

MENTAL HEALTH CRIMINAL JUSTICE COMMITTEE

of the

Wisconsin Council on Mental Health

DOC Central Office Building

3099 E. Washington Ave, Madison

Thursday, August 14, 2014

MINUTES

Attendees: Committee Co-Chair Joann Stephens (DHS); Committee Co-Chair Mishelle O'Shasky (MHC/GEP); Norman Briggs (SCAODA/ARC Community Services); Margie Barnes (DOC by phone); Lila Schmidt (DHS); Ron Jansen (citizen by phone); David Callender (WI Counties Assn); Kristi Dietz (DOC); Kit Kerschensteiner (Disability Rights of WI); JoAnn Sokolik (DOC); Sandy Hardie (SCAODA); Laura Bonis (DOC); Michael Conwill (citizen); Anneke Brainerd (guest); and Mike Derr (DHS).

Meeting called to order at 10:05 am by Joann Stephens, committee co-chair. (Laura Bonis arrived at 10:11 a.m., and Michael Connell arrived at 10:45 a.m.)

- Kit Kerschensteiner read the review of the Meeting Guidelines.
- Attendees present at DOC and on the phone introduced themselves.

Additions & Changes to Agenda:

(1) Kristi Dietz will hand out and discuss provisions of WI Administrative Code DOC 350 relating to mental health topics and needs.

(2) Glenn Larson is on vacation – "Inmate Access to Medications upon Release" discussion will be dropped today, and picked up at October committee meeting.

(3) Follow-up from 4/10/14 committee meeting discussion regarding Taycheedah Correctional Inst. policy on inmate visitation of their young children was briefly discussed. Joann Stephens sent return letters to 12 of the inmates asking if they had followed protocol within the institution to file a complaint regarding the no touch rule. To date, no inmates have responded or followed up.

Approval of Minutes:

The 4/10/14 committee meeting minutes were passed out and reviewed. Norman Briggs made a motion to change the word "*addition*" to "*addiction*" on page 4, in the first paragraph of the MHC Budget Priorities section. Kit Kerschensteiner seconded the motion. Committee members approved the motion unanimously, with Laura Bonis abstaining. Kit Kerschensteiner clarified that she is now a member of the committee, and therefore has the ability to second a motion and vote on motions.

Recap of Eau Claire Co. Problem Solving Courts Trip in June:

Kristi Dietz: She, Lila Schmidt and David Callender have worked together on the TAD project and development of guidelines, and that this work has helped their understanding of the benefits of problem solving courts.

Joann Stephens: There are currently three mental health courts across WI (Eau Claire, Outagamie and Kenosha counties). Much of the success from these court programs is based on individual leadership and coalition building. Joann and others were impressed by the fact that two county jail staff's positions were dedicated specifically to serving as liaisons with the mental health court and program.

One issue raised during discussion was whether a judge heavily involved in such a program should recuse him/herself from ruling when a program participant appears before that judge. *Mishelle O'Shasky* observed that a judge remains neutral until the participant is brought before that judge on a request to remove the participant from the program. Recusal is then decided on a case-by-case basis.

Joann Stephens: There are four different problem solving courts: (1) mental health; (2) AIM (Mothers); (3) Substance Use (Drug) and (4) Veterans. In these court programs, the team makes recommendations and the judge makes final decisions. One decision point is: Which court should a participant be referred to? Also, she was impressed that several "graduates" of the Eau Claire program discussed their experiences, emphasizing how the program staff served as a "team," and that staff were supportive even during setbacks.

Ron Jansen: He noted that participants were from a wide variety of backgrounds, and feels that establishing such courts across the State would be beneficial. This is one of the most impressive programs he's seen. He also noted one other theme in the program – participants should not abuse trust.

Margie Barnes: She mentioned how impressed she was with the program, and agreed that other counties should also establish a mental health court.

David Callender: He emphasized the importance of ensuring that there are adequate resources for operating a good mental health court, to develop case plans, to supervise and work closely with the participants.

Lila Schmidt: Passed out a handout showing which counties operate specific types of CJCCs, problem solving courts and TAD programs. Mike Derr will email the handout to committee members who called in to the meeting and the other members.

Norman Briggs: He was impressed with the breadth of the "triage teams," and the Eau Claire Co. judge's reliance on the mental health team expertise.

Joann Stephens: She has been involved in the Legislative Council's study of problem solving courts. Members of the study group seem to be very committed to the program model and need for program. *Kit Kerschensteiner* wondered if the Legislative Council study could address the current statutory language that limits problem solving court participants to those with co-occurring afflictions. There are no statutory provisions that allow for only those with mental health afflictions to participate. She and others also said that the "violent offender" language (programs cannot serve those who were violent offenders at any time in the past) needs to be removed. *Joann Stephens* replied that the Criminal Justice Committee should wait until the Legislative Council study makes their recommendations before deciding what action to take. *Ron Jansen* asked whether the Committee should write a letter saying that its members support the above changes to the statutory language. *Kit Kerschensteiner* responded that any such letter should come from the full Council on Mental Health.

David Callender: One option is to address statutory provisions through the Governor's next budget; this approach would invite less scrutiny. The budget will be introduced around 2/15/15. Departments that submit cut budgets will be looked upon most favorably, particularly if those requests are accompanied with evidence of support for specific programs.

Kit Kerschensteiner: At the last Mental Health Council meeting, DOC staff didn't present themselves as overly enthusiastic about TAD, DOES, OARs and similar mental health programs. She encourages Council and Committee members to be more enthusiastic, as these programs should be available across the State, not just in a few pockets.

Update on Prison Reentry Employment (PRE) Pilot Program with Division of Vocational Rehabilitation (DVR):

Joann Stephens: Gave an overview of prior discussions on PRE Program at the April 2014 Committee meeting. Kathleen Enders of DVR gave a presentation then of DVR services, and provided Committee members with an MOU that laid out DVR's process. In late July, Joann participated in conference call with Kathleen Enders and Sylvia Jackson of DOC about rolling out this program to prisons and community corrections sites. Joanne also discussed the importance of training social workers on the nature of DVR services.

Several other committee members and attendees shared thoughts on the DVR pilot program. *Anneke Brainerd* (guest): Suggested that the program be expanded to jails. Other committee members responded that this would be difficult for various reasons: Most jail inmates aren't present for very long; jails lack resources; every jail is different in terms of available resources, community agencies they partner with; the pilot program may have a specific target population and eligibility limits.

Joann Stephens: Several years ago DVR had more money for work employment; that may not be the case anymore. *Kristi Dietz:* DVR has a good working relationship with the Robert E. Ellsworth Center near Kenosha. *Kit Kerschensteiner:* Currently there are 72 separate county systems. It would be easier to work through one state agency for consistency purposes. DVR hasn't seemed that interested in problem solving, while DOC has, in part because DOC knew it had a responsibility to. *Mishelle O'Shasky:* She received the benefits of DVR services without a formal MOU in place, while she was at John Burke Center. Her social worker made it happen. *Laura Bonis:* Would like to see higher custody correctional institutions included in the pilot program. Others pointed out that DV requires lower-custody status inmates when they are placed on waiting lists for services. *Norman Briggs:* Asked whether there's a difference between the DVR pilot program and any efforts to implement Reentry Employment services statewide. *Joann Stephens* responded that statewide implementation efforts are currently being discussed and planned.

Ron Jansen: Interested committee members should bring this program up with Christine Rowling at the WI Rehabilitation Council (608-261-0077). There should be liaisons established between DVR and DOC, as corrections needs a voice in this. Any funding for a liaison would be very helpful. *Joann Stephens:* Noted the concern of getting DVR workers trained on how this program would work. This also will require funding.

David Callender: Is there an assessment of this pilot on its effectiveness? Where might there be troublesome areas? What tweaking is needed? What are the measurable outcomes? Possibly relating to securement of jobs and reducing recidivism. He noted that the WI Legislature likes numbers and accountability measures. *Joann Stephens* will contact DVR to find out if there are job outcome findings. *Mishelle O'Shasky* mentioned that after outcome data collection and analysis is complete, any "holes" should come to the surface regarding where DVR is lacking in effective counseling service.

Kit Kerschensteiner: When reviewing DVR's MOU, there are questions and uncertainties on the levels of categories, and when one will remain eligible for services. *Joann Stephens* will seek clarification. *Michael Connell* noted that he's a Category 2 participant, but not currently in the corrections system and he's not eligible for services.

Block Grant Priorities:

Lila Schmidt: Gave a brief overview of the Substance Abuse (\$27 million) and Mental Health (\$7 million) federal block grants that DHS administers, as well as the planning process and setting of priorities. One Mental Health Block Grant priority is targeting the high prevalence of criminal inmates with mental health and substance abuse problems. A second priority is to expand the use of evidence-based practices. One place of expansion is to increase the number of TAD sites across Wisconsin. A survey of TAD programs was administered last year; the responses helped to guide priority setting. Interested new sites can receive training and technical assistance through DHS. Lila is finalizing a report in late August, to be presented at the next TAD conference during that time.

The mission statements in that Report will include: Improving quality and breadth of alternative treatment services; and strengthen partnerships between the criminal justice and treatment communities. Currently there is a lack of knowledge by persons of the "other" system, and a clash of values between the two systems. In addition, the Report identifies resource gaps (e.g., peer support services), and showcases the evidence-based practices that are most commonly used (e.g., dual-disorder programs and motivational interviewing). The largest training interests include building accountability measures and developing fiduciary tools. The Report should be available for review at the Oct. meeting.

DOC 350, WI Administrative Code –

Kristi Dietz: Kristi handout out a four-page set of inserts from the revised DOC 350 of the WI Administrative Code, which addresses mental health needs and requirements for county jails and municipal lockups across Wisconsin. This revised rule takes effect on 9/1/14. The Criminal Justice Committee had previously offered recommendations on draft Code provisions. These rules serve as a "floor" standard that jails must meet or follow. Kristi Dietz heads the Office of Detention Facilities at DOC, which monitors the jails to determine whether they are complying with DOC 350. While DOC can close down a jail that fails to meet rules, the approach taken by Kristi and her staff with jail staff is that of risk mitigation.

Kristi will also send out a document that cross-references the current DOC 350 provisions with the proposed revisions. *David Callender* thanked Kristi Dietz and DOC for keeping the counties involved in the rulemaking process. He notes that working to define DOC 350 rules helps counties to reduce liability and to prioritize funding.

Call for October and Future Agenda Items

- There had been a previous suggestion to have Elizabeth Hudson come to an upcoming meeting to discuss the new Office of Children's Mental Health. Ms. Hudson's calendar is full for the next two meetings and since Joann Stephens works at OCMH she will make a presentation to the Committee in the October Meeting if there is time.
- Committee staff were invited to review the DOC 350 provisions shared by Kristi Dietz and discuss their thoughts and suggestions at the October meeting.

- Glenn Larson of DHS will be invited to talk about inmate access to medications upon release from institutions.
- The needs of the more than 2,000 children currently in juvenile corrections, and more than 18,000 children of parents who are incarcerated.
- Other Strategic Plan items (i.e., peer support initiative, peer specialists)

Meeting was adjourned at 12:06 p.m.

Minutes respectfully submitted by Michael Derr

Next meeting is Thursday, October 9, 2014 in Madison, WI at the WI Dept. of Corrections main administrative building. The meeting will begin at 10 a.m.