the MICJS Task Force. Representative Labuda commented on the appointees.

<b>BILL:</b>	<b>Consideration of Advisory Task Force Appointments</b>	
<b>TIME:</b>	<b>02:12:09 PM</b>	
<b>MOVED:</b>	Newell	
<b>MOTION:</b>	Refer the appointments of Walt Pesterfield, Kerry Pruett, Dave Young, and Karen Knickerbocker to the to MICJS Task force. The motion passed on a vote of 5-0, with one member excused.	
<b>SECONDED:</b>	Wright	
		<b>VOTE</b>
	King	Excused
	Rosenthal	Yes
	Tochtrop	Yes
	Wright	Yes
	Newell	Yes
	Labuda	Yes
<b>Final YES: 5 NO: 0 EXC: 1 ABS: 0 FINAL ACTION: PASS</b>		

**02:13 PM -- Discussion of Advisory Task Force Activities**

Michele Manchester, vice-chair of the MICJS Task Force, discussed her professional experience. Ms. Walton provided an overview of the MICJS Task Force's history, which first convened in 1999. Senator Tochtrop stated that the MICJS Task Force was originally created to address concerns and the lack of oversight related to issues concerning the treatment of persons with mental illness who were involved in the criminal and juvenile justice systems. Ms. Walton stated that the MICJS Task Force usually meets monthly. She discussed the areas of study the MICJS Task Force has examined over the task force's existence, including identification, diagnosis, treatment, and housing for juveniles and adults with mental illness who have been involved in the criminal and juvenile justice systems. Ms. Walton stated that the MICJS Task Force had studied the adoption of a common framework to effectively address mental health issues for juveniles, including competency and co-occurring disorders. She stated that in 2005 and 2006, the MICJS Task Force examined the prosecution of and sentencing alternatives for individuals with mental illness. Ms. Walton discussed how the child welfare system serves as the mental health system for juveniles and referred to House Bill 99-1116, which created the Child Mental Health Treatment Act. Ms. Walton and Ms. Manchester responded to questions about whether the federal Affordable Care Act is improving access to mental health services.

**02:22 PM**

Ms. Walton discussed the current membership of MICJS Task Force. A list of the MICJS Task Force members (Attachment A) was distributed to the committee. Ms. Walton responded to questions about the one remaining vacancy on the MICJS Task Force. The remaining vacancy is for the member who represents the Division of Probation and needs to be appointed by the Chief Justice of the Colorado Supreme Court. Senator Newell stated that the former Chief Justice wanted to wait on making the appointment until the new Chief Justice was appointed. Ms. Walton discussed the housing issues that exist for released offenders. The committee members discussed following up with certain MICJS Task Force members about their participation on the task force. Ms. Walton responded to questions about the frequency of MICJS Task Force meetings, task force meeting locations, and task force meeting topics.

**02:29 PM**

The committee discussed Senate Bill 14-021, which will continue the MICJS Legislative Oversight Committee and MICJS Task Force until July 1, 2020. Ms. Walton responded to questions about whether the MICJS Task Force members are reimbursed by the agencies they represent for travel. The committee continued discussion about Senate Bill 14-021, and the ability of the legislature to fund reimbursement for the public members of the MICJS Task Force. Representative Labuda stated that Senate Bill 14-021 is currently pending before the Legislative Council Committee. Ms. Walton stated that Senate Bill 14-021 adds two additional MICJS Task Force members, who will represent the Office of the Child's Representative and the Office of the Alternate Defense Counsel.

**02:36 PM**

Ms. Walton discussed potential legislation the MICJS Task Force may be looking into bring forth in the near future. She discussed the juvenile competency issues that the MICJS Task Force has been studying and House Bill 14-1025, concerning the determination of competency to proceed for individuals in the juvenile justice system, which was postponed indefinitely earlier in the legislative session. Senator Newell stated that she is willing to assist in assembling a stakeholder group to address juvenile competency issues. Ms. Walton responded to questions about working with the Colorado Commission on Criminal and Juvenile Justice on juvenile competency issues. The committee discussed their involvement with the MICJS Task Force.

**02:41 PM**

Ms. Manchester responded to questions about the status of changes due to the recent lawsuit concerning the length of time it take to complete a competency evaluation. She discussed changes that have been made at the Mental Health Institute at Pueblo to address issues in the lawsuit. She discussed the time frames that are being met and the restoration program that was established as part of the clinical redesign of the hospital. She stated that the restoration program's focus is competency. Ms. Manchester discussed the jail-based restoration program that is focused on reducing the use of civil beds by forensic patients.

**02:45 PM**

Ms. Walton discussed the efforts by the MICJS Task Force to examine expanding local law enforcement agencies' Crisis Intervention Training and Mental Health First Aid Training. Senator Newell discussed the ability of legislators to host Mental Health First Aid Trainings in their districts.

**02:48 PM**

The committee adjourned.