

**MINUTES**  
**Task Force Concerning the Treatment of Persons with**  
**Mental Illness in the Criminal and Juvenile Justice Systems**  
**Thursday, March 19, 2015**  
**10:00 a.m. to 12:30 p.m.**  
**House Committee Room 0109**

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**I. Call to Order**

- *Susan Walton, Park County Department of Human Services*

**II. Introductions and Welcome**

- *Susan Walton, Park County Department of Human Services*

**III. Approval of Minutes**

- **February 19, 2015**

A motion to approve the minutes was entered by Michael Ramirez. There was no further discussion and the minutes were approved as written.

**IV. Review of Juvenile Competency Legislation**

- *Next Steps*

The Juvenile Competency legislation did not make it out of committee on February 26. Ms. Knickerbocker testified with Representative Rosenthal and the committee vote was 6-7. Ms. Knickerbocker said that in the future perhaps the Task Force should write the best piece of legislation possible without a lot of concession, despite dissent from one group or one individual. The Task Force will need to determine whether to put forward a similar piece of legislation in the next session. Mr. Ramirez thanked everyone for their efforts and wondered aloud if it would have made a difference to stay the course without acquiescing to the dissenting arguments. Both Mr. Ramirez and Ms. Knickerbocker noted that this is a multidisciplinary group, so all sides of an issue must be considered. Ms. Knickerbocker reflected that this was a good opportunity to provide guidance to legislators who may not have thorough knowledge of the competency issue.

Task Force members recommended that any future discussion of legislation begin with a written outline of the rationale for the legislation and the basis for it. In addition, it was recommended that future legislation include a tracking mechanism for its impact, which seemed to be a concern from some about this year's effort. There was much discussion about whether restoration should be included in any future efforts, since there was agreement on both sides of the competency issue that restorative services are lacking.

Senate appointments have not yet been made, so Ms. Walton cannot ask the Oversight Committee at this time whether they would like to put forward legislation next year. Since no DA representative was present at the meeting, and there is no Oversight Committee meeting in March, Ms. Walton requested that discussion of future steps for the legislation be tabled until the April Task Force meeting, where she hopes all interested parties will be in attendance and may voice their ideas about future legislation. The Task Force can then determine a recommendation to take to the Oversight Committee. Ms. Walton formally thanked Mr. Ramirez and the subcommittee who worked on this effort. Various task force members thanked Ms. Walton for her leadership of the Task Force throughout the competency discussions.

It was determined that the Task Force will formally thank Representative Rosenthal.

Ms. Knickerbocker related a personal anecdote of one of her adult clients who faced problems that stemmed from issues in the arena of restoration to competency. Mr. Ramirez noted that often educational efforts help juveniles achieve restoration to competency. Task Force members expressed their interest in hearing presentations about the restoration issue and services that are available. Ashley Tunstall recommended looking at the two issues of competency and restoration separately to determine if it makes sense to include both in future legislative endeavors.

A work group will be established to study curriculum and gap analysis through presentations from CMHIP. In addition, the Task Force may review HB 05-1034 (Juvenile Competency) and consider conducting a survey in order to amass data regarding the restoration issue. Camille Harding said she would be able to conduct a survey via Survey Monkey, but would need Task Force members' help with what questions to ask and to whom to disseminate the survey. She said she may be able to work with Office of Behavioral Health in this regard.

Further discussion of the difficulties with restoration services ensued. Among the topics discussed were paying for restoration services when combined with community services and the implications of addressing monetary concerns in any legislative efforts – that is, addressing a lack of funding through either attachment of a fiscal note or showing how the state would save money if legislation is passed. Some Task Force members noted that a fiscal note or any discussion of savings would bring about some dissent. It may be better to put legislation forward without this in the beginning so that it has a better chance of passing.

**Next steps:**

- *Ms. Knickerbocker will bring a card for Representative Rosenthal to the April meeting for everyone to sign.*
- *Ms. Walton will check with Sen. Cadman to assure that the Senate is planning to appoint a Chair for Oversight Committee.*
- *Ms. Walton will reach out to Task Force member Michele Manchester regarding participation in a work group on restoration – a study curriculum and gap analysis – and a presentation from CMHIP*

**V. Data and Information Sharing Update**

- *Camille Harding, Department of Health Care Policy and Financing (HCPF)*
- *Peggy Heil, Colorado Division of Criminal Justice*

A Bureau of Justice Assistance grant has been submitted with the aim to reduce recidivism of a high risk group. If the money is awarded, a facilitator (IJIS Institute – Integrated Justice Information System) will be brought in. It was proposed that a subcommittee of the Task Force be created to coordinate the effort before announcement of the award, and that the Task Force should discuss how this subcommittee could address data and information sharing even if the money is not awarded. There was no opposition to forming the subcommittee, tentatively called the Data Information Gathering and Sharing Subcommittee. A formal name will be determined. The grant states a minimum of who would sit on this subcommittee, but Task Force members also were asked to send Ms. Harding and Ms. Heil the names of people who may be interested. Ms. Heil does not expect to hear about whether the grant proposal was successful until a couple of weeks prior to the beginning of the federal fiscal year (Oct. 1). While the same application could be submitted for other grants in the state at the county and community levels, it was determined that this is the only grant that the Task Force should apply for, so as not to out-compete other local jurisdictions/agencies.

**VI. Affordable Care Act Update**

- *Camille Harding, Department of Health Care Policy and Financing*

Long-term support and services has a “no wrong door proposal” – a strategy to identify system changes and support to make sure that people can access services in the community rather than going to a higher level of care. It is HCPF's intent to get consumer voice in that process. The no wrong door group is meeting to draft and develop a proposal. When they are further along, Ms. Harding will share the information with the Task Force. It impacts people who are on waivers, including those with mental illness. Another initiative being undertaken is a survey to assess clients' experience with care and quality of care. This survey is conducted via a peer-administered program, so the survey is face-to-face. HCPF is working with a university to design the research. Ms. Harding will also share comments collected from a request for information on redesigning ACC (the Accountable Care Collaborative) and care coordination. Regional Care Collaborative Organizations' contracts are up in 2017. The request for proposals should be out in the fall, and a contractor is to be in place by 2017. Adam Tucker, from Health Care Policy and Financing, told the Task Force about some initiatives his office is undertaking, namely very preliminary discussions of a follow up to a gap analysis conducted on services for persons with intellectual disabilities and mental health dual diagnoses. Now that the gaps have been identified, Mr. Tucker's group will look at next steps and funding opportunities. In addition, a committee has been formed that includes Dept. of Housing and ACC to support supportive housing to provide more community integration.

## **VII. Review of Documents from the Joint Budget Committee Concerning Department of Corrections (DOC)**

The documents that were distributed two months ago were likely sent to the Task Force by the Joint Budget Committee as a courtesy. There is nobody to speak about the documents, but Ms. Walton asked if Task Force members had any specific questions about the information. It was explained by Moe Keller that this is standard procedure to collect questions and responses from the Joint Budget Committee. Harriet Hall said that the information may have been sent to the Task Force because of past interest the Task Force had in the Department of Corrections. It was suggested that a formal thank-you from the Task Force is appropriate and would likely be appreciated.

### *Next step:*

- *Ms. Walton will reach out to Gina Shimeall, who asked about the document at the last meeting, to see if she had a specific question.*
- *Ms. Walton will be in touch with Amanda King and Steve Allen to thank the JBC for sending the information.*

## **VIII. Behavioral Health Transformation Council Update**

### **• Dr. Richard Martinez**

In Dr. Martinez's absence, Ashley Tunstall gave an update of the BHTC. She said the medication consistency subcommittee work is continuing and the subcommittee's latest task is to start looking at how other states implement their purchasing cooperatives. They are still conducting preliminary work – information gathering and understanding – to achieve medication consistency across agencies. The formularies are getting finalized, but the group is not yet at the implementation stage.

### *Next step:*

- *Ashley Tunstall will speak with Reggie Huerter about sharing the formulary and presenting the status of this effort at a future Task Force meeting.*

## **IX. Housing Update**

### **• Susan Walton, Park County Department of Human Services**

### **• Gina Shimeall**

Ms. Walton has met with Frank Alexander in Boulder concerning his interest in supporting the Task Force in efforts around housing and he's interested. Ms. Hall presented the list of volunteers to the Community Corrections Subcommittee of the CCJJ. After further discussion, the subcommittee agreed that there is a concern with moving people into a correctional setting to be housed when they do not need to be in the correctional setting. They decided to move the issue to the larger CCJJ so that they can take on the issue of community housing for mentally ill offenders. There may be a place where this Task Force's efforts may cross over with those of CCJJ and a collaboration could be developed.

Ms. Keller and Jagruti Shah then discussed money that had been allocated to DOLA (Department of Local Affairs) for respite out of crisis response funding. Ms. Shah said that some of the money that is specific to institutes went to DOLA. Part of the Governor's initiative had another piece of funding for creating a transition program and assisted living/nursing homes. That money was used to create a program based off of the model that "money follows the person" for people transitioning out of institutes in Pueblo and Ft. Logan. Behavioral Health Inc. (BHI) was awarded that contract. They are doing applications to DOLA for the housing that Ms. Keller described. The initial contract for the transition specialists was awarded April 2013. BHI also received the contract in December 2014 for the other piece. The funding included money for 11 transition specialists plus "wrap-around" services to help with the care/needs of clients in order to get people off of discharge barrier lists. Mr. Tucker will reach out to Ms. Shah to see if collaboration opportunities exist between their two offices.

Ms. Walton would like to get an update on these initiatives at meetings so that the Task Force can determine how to tackle the housing topic. Task Force members then discussed a number of issues that arise when trying to find housing for people with behavioral health issues and whether a statewide administrative plan had ever been established after the Olmstead Act. Lisa Thompson spoke about some of the efforts the Housing First and Assertive Community Treatment program that she directs within Colorado Coalition for the Homeless. She noted that providing housing for people with behavioral issues, especially those with a felony conviction, requires building a good relationship with landlords. It is very difficult to find landlords who will take someone with a felony conviction, so they need to know that they have the support of agencies and programs like Housing First.

*Next step:*

*- Ms. Keller will ask Pat Coyle for an update on how the monies allocated for housing are moving along. She will ask about the plan for both civil and criminal housing issues, whether they are collaborating with HCPF, and the status of Housing's budget request for this year.*

## **X. Other Updates**

### **• Safety of Staff**

The Peace Officer Standards and Training board, Colorado Associate of Chiefs of Police, and County Sheriffs of Colorado unanimously voted to support a joint effort for CIT classes in the state. The initiative will provide 5 statewide classes initially, and it is expected to provide more than 5 next year.

*Next step:*

*- Karen Knickerbocker will bring a pack of cards to next meeting so that Task Force can thank various parties, including these boards*

### **• Task Force Membership**

There are two vacancies on the Task Force: One from Parole and one from local law enforcement.

*Next step:*

*- Rebecca Spiess will look into a local law enforcement officer who may be interested and get the name to Ms. Walton*

### **• Legislative Updates**

Ms. Walton reminded the Task Force that Terry Hurst provided a legislative update to this group during the last legislative session.

*Next step:*

*- Ms. Walton will ask Ms. Hurst to provide the list via email.  
- Ms. Walton will ask Amanda King to sign up for Coalition for the Homeless' advocacy list.*

Representative Rosenthal, who was unable to attend the entire meeting due to conflicts with scheduling, briefly appeared to thank the members of the Task Force for their work on the legislation. He expressed his hope that the bill will get passed next year and said he will help in way that he can. He expressed gratitude for Karen Knickerbocker's efforts toward this legislation during the session. The Task Force thanked him for his significant efforts.

## **XI. What's Happening at Your Agency?**

Various members of the Task Force provided updates from their respective agencies, including:

- Ms. Shah, who outlined several efforts to provide behavioral health services due to a drop in eligible clients because of Medicaid expansion, service in jails and community corrections, and support of problem solving courts through staff training in evidence-based practices and Dialectical Behavioral Therapy (DBT).

- Ms. Tunstall, who announced there is a new director of Division of Youth Corrections

- Beth Feltman, who provided an update on an individual at CMHIP who was awarded conditional release with stipulations (20 conditions to live by) that he will be monitored and maintain sobriety. Ms. Feltman noted that, like she, he has specifically not asked for unconditional release because of the severity of his crime.

- Ms. Hall, who spoke about efforts by the Mental Health Criminal Justice staff and Deputy Chief of Wheatridge to combine Mental Health First Aid and CIT curriculum for all first responders, not just law enforcement. She reported that the first class was very well received.

## **XII. Adjourn**

There being no other business, the meeting was adjourned at 12:02 pm.