

Committee on Mental Health and the Justice System Minutes

Monday, December 17, 2018

10:00 a.m. – 3:00 p.m.

State Courts Building • 1501 W. Washington St. • Phoenix, Arizona • Conference Room 119 A/B

Present: Kent Batty (Chair), Mary Lou Brncik, Brad Carlyon, Amelia Cramer, Shelley Curran, Jim Dunn, Chief Kathleen Elliott, Judge Elizabeth Finn, Judge Michael Hintze, Josephine Jones, Dianna Kalandros, Judge Cynthia Kuhn, Chief Chris Magnus, James McDougall, Chief Deputy David Rhodes, Commissioner Barbara Spencer, Judge Christopher Staring, Fanny Steinlage, Paul Thomas

Telephonic: Michal Rudnick

Absent/Excused: Kathleen Elliot, Carol Olson, Ron Overholt

Guests/Presenters: Michael Traylor, Director, Arizona Department of Economic Security; Andrea Bell, Housing Integration Administrator, Mercy Care; Josh Crites, Housing Administrator, AHCCCS; Beya Thayer, Yavapai County Sherriff's Office (with David Rhodes); Josh Springer, Magellan Health Care (with Jim Dunn)

Administrative Office of the Courts (AOC) Staff: Jennifer Albright, Theresa Barrett, Stacy Reinstein

Regular Business

Welcome and Opening Remarks

Mr. Kent Batty (Chair), introduced himself and asked that members give a brief introduction of themselves. Guests and staff were also asked to identify themselves. The Chair then provided information on what was available in members' meeting packets, a refresher on statistics of co-occurring mental health and substance use disorders, as well as reminders to sign in and remit payment for lunch.

Approval of Minutes

Members were asked to approve minutes from October 30, 2018, noting they were in the meeting packet and provided electronically in advance of the meeting. No changes to the minutes were noted. A motion to approve the minutes was made by Mr. Dunn and seconded by Mr. Thomas. Motion was approved unanimously.

Discussion: Housing and Mental Health

The Chair, Mr. Batty, introduced Director Mike Traylor, Andrea Bell and Josh Crites to the Committee, noting that each of the presenters were invited to speak to the Committee today and provide an overview of their respective system as it relates to housing, and to touch upon the intersects with mental health and the justice system.

Guest Speaker: Michael Traylor, Director, Arizona Department of Economic Security, presented information to the Committee related to the Governor's Goal Council on Ending Homelessness, specifically noting that unsheltered homelessness in Maricopa County has increased 149% since 2014 to present. The proposed goals of the Ending Chronic Homelessness initiative are:

1. Reduce chronic homelessness in downtown Phoenix by 80% by 2021.
2. Reduce ex-offenders reentering our communities into homelessness by 50% by 2022, thereby improving public safety for our communities.
3. Increase affordable housing.

Director Traylor provided examples of work being done successfully in Portland, Oregon, as well as information on improvements to the Maricopa Human Services Campus to increase accountability, reduce silos, and improve capacity.

Committee members posed questions to Director Traylor regarding work outside of Maricopa County, particularly in rural areas of the state, as well as partnerships with the Department of Corrections and health care entities. Director Traylor's answers indicated that the primary focus of the work today is on making improvements in Phoenix and its surrounding areas.

Guest Speakers: Andrea Bell, Housing Integration Administrator, Mercy Care; and Josh Crites, Housing Administrator, AHCCCS, provided an overview of their respective agencies and roles.

Mr. Crites explained that AHCCCS is the third largest housing authority behind Phoenix and Tucson, with 3,000 units of affordable housing statewide for people with Serious Mental Illness (SMI) and some for people with General Mental Health disorders. Mr. Crites also acknowledged that while more capacity is required, the SMI Housing Trust Fund will be providing 18 new units/year beginning in 2019, as well as 15 additional units through the HUD Rental Assistance Demonstration (RAD) program. AHCCCS also provides \$30 million per year in rental subsidies.

Ms. Bell stated for the Committee that Mercy Care has gone from 104 rental assistance subsidies for members with SMI, experiencing homelessness in 2014 to 3,500 today. Ms. Bell noted that the application and approval process used to be first come-first served, and now the vulnerability index tool is used. Ms. Bell also pointed the Committee to a new process improvement where a staff member is co-located in the jail to work with individuals coming out, who have identified as homeless, to ensure their housing application is completed while in jail, including a briefing on how to use the subsidy.

Committee members posed questions to both Mr. Crites and Ms. Bell, and Committee member Ms. Rudnick contributed to the responses. The Committee thanked Mr. Crites and Ms. Bell for the information, candor, and work they are doing to help serve this population.

Committee Questions for ASH (taken out of order)

The Chair, Mr. Batty noted that next month's meeting will include guests from the Arizona State Hospital who will take questions from the Committee. Committee members suggested a number

of questions to be submitted ahead of time to Dr. Bowen and Dr. Dingle, but it will not prevent the Committee from asking further questions at the meeting.

Committee Process & Formation of Additional Workgroups

The Chair, Mr. Batty reviewed the Committee process and discussed the possible formation of at least two additional workgroups focused on public education and a website to begin in early 2019.

Committee work relevant to these areas (Sources: [Administrative Order #2018-71](#) and [Report and Recommendations of the Fair Justice Task Force's Subcommittee on Mental Health and the Criminal Justice System](#)):

"Identify ways the court can work collaboratively with other stakeholders to educate the public on the use of advance healthcare directives."

"Identify opportunities to educate the public on court processes involving individuals involved in the justice system who have behavioral health treatment needs."

"Recommend the AOC develop an informational guide explaining the civil commitment process in both web-based and paper formats. Paper guides would be available at courthouse self-service centers and the webpage would be posted on AZCourtHelp.org and on the self-service webpages of the superior courts."

The Committee reviewed the website from the Minnesota Department of Human Services: dhs.state.mn.us/Training/cc/story_html5.html as reference to the Committee charge to develop a guide explaining the civil commitment process in Arizona.

The Chair noted that Jeff Shrade from AOC Education Services could meet with the Committee to discuss openings on the judicial training calendar where potential information could be shared with judicial officers and court staff.

Committee members agreed that an informational guide to help navigate the system is needed, particularly for members of the public. Committee members also touched upon the importance of having localized information available. Chief Deputy Rhodes passed around a draft flow chart that his office has developed, as a possible starting point for the informational guide.

Questions were raised regarding education for judicial officers and court personnel, versus other justice system partners such as law enforcement, and the broader community and public.

No workgroups were formed during the meeting; rather, staff will review the website requirements with the Bar Foundation and civil commitment process and begin to develop a draft outline for Committee review for materials. Committee members who have existing materials to review will send to staff.

Key Issues Workgroup Report

Mr. McDougall provided an update from the Key Issues workgroup, including the four items the group is currently focused on, and the two primary items being worked on right now – definition of mental disorder and new statutory language on an enhanced services program. Following completion of these items (and bringing them to the Committee for discussion and approval), the workgroup will be looking at an amended definition of Persistently or Acutely Disabled (PAD) and Incompetent Not Restorable (INR): Expanding Options for MH Treatment. Mr. McDougall also noted other issues that are raised by the workgroup and the committee will be captured by staff and brought to the Committee to review, discuss, and add to in the future.

What Can We Learn from High Profile Cases?

Next, the Chair shared key facts from the shooting death of U.S. Deputy Marshal Chase White in Pima County, and the perpetrator's history with the mental health and justice systems. The Chair noted that the public, which includes policy makers, will often take cues from high profile cases with respect to what changes are needed in the system. Accordingly, he reminded members to keep in mind that the Committee's focus is on systemic improvements and encouraged them to be mindful of crafting not only aspirational goals but also those that are reasonably achievable and incremental in order to ensure that change is brought about.

Ms. Steinlage suggested the possibility of implementing a mental health fatality review team, similar to that of the Statewide review teams for child fatalities and domestic violence fatalities.

Summit Prep/Save the Date: March 26-27, 2019

Theresa Barrett provided a progress report to the Committee on the status of planning for the statewide Summit on Mental Health and the Justice System. She noted that the Summit is one of the ongoing projects resulting from a recommendation from the Fair Justice Task Force's Subcommittee. Ms. Barrett advised members the Superior Court Presiding Judges were briefed last week at their quarterly meeting. The purpose of the presentation was to give them advanced logistical information, offer general guidance on the composition of membership for their county teams, and to provide a high-level overview of the program's agenda. Ms. Barrett noted that while this Committee's role for the Summit is not yet formed, there will likely be Committee members who are designated as County team members.

2019 Meeting Dates

A conflict with three of the months was noted by Committee members. Staff will take a look at available meeting space and send out a Doodle poll for new dates.

Good of the Order / Call to the Public

No comments from the public.

Adjournment

The meeting was adjourned at 2:25 p.m. by order of the Chair.