

Project Background: The Mental Health Services Oversight and Accountability Commission (MHSOAC) is exploring how California serves justice-involved adults with mental health needs. The goal of this project is to reduce the number of individuals with mental health needs who become involved with the criminal justice system, and improve outcomes for those in custody.

To support this project, the MHSOAC is facilitating a series of public hearings and public engagement meetings, and conducting site visits to understand challenges and solutions, identify needs and gaps, and explore opportunities to build on past and present initiatives with similar objectives.

Words to Deed Conference: MHSOAC staff and other project representatives participated in the November 2-4, 2016 Words to Deeds conference; an annual conference that brings together behavioral health and criminal justice leaders and stakeholders to explore the criminal justice and mental health intersection, with the goal of ending the criminalization of individuals with mental health needs. According to the program director, Words to Deeds has long focused on the use of data and data-driven decision-making to better inform policy and practice decisions. This year’s conference highlighted how data can support collaboration across local agencies to address the complex needs of those with behavioral health conditions who become justice-involved; moving from program-centered to person-centered services.

Experts asserted that progress has been made in recognizing what it takes to keep people with mental health needs from jail, but systems-level impact has not been fully realized. These experts emphasized the importance of screening and assessment at booking to ensure that appropriate treatment and services were being delivered, and clarified that screening for suicide was not the same as screening for mental illness. It was stated that low-level offenses resulting from life situations along with mental illness can create encounters with police, and that the best way for these individuals to get care should be not be an arrest.

Mentally Ill Offender Crime Reduction (MIOCR)

During the three-day conference, Program Directors of adult Mentally Ill Offender Crime Reduction (MIOCR) grants met to share information and problem-solve, and hear from experts on advancing best practices to address the needs of those with mental illness in the criminal justice system.

Grantee Counties with Adults Programs:

Alameda	\$948,459
El Dorado	\$950,000
Los Angeles	\$1,834,000
Madera	\$869,547
Nevada	\$110,472
San Francisco	\$950,000
San Luis Obispo	\$950,000
Santa Clara	\$887,529
Santa Cruz	\$949,995
Solano	\$949,998
Total:	\$9,400,000

For more information, including project summaries, please visit:
http://www.bscc.ca.gov/s_cppmiocrgrant.php

One presenter noted that mental illness is not always the direct cause of committing a crime; those with mental illness must receive programming that address risk factors for offending. The Correctional Program Checklist was described as an evidence-based assessment, so that justice-involved individuals with mental illness can be matched with more appropriate interventions, and to evaluate programs by measuring change over time. Also discussed was the Risk-Need-Responsivity (RNR) Model, a tool for matching resources based on risk for reoffending, dynamic criminal risk factors, and appropriate level of treatment.

One state correctional official stated that the mental health population has increased despite decreases in the general inmate population. Experts described how the state is moving toward integration, using examples of housing and human service integration (referencing the “No Place Like Home Initiative” and SB 1380 [Mitchell, 2015]) and mental

health and substance use integration (referencing the 1115 Waiver¹). The Whole Person Care Pilot program² also was mentioned.

It was stated that the purpose of the Mental Health Services Act (MHSA) was to drive transformational change, but presenters questioned whether systems-level change was occurring to respond to the justice-involved population. Presenters from the Council of State Governments Justice Center (CSG) discussed four key challenges that counties face in terms of limitations to current service delivery: (1) being data driven; (2) using best practices; (3) creating a continuity of care; and (4) measuring results. One presenter asserted that local communities must come together with one common vision, led by a strong connection between the sheriff's department and behavioral health; in some cases, a "champion" is needed in order to do that.

CSG developed six questions that could help communities decide whether efforts are designed to reduce the number of people with mental illnesses in jail: (1) Is our leadership committed? (2) Do we conduct timely screening and assessment? (3) Do we have baseline data? (4) Do we conduct a comprehensive process analysis and inventory of services? (5) Have we prioritized policy, practice, and funding improvements? (6) Do we track progress?

CSG also reported on the results of their recent survey of counties, which revealed:

- The number of people with mental illness who are involved with the criminal justice system was identified as a significant issue by 116 out of 124 respondents representing 56 counties;
- Almost all counties reported an increase in the number of people with mental illness in county jails over the past five years; and
- 25 percent of counties reported universal screening for mental health and substance use occurred in the jail.

Data Driven Decision Making

Using data to drive decision making was a major theme of this year's conference. Presenters highlighted the various ways in which data could be used; to identify early predictors of mental illness and risks for justice involvement; to support the identification and use of best practices; to better understand the drivers behind how people with behavioral health needs become involved in the justice system; to allow consumers and stakeholders to define quality of services; and to monitor outcomes. Presenters stated that data was enough to guide decisions on how resources should be allocated; by using data to understand the complex needs of the justice involved population, public safety funding could be redirected and rebranded to provide services in the community that could prevent incarceration. Community-based prevention efforts could use data to identify those that may need other services and proactively conduct outreach. Experts described the

County Data Initiatives

The counties below presented on the following current and upcoming data and data sharing initiatives:

Los Angeles County

- Justice Automated Information Management System (JAIMS), a web portal collecting and linking data from justice and health agencies
- Countywide Master Data Management (CWMDM), the county's data warehouse drawing in data from health, social services and public safety

San Diego County

- ConnectWellSD, a data warehouse that pulls from nine different county data systems.
- Staff coordinating programs can see data on one person across systems; data may also be aggregated.

San Francisco City and County

- Used available ER and crime data to identify "hotspots" to pilot Law Enforcement Assisted Diversion (LEAD), a jail alternative that redirects individuals to community-based services.

¹ For more information, please see: <http://www.dhcs.ca.gov/provgovpart/Pages/WaiverRenewal.aspx>

² For more information, please see: <http://www.dhcs.ca.gov/services/Pages/WholePersonCarePilots.aspx>

chronicity of mental illness, and how data could be used to guide treatment in a concerted way over time.

Standardized measures to describe the problem at baseline and track progress over time was discussed at the conference. The CSG proposed the following outcomes measures to assess impact: (1) reduction in the number of people with mental illness booked into jail; (2) shorter the lengths of stay for people with mental illnesses in jail; (3) Increase the percentage of people with mental illnesses in jail connected to the right services and supports; and (4) lower rates of recidivism. One presenter described the need to leverage the research community to assess what data is currently available and to identify what data could be collected in the future. One data sharing model presented at the conference involved designating a research institution that could house data from different sources and conduct the analysis.

“It’s not an ordinal process [sharing data across systems]; there are things that you can do today with what you have while planning for the future.” – Tara Anderson, Policy and Grants Manager, San Francisco County District Attorney

Criminal justice data is not considered protected data until it is combined with protected health information (PHI). One concern with sharing data is the potential to violate Health Insurance Portability and Accountability Act (HIPAA) privacy laws governing confidential health information. A representative from the United States Department of Health and Human Services presented recently-released federal guidance for sharing confidential health information specifically for justice-involved individuals with mental health needs³ to help clarify when and how data can be shared.

Sustainability of Diversion

Experts discussed the importance of community-based treatment options to sustain diversion efforts; if law enforcement is asked to divert some individuals from jail they must have accessible and available resources in the community to take those individuals. Using data to better understand the capacity needed for crisis services was discussed. Another need discussed as essential to diversion strategies was housing; if an individual is stabilized in the field they need to be transported to a safe place. Experts asserted that diversity in housing options is crucial; not everyone will seek traditional housing; safe outdoor living arrangements should be explored. Funding for diversion strategies must be flexible to allow for “whatever it takes” to stabilize and connect individuals to treatment and supportive services.

“Always build your capacity so you can honor your promise.” - Judge Steven Manley, Santa Clara County, on the infrastructure needed to support some diversion programs

Next Steps: The Commission will hold its next public hearing on this project on March 23, 2017 in San Diego, California.

For more information, including upcoming events, please visit www.mhsoac.ca.gov.

³ For more information, please see: <http://www.hhs.gov/hipaa/for-professionals/faq/2073/may-covered-entity-collect-use-disclose-criminal-data-under-hipaa.html>