

# Committee on Mental Health and the Justice System

## AGENDA

Monday, March 23, 2020

10:00 a.m. – 11:00 a.m.

State Courts Building

### REGULAR BUSINESS

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10:00 a.m.	<b>Welcoming Remarks</b>	Mr. Kent Batty, <i>Chair</i>
10:10 a.m.	<b>Approval of February 24, 2020 Minutes</b> <input type="checkbox"/> <b>Formal Action: Vote to Approve</b>	Kent Batty
10:15 a.m.	<b>Agency News &amp; Updates</b>	Stacy Reinstein
10:30 a.m.	<b>Committee Discussion – Current Events</b>	Kent Batty All
10:55 a.m.	<b>Call to the Public</b>	Kent Batty
11:00 a.m.	<b>Adjourn</b>	Kent Batty

#### Next Meeting:

#### 2020 Meeting Schedule:

**April 20, 2020**  
**Time and Call-In TBD**

May 18  
July 27  
August 24  
September 21

October 19  
November 16  
December 14

#### **\*\*NOTICE\*\***

The Arizona Supreme Court and Administrative Office of the Courts are taking the necessary steps to protect its employees and partners and help prevent the spread of the Coronavirus in the community. Per the most recent guidelines by the federal government that no more than 10 people should be gathered in a room at the same time, Committee meeting will be held via phone conference.

Members of the public who wish to submit comments on any item on the March 23, 2020 Committee on Mental Health and the Justice System agenda, should direct comments to [mhjscommitteestaff@courts.az.gov](mailto:mhjscommitteestaff@courts.az.gov). Additional guidelines for the public are listed on the Committee website at: [azcourts.gov/csccommittees/Mental-Health-and-the-Justice-System](http://azcourts.gov/csccommittees/Mental-Health-and-the-Justice-System).

*All times are approximate and subject to change. The committee chair reserves the right to set the order of the agenda. For any item on the agenda, the committee may vote to go into executive session as permitted by Arizona Code of Judicial Administration §1-202. Please contact Stacy Reinstein at (602) 452-3255 with any questions. Any person with a disability may request a reasonable accommodation, such as auxiliary aids or materials in alternative formats, by contacting Angela Pennington at (602) 452-3547. Requests should be made as early as possible to allow time to arrange the accommodation.*

# Committee on Mental Health and the Justice System | DRAFT Minutes

**Monday, February 24, 2020**

10:00 a.m. – 3:00 p.m.

State Courts Building • 1501 W. Washington St. • Phoenix, Arizona • Conference Room 345 A/B

**Present:** Kent Batty (Chair), Mary Lou Brncik, Brad Carlyon, Amelia Cramer, Jim Dunn, Josephine Jones, Dianna Kalandros, James McDougall, Dr. Carol Olson, Ronald Overholt, Beya Thayer, Proxy for Chief Deputy David Rhodes, CJ Loiselle, Proxy for AHCCCS, Hon. Barbara Spencer, Hon. Fanny Steinlage

**Telephonic:** Shelley Curran, Hon. Elizabeth Finn, Kristin McManus, Asim Dietrich, Proxy for J.J. Rico, Dr. Michael Shafer, Christopher Staring,

**Absent/Excused:** Natalie Jones, Cynthia Kuhn, Chief Chris Magnus, Paul Thomas

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**Guests/Presenters:** Beth Broeker, Dr. Shannon Hendrickson, Amy Love, David Ward

**Administrative Office of the Courts (AOC) Staff:** Theresa Barrett, Liana Garcia, Stacy Reinstein, Diana Tovar

## Regular Business

### Welcome and Opening Remarks

Mr. Kent Batty (Chair) asked committee members and guests to briefly introduce themselves.

### Approval of Minutes

Members were asked to approve minutes from January 27, 2020, noting they were in the meeting packet and provided electronically in advance of the meeting. A motion to approve the minutes was made. Motion was approved unanimously.

### Committee – 2020 Work Plan

Mr. Batty discussed the 2020 Work Plan, a summary of the committee's interim report recommendations and planned tasks for the 2020 year. Mr. Batty discussed each action item and encouraged members to ask questions. The work plan reflects some of the discussion with the AOC leadership team regarding priorities and tasks. For more information regarding each action item, please refer to the 2020 work plan that was provided online and in the meeting packet.

### AOC Legislative Update (out of order)

Liana Garcia, AOC Legislative Liaison, provided an overview of the following mental health-related bills of interest currently at the legislature:

- HB 2070 – Prearrest diversion programs; civil citation
- HB 2422 – Coordinated reentry planning services programs
- HB 2581 – Dangerous; incompetent person; evaluation; commitment
- HB 2764 – Mental health omnibus
- HB 2322 – Firearms sales; transfers; background checks

Mr. McDougall briefly discussed House Bill 2316 – Mental disorder; considerations; involuntary treatment.

### **Competency Workgroup Report (out of order)**

Dianna Kalandros updated the committee on the current priorities and tasks of the Competency Workgroup. The following action items were discussed:

- Templates for guidelines and forms for mental health experts in Rule 11 competency evaluations.
- Finalize Best Practices for Restoration to Competency.
- University-Court partnership for continuous education, training, career pipeline and infusion of best practices.
- Create/expand telehealth infrastructure.
- Competency evaluations for misdemeanants.

Please refer to the MHJS Competency Workgroup – 2020 work in progress document which was provided to the committee online and in the meeting packet.

### **Key Issues Workgroup Report**

Jim McDougall gave the committee an update on the work of the Key Issues workgroup. The updates were provided to committee members online and in the meeting packet. In brief, Mr. McDougall discussed the workgroup's current task:

- Revisit the proposals for Mental Disorder; Enhanced Services Order; and PAD/Emergency Standard to discuss and determine:
  1. What changes need to be made to the proposal (if any)?
  2. What data would best serve our purposes of getting these changes made?
  3. What are the potential sources of data?

Committee members provided comments and input for the Key Issues workgroup to consider.

### **Training Team Report**

Stacy Reinstein briefly summarized the first meeting of the training team workgroup. An overview of the goals, objectives and timeline of the workgroup was provided to the committee members online and in the meeting packet.

The objective of the workgroup is to assist the AOC with launching an online mental health training module for the judiciary and court staff that includes the following chapters:

- Mental health – awareness, de-stigmatization, implicit bias, signs/symptoms.
- Bench training – pathways, examples, solutions, resources – community-based services and legal resources for the following five benches, including the following courts: limited jurisdiction, family, juvenile, probate and mental health, civil, and criminal.

## **News & Updates**

Mr. Batty informed members that there will be a presentation and discussion at the March meeting on the topic of rules of evidence and introducing mens rea as an affirmative defense. Mary Lou Brncik provided a brief update on committee member discussions on the topic, and next steps for committee discussion, following the March meeting. In addition, Mr. Batty informed the committee of a technical assistance award from SJI to AOC for purposes of gathering data and capturing Arizona's accomplishments in implementation of the Sequential Intercept Model and mental health protocols. The NCSC will also be contacting individual jurisdictions and committee members to conduct an additional survey regarding Arizona's work on mental health in the justice system. Mr. Batty thanked Don Jacobson, Patti Tobias, and Ms. Reinstein for their efforts on earning this award.

## **Acute Mental Health Needs of Youth: Arizona's Juvenile Justice System**

Mr. Batty introduced Beth Broeker, attorney and Chief Hearing Officer with The Arizona Department of Juvenile Corrections, and Dr. Shannon Hendrickson, clinical psychologist, from the Arizona Department of Juvenile Corrections (ADJC). Mr. Batty advised the committee that the presentation will provide insight on the trajectories that youth with mental health needs are experiencing within the delinquency system.

Ms. Broeker discussed general information about ADJC, children's pathways to ADJC, and what they experience while at ADJC including a program overview and challenges of handling youth with acute mental health conditions.

The ADJC is a high interaction facility providing therapy, resources, stabilization, and support for youth aged 14 – 18 in the juvenile justice system. While at ADJC, youth follow a well-regulated schedule and are seen approximately every 14 days or less by a licensed clinician and daily for those that are found to be a significant danger to self. Ms. Broeker shared that before entering ADJC, many youth have already exhausted family and community resources and services. Community re-integration, especially for high-risk kids, is challenging, and services are often not adequate to meet their needs.

## **Committee Recommendations for consideration:**

Mr. Batty asked the committee for consideration at looking to develop a Sequential Intercept Model concept for youth within the justice system. Discussion took place regarding what children would be included in the committee recommendation and if the concept would be limiting.

The motion was passed unanimously to begin the conversation of adding youth to the committee's recommendations.

## **Good of the Order / Call to the Public**

No guest speakers asked to address the committee. The next meeting is March 23, 2020.

**Adjournment**

The meeting was adjourned at 2:23 p.m. by order of the Chair.

## Arizona Supreme Court Committee on Mental Health and the Justice System

### \*\*\*SPECIAL MEETING NOTIFICATION\*\*\*

The Arizona Supreme Court and Administrative Office of the Courts are taking the necessary steps to protect its employees, Committee members and all stakeholders, and help prevent the spread of the Coronavirus in the community. Per the most recent guidelines by the federal government that no more than 10 people should be gathered in a room at the same time, Committee meetings will be held via phone conference through at least May 1, 2020.

In order to ensure compliance with the requirements of Arizona Code of Judicial Administration §1-202 regarding public meetings, the meeting agenda, presentations, documents, and conference call number are provided on the Committee website. Members of the public are welcome to listen to the meeting by joining the conference call. There is a "Call to the Public" portion of the agenda, and those who wish to address the Committee will be asked to send an email to staff, and the Chair will call individuals' names who have submitted for public comment during that portion of the agenda.

#### Instructions:

The Call to the Public portion of the agenda is provided for public comment.

Members of the public who wish to submit comments on any item listed on the March 23, 2020 Committee on Mental Health and the Justice System agenda, should direct comments to [mhjscommitteestaff@courts.az.gov](mailto:mhjscommitteestaff@courts.az.gov) by 9:00am on March 23, 2020.

**If you are a public member listening to the meeting by joining the conference call, please ensure that your telephone is muted, and do not place the call on hold.**

If you wish to address the Committee, please send the following information to [mhjscommitteestaff@courts.az.gov](mailto:mhjscommitteestaff@courts.az.gov) no later than 9:00am on March 23, 2020:

Name:

Representing:

I wish to speak about (subject):

During the "Call to the Public," the Committee Chair will call the name of persons who have submitted a public comment request. Each public comment is limited to 3 minutes. If you have a comment that may take more than 3 minutes, or if you prefer not to speak publicly, you may submit your comment in writing to staff at [mhjscommitteestaff@courts.az.gov](mailto:mhjscommitteestaff@courts.az.gov).