

Arizona Mental Health and Criminal Justice Coalition (AMH&CJC)
August 1, 2014 Meeting Minutes
Community Bridges- 2770 E. Van Buran
Phoenix, AZ 85008
9-11am

Agenda Item	Discussion	Action Items & Person Responsible
Welcome and Introductions	There were 46 participants present. Mary Lou reviewed the goals of the Coalition including reducing the number of individuals with mental health, substance abuse and cognitive disorders involved in the criminal justice system. She also discussed how the Coalition’s approach is not adversarial as the Coalition works collaboratively to identify system issues and problem-solve solutions.	N/A
Fredrica Strumpf- Maricopa County Public Defender’s Office & Tom Weiss- SMI Unit Supervisory Maricopa County Adult Probation	<p>The public defender is responsible to ensure a defendant’s constitutional rights are not impeded upon during the court ordered treatment process. When a person undergoing a Court Ordered Evaluation (COE) or being Court Ordered to Treatment (COT) they are deprived of constitutional rights. The standards for COE/COT include danger to self (DTS), danger to others (DTO), gravely disabled (GD) or persistently and acuity disabled (PAD). Ms. Strumpf acknowledged that when in the criminal system there are some inherit benefits of court ordered treatment such as when a person is not stable enough to make decisions. If a person is in the jail and a petition is filed that petition may remain active or at times a new petition may need to be resubmitted when the jail is not aware of the petition or haven’t been informed that there is a mental health hold and the time frame for the COE expires. It is very important and helpful for the clinical team to work with the legal team as long as the person is in agreement. Many legal representatives are not familiar with the behavioral health terminology so it is important not to use acronyms or “clinical jargon.”</p> <p>The Rule 11/Restoration process is not the same as the COE/COT process and occurs when an individual is unable to proceed through a criminal trial due to a disability and can’t assist their council in the court processes. The Rule 11 process is not a strategy or technique to delay the case as the defendant has the constitutional right to participate in the trial process. It is important to note that when a person is going through the COT process sometime, but not always, there is also a competency issue.</p>	



Arizona Mental Health and Criminal Justice Coalition (AMH&CJC)
August 1, 2014 Meeting Minutes
Community Bridges- 2770 E. Van Buran
Phoenix, AZ 85008
9-11am

	<p>The presenters noted that diversion is not always an option even when a person has mental health issues. The important that probation is “at the table” as they often have influence with the judge and can support the individual so they don’t get into trouble again was highlighted. The presenters talked about the limitations of court order treatment and the difficulty engaging the individual in community services, especially if there are issues with “brain functioning” that interfere with person’s decision making. Mrs. Strumpf said that in her experience both work and education have been huge motivators for individuals with a serious mental illness.</p> <p>Individuals with a mental illness who have police contact are at addition risk as they may be charged with a crime when actually they are just seeking help. Many family member are often unaware of the court ordered treatment process and are caught in a conundrum when trying to find out what services are out there for their loved one.</p> <p>It was clarified that people undergoing Rule 11/Restoration Process can’t be forced to take medication. Staff in the jail can remind inmates to take their medication but can’t make them take it. Forced medication must be for health purposes only and not for pursuing or participating in the criminal case. The Rule 11/Restoration Process can take up to 2 years and individuals can be undergoing the process either in-custody or out-of-custody (i.e. while in the community). The out-of-custody process includes weekly appointments and attending court hearings. Community providers can assist individuals going through Rule 11/Restoration process by helping them remember court dates, assisting the person to get to court or attending court with them to support the person during court appearances. In the past, if there was a criminal matter it not see as part of their treatment plan but this is changing and is now seen as a “part of their lives” therefore the clinical treatment plan should include these services and supports.</p>	
--	--	--

Arizona Mental Health and Criminal Justice Coalition (AMH&CJC)
August 1, 2014 Meeting Minutes
Community Bridges- 2770 E. Van Buran
Phoenix, AZ 85008
9-11am

	<p>The jail will enforce COTs in the jail and all of the primary medications used in the community are available in the jail. The restricted medication are those with potential for abuses such as benzodiazepines, sleeping medication, Wellbutrin and Seroquel. The jail is in the process of getting a licensed to provide Methadone including for pregnant females.</p> <p>Most counties don't send individuals to the Arizona State Hospital (ASH) for Rule 11/Restoration and in the United States jails actually have better restoration rates than hospitals. However, If the level of care needs for the individual are beyond the jail capabilities then the person can be transferred to ASH. Those individuals undergoing restoration typically stay in jail longer plus individuals in general population are at an increased risk. It is important to clarify that the restoration process is not a therapeutic or treatment program.</p> <p>The SMART justice subcommittee is looking at what can we do to get people out of jail prior to Rule 11/Restoration process starting as often it is better to have process completed in the community as it is "almost impossible to get them out one in the Rule 11 process is initiated." At the initial appearance typically the individual doesn't have legal representative or defense attorney present. It was recommended that these issues be addressed at the first appearance. Advocating to have legal representative and clinical team present at the initial appearance is key. Currently defense attorneys don't work weekends and nights so diversion is not an option at these times. Presentence services are also looking at way to get people of the out the jail whenever possible.</p>	
--	--	--

Arizona Mental Health and Criminal Justice Coalition (AMH&CJC)
August 1, 2014 Meeting Minutes
Community Bridges- 2770 E. Van Buran
Phoenix, AZ 85008
9-11am

	<p>Both presenters highlighted that when persons are diverted out of the criminal justice system there are tax savings and it is wiser to spend more money on treatment than incarceration.</p> <p>The Maricopa County Adult Probation has specialized units that only work with individuals who have a serious mental illness. They receive specialized training on behavioral health and working with behavioral systems including how to tailor case plan. Mr. Weiss noted that people may be found incompetent for a variety of reason not just mental health issues (e.g. Alzheimer’s, Development Disabilities) The individuals who are not on COT as general mental health enrolled service recipients do not qualify for specialized probation team.</p> <p>The brokerage or “pass around” approach to case management is often problematic as individuals have to see multiple providers (e.g. mental health, employment, substance abuse, and health care). In addition, services at times are dependent upon successful completion of certain services to access additional services. M. Weiss indicated he was excited about the new Forensic Assertive Community Treatment Team as this team provides all services by one organization.</p> <p>Probation focuses on the criminogenic risk, needs and responsivity. Mental health is one part of the treatment plan but they are primarily looking at 9 criminogenic risk areas that look at risks for reengaging in criminal behavior (e.g. antisocial thinking/attitude and anti-social peers). The probation case plan must focus on criminal behavioral and strategies to lower risk to recidivate and increase safety of the community. Probation uses mental health court to address issues associated with the person’s mental illness.</p>	<p style="text-align: center;">Recommended that providers be educated about supporting individuals in the Rule 11 process (e.g. remind of appointments, go with the person to court hearings, and provide transportation to appointments)</p> <p style="text-align: center;">Ms. Strumpf volunteered to provide training on the types of charges, legal process, etc. to community providers.</p>
--	---	---

Arizona Mental Health and Criminal Justice Coalition (AMH&CJC)
 August 1, 2014 Meeting Minutes
 Community Bridges- 2770 E. Van Buran
 Phoenix, AZ 85008
 9-11am

<p>Questions</p>	<p>Why can't force medicate if a person is in the jail? In the criminal setting unless the person is court ordered to treatment the jail can't force medicate so the individual can participate in the trial processes.</p> <p>Who is looking out for those folks and families who don't know about the court ordered treatment process? What about family education - families are being told they have no part in probation? Public defenders are limited if the client will not let the family be involved and it appears that once a person is in criminal justice system "everything is about punishment and probation violation." Treatment providers also restricted under HIPPA regulation on the type and amount of information they can share.</p> <p>Combination of therapy and medication bet outcomes- legal system should just focus on medication as the primary intervention. The court is being more lenient with what it accepts as treatment (creative approaches being more acceptable- therapy, yoga, art therapy, etc.)</p>	<p>Need to education probation and treatment providers on HIPPA including that they can always listen and respond to information provided by families. In addition, education is need on how to work with individual while completing releases to discuss what information the person is willing to share with their family members (i.e. not an all or nothing approach).</p>
-------------------------	---	---

**Arizona Mental Health and Criminal Justice Coalition (AMH&CJC)
 August 1, 2014 Meeting Minutes
 Community Bridges- 2770 E. Van Buran
 Phoenix, AZ 85008
 9-11am**

<p>Shelley Curran, Mercy Maricopa Integrated Care's (MMIC) Court Advocacy</p>	<p>As a part of the Arnold Agreement MMIC will expand the number of Assertive Community Treatment (ACT) teams by 4 in 2015 and 4 in 2016. Currently there is only one Forensic ACT (FACT) Maricopa County. April first MMIC contract started and August 1 was the deadline for starting a new FACT.</p> <p>The first Maricopa County FACT started in 1996. The referral process was not working to identify those individual who would benefit most so now referral to the FACT will come from criminal justice system instead of from behavioral health community. Already have three referrals and the team just start today.</p> <p>Individuals can decline ACT team even if on a COT. An evidence-based component is that all participants are voluntary however it is the team's responsibility to make multiple attempts to engage and help encourage participation by letting the person know that what is currently going on it not working for them.</p>	
<p>Bridging the Gap</p>	<p>Bridging the Gap is a new program by TERROS that includes having peer support staff going into the prison to engage and develop reentry plans, establish relationship, see the person within 48 hours upon release, track down individuals after release if they are not engaged, meet the person at the bus stop upon releases, offer substance abuse treatment groups and provide assertive peer support. Reentry probations officer in the program have smaller case loads and volunteer to be part of the project. .</p>	
<p>Comments</p>	<p>A family member share her experience in which her son had no prior criminal record and was very suicidal with a weapon. The father called 911 and SWAT team was dispatched. There were no Crisis Intervention Trained (CIT) officers involved in the incident and her son was sentenced to a 2 years in prison. The mother explained that they needed information and training as parents and given her experience now she would have handled the situation very differently. There was no crime victim and her son's psychiatrist even wrote letter yet the prosecutor would not consider sending him to a long term young adult program even though they had the financial means to do so. She stresses that communication is critical.</p>	<p>NAMI parent to parent training and hotline support is available and every clinic should be sharing information on these resources with family members</p>

**Arizona Mental Health and Criminal Justice Coalition (AMH&CJC)
 August 1, 2014 Meeting Minutes
 Community Bridges- 2770 E. Van Buran
 Phoenix, AZ 85008
 9-11am**

<p>Additional Updates</p>	<ul style="list-style-type: none"> • CIT training is being required for all Tucson police cadets. • The BJA Trauma-Informed Care grant is scheduled to end in September however a six-month extension is under consideration to reach the target of 20 participants. Additional goals and accomplishments were highlighted. • SMI probation officers will be stationed at CASS. This could be a great resources for individuals if can't find their probation officer and possible option to re-establish contact. 	<p>Tom Weiss will follow up to see having individuals go to CASS to re-establish contact with probation is the best plan or if they should be directed to the intake unit.</p>
----------------------------------	---	---

Thank you to our hosts Community Bridges

