

**MINUTES**  
**Task Force Concerning the Treatment of Persons with**  
**Mental Illness in the Criminal and Juvenile Justice**  
**Systems** Thursday, November 19, 2015  
10:00 a.m. to 12:30 pm  
Senate Committee Room 352

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**I. Call to Order**

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

**II. Introductions and Welcome**

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

**III. Approval of Minutes**

- *August 20, 2015*

The August 20<sup>th</sup> minutes were approved with an amendment requested by Michael Ramirez to spell his name correctly.

**IV. Oversight Committee Update and Bill Draft Discussion**

- *Susie Walton, Park County Department of Human Services*
  - *Amanda King, Legislative Council*
  - *Camille Harding, Health Care Policy and Financing*

Task Force members updated the Oversight Committee on the retreat efforts to focus the MICJS Task Force on issues specific to housing, restoration and competency issues. The Oversight Committee is open to this idea and would like to see ideas for legislation proposed to address any issues in this area. The Task Force is recommending two subcommittees that are in the formation stage. The goal is to have solid legislative recommendations by August.

Senator Newell withdrew her bill on Juvenile Competency with minimal discussion. Representative Singer withdrew his bill on PTSD treatment for worker's compensation for First Responders based on the Committee's discussion around how it would be funded. Rep. Singer's bill to co-locate mental health providers with law enforcement entities, a grant funded pilot project, was formally voted on and died on a 3 to 3 vote. Senator Newell's bill on redefining the qualifications of a mental health professional in local level collaborative management teams (modifications to HB 04-1451) did pass. It was approved by Legislative Council and it will be introduced in the Senate at the beginning of session. There is no preclusion that the members could not bring these bills up individually- independent of the Oversight Committee.

Amanda King shared that the leadership of the Oversight Committee changes every year between the House and Senate. Representative Singer will likely take the role of Chair, but it is up to the appointment of the Speaker.

It was discussed that the Task Force members would like to foster a two-way relationship with the Oversight Committee, where there is a more real-time exchange of information in order to explore ideas brought up by the Oversight Committee members. It was also suggested that the task force may form a Subcommittee to funnel ideas directly to the Oversight Committee, and give members a direct line to the task force's expertise. The task force will also keep issues of interest on their radar, including those brought up by constituents.

## **V. Housing Update**

### **• Peggy Heil, Colorado Division of Criminal Justice**

The Housing Subcommittee met the morning of November 19<sup>th</sup>. Right now they are focused on determining who the key decision makers in the housing arena are, and getting them to the table. There is a plan to organize a modified LEAN event, or focus group, in order to determine what the priorities could be that the subcommittee could focus on. There is not a date set for that event yet. Members have reached out to Jen Lopez, because she will be a good resource for finding key stakeholders. She will also have better insight on which projects are more likely to pass legislatively with respect to next year's budget.

Susie mentioned that Frank Alexander has offered his help. Caren Leaf has offered ongoing technical support, and Bill Woodward has offered to support the group going forward. There was also discussion of utilizing employees of State agencies who have been trained in LEAN facilitation.

## **VI. Competency/Restoration Group**

### **• Sheri Danz, Office of the Child's Representative**

The Competency and Restoration meeting convened the morning of November 19<sup>th</sup> and they will meet monthly. Members of the Subcommittee anticipate gathering data around competency and restoration, analyzing it, and coming up with a needs assessment within the next few months. The data will include, but not be limited to, the number of competency evaluations ordered, the judicial district ordering them, and timeframes for competency evaluations and restoration services. Data will be gathered on both juveniles and adults and will be broken down by in-patient and out-patient numbers. Qualitative data concerning restoration services will be gathered on what curricula are being used, and who are the different providers or agencies that are offering restoration services.

Sheri stated that the Subcommittee will be looking for input on timeframes for proposing legislation. Amanda King explained that the task force will need to have recommendations unofficially drafted by July. So the Subcommittee will need to determine whether there are recommendations to be made by April or May. There will be task force agenda time given to the Subcommittee in May to finalize any decisions around competency and restoration legislation.

Sheri believes that the Subcommittee has a lot of representation for juveniles, but membership should include some more adult experts. A recommendation for membership from CMHIP will be coming shortly. Susie Walton mentioned that Kerry Pruitt from the Division of Corrections could also be a good resource.

Gina Shimeall mentioned that the RISE project is the major restoration project in the metro-area. They hold open meetings and have a lot of valuable data for in-custody adults. For out of custody

adults she mentioned that the Community Reach Center would be helpful. She also mentioned that Dr. Neil Gowansmith from the University of Denver supervises students doing restoration work, and Dr. Patrick Fox is doing research on restoration models outside of the state. Sheri confirmed that once a list of presenters is determined, the Subcommittee will offer to have pertinent topics put on the task force agenda.

Karen Knickerbocker brought up that the Subcommittee will want to avoid duplicating efforts. Given that the state is currently in a crisis with the back-log of competency evaluation orders, a lot of stakeholders will already be discussing this issue. It would be prudent of the Subcommittee to coordinate efforts with those involved, and Amanda King will keep the group updated if legislation is already being brought to the table on the topic of competency. She noted that it would be a good idea to reach out to JBC Analyst, Carolyn Kampman. Susie suggested the Subcommittee reach out to Moe Keller, Andrew Romanoff and the National Council of State Legislatures.

The December meeting of the Task Force has been cancelled in order to allow the Subcommittees time to meet.

## **VII. Data and information Sharing**

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

Peggy Heil explained that currently in Colorado, many individuals with serious mental illnesses are incarcerated. The MICJS Task Force identified information sharing as a barrier against continuity of care for those individuals. Peggy mentioned that the Information Sharing planning grant from the Bureau of Justice focuses on adult recidivism reduction for high risk populations, but it is hoped that it will inform similar efforts for juveniles. This one-year planning grant will help to develop a state-wide information sharing system across health and criminal justice entities. The Data and Information Sharing Subcommittee is contracting with the non-profit Institute for Justice Information Sharing (IJIS) to facilitate the planning process.

Camille Harding shared that the first kickoff meeting of the subcommittee was held on Friday, November 13<sup>th</sup>. IJIS is almost ready to begin the contract work, and once that starts, there will be regular meetings held for all interested parties. Focus groups on information sharing are currently being held around the state. There will be a report coming out in January around the challenges associated with sharing data across systems, standardizing serious mental illness criteria, and criteria for recidivism in county jails. Ms. Harding said that as the subcommittee moves forward, it would be helpful to bring plans to the task force for review and additional oversight. The subcommittee will also be looking for guidance in the form of current legislation, recommendations, and expertise.

Sheri Danz pointed out that while planning an information sharing system, the subcommittee will want to consider how this will play out in the juvenile context. Since juveniles are held in various types of custody, it will be pertinent to consider who will be signing information releases for children. There has been a recent Supreme Court decision known as LAN on the matter of privilege holders; when neither a parent nor child are able to hold this responsibility, it is to be placed in the hands of the appointed Guardian Ad Litem.

Michael Ramirez with the Department of Education said that there is a growing culture of fear when it comes to releasing Personally Identifiable Information. Sheri Danz explained that the LAN decision contemplates a readily apparent limited waiver that stipulates what information is being allowed in a case. The task force agreed that the information sharing system needs to be marketed as a resource to ensure a client's proper treatment, not as leverage to incriminate individuals. Legal protections can and should be offered to remedy this.

### **VIII. Membership and Vacancies**

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

Susan White has been appointed from the Division of Parole. Commander Tom DeLuca from the El Paso County Sheriff's Office has been officially appointed by the Oversight Committee. Chris Johnson from the Colorado Sheriff's Association will be joining us in January. We are waiting on the announcement from CMHIP to appoint the vacancy that was Michelle Manchester. The District Attorney slot is now vacant. The Task Force has received a letter of resignation from Dave Young, but he is recommending Tariq Sheikh to take his place. We are waiting on that confirmation letter from Tom Raynes.

There is a vacancy for a member with an adult family member with a mental illness who has been involved in the Colorado criminal justice system. Susie mentioned that in thinking about this and other vacancies we must consider diversity. It was suggested that the Task Force reach out to NAMI for recommendations. There is a stipend to support our citizen members with travel costs. Patrick Teegarden is looking for a replacement for himself with the Colorado Department of Labor and Employment. Judge KJ Moore anticipates being able to attend meetings more often in the near future. The Task Force is waiting on a letter from Judicial appointing Amy Kingery to take the place of Brenidy Rice.

### **IX. Other Updates**

#### **• *Task Force Membership Booklet***

#### **• *Regular Legislative Updates***

Bethe Feltman has almost finished with the task force member booklet. The intent is for it to be available in January.

Susie is still working on getting regular legislative updates added to our meetings. She is waiting to hear if Doyle Forestall will be able to come give updates to the task force on a regular basis. In the meantime Susie is asking that any departments or agencies that already have some type of legislative update bring that to the task force meetings to ensure members remain informed on legislative news.

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

-Sheri Danz- The Office of the Child's Representative Guardian Ad Litem are mandatory in most Dependency and Neglect cases. However, they are discretionary in juvenile delinquency matters. Recently, GAL appointments for Delinquency cases have increased. There are detailed standards for GAL appointments for D&N cases, but none for delinquency cases. Statute requires proposing

standards to the Chief Justice to promulgate. The Office is losing part of their oversight capabilities on January 1<sup>st</sup>, so they are working to propose standards for juvenile delinquency GALs by that time. A draft of the practice standards has already been sent out to many stakeholders for review.

- Michael Ramirez- The Department of Education has seen a rise in the number of children reporting suicidal ideations. Jefferson County has seen a 600% increase in these. There is speculation as to the cause of this increase, but it is an issue the Department of Education is paying close attention to. Mr. Ramirez notes there is a resource accessibility issue for schools and districts in rural areas.

-Camille Harding- The Department of Health Care Policy and Financing has recently been awarded a planning grant from SAMHSA with the Office of Behavioral Health. The grant is to certify Community Behavioral Health Centers in coordination with the Colorado Behavioral Healthcare Council. The certification requires certain standards of care that encompass coordination of care for certain vulnerable populations, evidence based practice, and standardized access criteria to name a few.

-Peggy Heil- There is a SAMHSA grant RFP out right now about using technology assisted care in targeted areas of need. It is for underserved individuals such as those in rural populations, using technology to enhance the care that is available. This may be of interest to the task force.

### **Adjourn-**

The Meeting adjourned at 12:09 pm