

**SJ 47 Joint Subcommittee to Study Mental Health Services in the Commonwealth in the  
21st Century**

**Criminal Justice Diversion Advisory Panel**

**Conference Call, May 6, 2016**

The Criminal Justice Diversion Panel (the Panel) held a conference call on Friday, May 6, 2016. Members present on the call were Leslie Weisman (Panel Chair), Pete Earley, Lori Galbraith, Patrick Halpern, Allison Redlich, Caitlin Reynolds-Vivanco, Amy Woolard, Heather Zelle, Jana Braswell, and David Cotter.

Ms. Weisman began by presenting a brief overview of the SJ 47 Joint Subcommittee (the Subcommittee) and its work to date, noting that the Subcommittee must complete its work prior to the 2018 Session of the General Assembly. Ms. Weisman reviewed the charge given to the Panel by the Subcommittee and explained that three additional advisory panels have been established to assist the Subcommittee. Each of the four panels is tasked with assisting a corresponding work group of the Subcommittee; while all four panels will be looking at such overlapping subjects as the mental health services available in Virginia and access to these services, the Panel is specifically tasked with reviewing these subjects in the context of criminal justice-involved populations for the Criminal Justice Diversion work group, which is chaired by Delegate Robert B. Bell.

The Panel members introduced themselves and described their particular experiences with how the criminal justice system handles persons with mental illnesses. The Panel members also discussed specific topics that the Panel should consider in recommending how to divert such persons from the criminal justice system and into appropriate mental health services, including:

- The lack of uniformity in the availability of mental health and diversion services available across the Commonwealth;
- Inconsistencies in the services provided by community services boards serving different localities;
- The lack of resources to provide services in the more rural, less populated parts of the Commonwealth;
- The use and efficacy of mental health dockets;
- The need to balance diversion of persons from the criminal justice system with public safety and how to determine what that balance is; and
- The service needs of minors and the need for the coordination of such services, especially as minors transition to adult services.

Delegate Bell's expectations for the Panel were then reviewed. Specifically, Delegate Bell has indicated that he and the work group would like information regarding how persons with mental illnesses are diverted from the criminal justice system in other states, including the stage or stages in the criminal justice process at which diversion occurs and the crimes eligible for diversion.

Ms. Weisman then discussed Cross Systems Mapping and the Sequential Intercept Model (SIM). Ms. Braswell provided the Panel with the Final Report of the Department of Behavioral Health and Developmental Services (DBHDS) on the Cross Systems Mapping Statewide Initiative (2008–2013). The SIM sets out five intercept points within the criminal justice system for a person with mental illness with the goal of identifying gaps in services and resources at each intercept point. The members of the Panel agreed with Ms. Weisman's suggestion that the Panel utilize the SIM as a map for its work and proceed in the order of the sequential intercepts.

Ms. Weisman stated that she would present a rough outline of the issues identified by members of the Panel at each intercept at the next Panel meeting and asked if any other critical information would be needed at the next meeting. In response to a question regarding the availability of information regarding how intercepts are currently done in the Commonwealth, Ms. Braswell stated that DBHDS possesses information on state-funded diversion programs, including mental health dockets and CIT, and will send that information to the Panel members. In response to a question about inventorying how other states are diverting persons from the criminal justice system, Professor Redlich noted that the Council of State Governments would have some relevant information and offered to reach out on behalf of the Panel, and Mr. Earley stated that he would look at Miami, Seattle, and Bexar County, Texas, as the best examples of diversion available.

Finally, at the suggestion of Pete Earley, the Panel decided to add a peer specialist to its membership.

The Panel is planning to hold a face-to-face meeting at some point during the last week of May or the first week of June.