

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

Criminal Justice Diversion Advisory Panel

Conference Call, September 15, 2016

The Criminal Justice Diversion Advisory Panel (panel) of the Joint Subcommittee to Study Mental Health Services in the Commonwealth in the 21st Century (Joint Subcommittee) held a conference call on Thursday, September 15, 2016. Members present at the meeting were Leslie Weisman (Panel Chair), Steve Austin, Pete Earley, Lori Galbraith, Allison Gilbreath, Patrick Halpern, Gabriel Morgan, Allison Redlich, Caitlin Reynolds-Vivanco, Heather Zelle, Jana Braswell, and David Cotter.

Ms. Weisman began by describing a document that she had sent to Professor Richard Bonnie (who coordinated the formation of the four advisory panels assisting the Joint Subcommittee), setting out the four topics that the panel has determined represent the most pressing needs in relation to mental health and criminal justice initiatives in the Commonwealth: (i) the use of behavioral health dockets, (ii) the need for standardized mental health treatment in jails, (iii) the need for jail release planning for seriously mentally ill inmates returning to the community, and (iv) the need for active local stakeholder groups in each jurisdiction to provide oversight for mental health and criminal justice partnerships in each jurisdiction.

Ms. Weisman proceeded to update the panel on the Supreme Court of Virginia's Behavioral Health Docket Advisory Committee (advisory committee), chaired by the Honorable Jacqueline F. Ward Talevi, Chief Judge, General District Court, 23rd Judicial District. Ms. Weisman explained that the advisory committee has been tasked by Judge Talevi to develop the standards that must be used by a court that wants to establish a behavioral health docket. The advisory committee has met twice and has another meeting scheduled on Wednesday, October 5, 2016. Ms. Weisman also briefly described a webinar on behavioral health dockets that was produced by the Council of State Governments.

Ms. Braswell updated the panel on the upcoming Virginia Summit on Risk-Needs-Responsivity: Enhancing Outcomes for Persons with Mental Illness in the Criminal Justice System, which the Department of Behavioral Health and Developmental Services (DBHDS) is holding on Friday, September 23, 2016.

Turning to the issue of standardized mental health treatment in jails, Ms. Weisman noted that Dr. William Hazel, Secretary of Health and Human Resources, is hoping for more alignment between the services available in jails and those available in the community. Ms. Weisman suggested that a subgroup of the panel be formed to look at this issue. Sheriff Morgan noted that Dr. Michael Schaefer, Assistant Commissioner for Forensic Services, DBHDS, is working on a protocol for the Center for Behavioral Health and Justice (the Center) on this issue and that it would be more efficient to build upon the Center's work. Ms. Braswell explained that she was the new coordinator for the Center and would get information regarding the protocol from Dr. Schaefer.

Sheriff Morgan also noted the need for a discharge planner to be available for every correctional facility. He stated that the community services boards (CSBs) should be mandated to provide this service, but he acknowledged that funding such planners would be an issue. Sheriff

Morgan expressed his belief that the Center was also looking at this issue and suggested contacting Dr. Schaefer for additional information.

Ms. Weisman then initiated a discussion on the need for the creation of local criminal justice stakeholder groups to monitor any changes in services provided to justice-involved persons with mental illness. Sheriff Morgan cautioned against creating new groups and recommended working with existing groups, such as a locality's community criminal justice board. A general discussion on the topic of stakeholder groups took place between the members of the panel. While all members agreed that such groups may be useful, there was no consensus on whether creating additional groups would be worthwhile at this time. Ms. Braswell suggested that she conduct a survey of the CSBs to see what local criminal justice stakeholder groups are already operating. It was agreed that she do so and report the survey results back to the panel.

The panel is planning to hold a meeting in Richmond in October.