

IMPROVING CRIMINAL JUSTICE RESPONSES FOR PERSONS WITH MENTAL ILLNESS

HB 1183 OVERSIGHT COUNCIL MEETING

Thursday, April 5, 2018, 10:00 AM

State Capitol, Room 414

Pierre, SD

Attendance:

Greg Sattizahn, Hon. Carmen Means, Mike Miller, Senator Alan Solano, Representative Dan Ahlers, Dr. Thomas Stanage, Terry Dosch, Amy Iversen-Pollreisz, AJ Franken, and Barbara Pierce (CJI)

By Telephone: Sheriff Mike Milstead , Cindy Heiberger, Sen. Reynold Nesiba, Representative, Sarah Petersen,

Members Absent: Chris White, Representative Leslie Heinemann

Call the Meeting to Order

Chairman Greg Sattizahn called the meeting to order at 10:02 a.m. Roll call was taken and a quorum established. The agenda included a review of the implementation progress, use of the Sequential Intercept Model in the state, Mental Health Court Performance measures, and legislative updates.

Implementation Progress: Discussion and Troubleshooting

Chairman Sattizahn reviewed the presentation that outlines the various provisions in HB 1183. The document classified measures into three categories. The yellow marks in the chart indicate work in progress, green marks indicate a completed project, and the red marks indicates that no progress has been made.

a. Competency evaluation timeliness (Greg Sattizahn)

HB 1183 mandated a 21-day timeframe for completion of competency evaluations. The average time for completing evaluations has moved from 3 to 6 months to now an average of 30 days. There are now 30 evaluators in the state who can perform evaluations.

Deputy Secretary Amy Iversen-Pollreisz reported that she is working with the licensing boards on the competency evaluation training for counselors, social workers, and advance practice nurses so they can complete court ordered competency evaluations. An online training program on conducting and scoring competency evaluations created by Dr. Patricia Zapf will be used. This training is also used by several other states. The training costs \$500 and includes components specific to South Dakota statutes. The Unified Judicial System will reimburse some of the tuition fees for individuals located in critical, rural areas of the state. Letters will be sent

out in the next couple weeks to help recruit more providers by offering this training. After receiving the training, recertification or additional training is not required.

b. Competency Fund (Greg Sattizahn)

As stipulated in HB 1183, the Department of Social Services will transfer \$120,000 to the Association of County Commissioners to reimburse the counties for the cost of competency evaluations. On behalf of Bob Wilcox, the executive director of South Dakota Association of County Commissioners, Mr. Sattizahn reported Forty-one total claims were submitted, twenty-two were payable on their face. These totaled \$21,362. Nineteen claims were not payable on their face because it was not clear if the claims were for competency exams. The County Association is working to streamline the payment process and has learned a lot of valuable lessons from the first payment cycle.

c. Crisis Intervention Team (CIT) Coordinator (Greg Sattizahn)

The CRT Review Team was tasked with creating a job description for a CIT coordinator. The CIT coordinator will be able to coordinate training across the state. A draft description of the position will be advertised soon. The funding for this position will be for one year. If the position is successful, additional funding may be requested.

d. Crisis Grants (Dr. Thomas Stanage, Sen. Alan Solano, Co. Comm. Cindy Heiberger)

Dr. Tom Stanage reported that Lewis and Clark Behavioral Health Services worked with the Charles Mix County Jail and Sheriff Taylor to purchase video equipment to establish a video link between county jails to conduct mental health evaluation when there is an identified need based on a screening process. The portable equipment can be moved from office to office. The first evaluation occurred March 1 The biggest issue to date is the number of individuals being evaluated. Training is scheduled for April with current jail staff.

Senator Solano updated the Council on Pennington County's use of the grant They are creating a combined program to house all staff in one center so law enforcement will have one triaging environment and one screening process to determine placement. This new center will hopefully be open this summer.

Commissioner Heiberger appeared by phone. She stated that with the grant money, Minnehaha County and Human Services allowed the county to host a mental health summit last week. One hundred people attended, including legislators, county officials, court services, mental health providers, representatives from hospitals, and state agencies to discuss the future of mental health care. The county would like to have a one-stop center similar to the center being developed in Rapid City that encourages all stakeholders to work together. The county will schedule another meeting in the near future to discuss the location of a new center and how to move forward.

e. Use of bond conditions for assessment and treatment (Greg Sattizahn)

HB 1183 added mental health assessment and treatment as available conditions of bond. UJS has a data collection process in place at this time to collect this information, but it has not been used by the courts. While judges are ordering assessments as conditions of bond, it has not been recorded in the information system. Currently, Codington County Jail is acting as the pilot site. Mr. Sattizahn will be meeting with the Codington County jail screening group in May to review how the process is working and report back.

f. Mental health court and mental health response team (Greg Sattizahn)

The 2018 legislative session approved funding for a mental health court in Pennington County. Judge Connolly will preside over the Mental Health Court. It will be operational by January 2019. The group plans to visit a mental health court in Minnesota and will receive further training in November with national trainers.

Judge Myren volunteered to pilot a mental health response team in Brown County. That team is still in the planning phase.

g. Mental health training for criminal justice stakeholders (Greg Sattizahn)

Beginning July 1, 2018, court-appointed attorneys must complete approved training before they can be appointed. The State Bar Convention will offer a 2-3 hour Continuing Legal Education (CLE) training June 21st to defense attorneys that satisfies the requirement. A training manual was created specifically for South Dakota defense attorneys, which will be uploaded to the UJS webpage in the next few weeks. UJS is creating an online training that will be similar to the current Abuse and Neglect defense attorney training.

Jail officers are required to participate in mental health training once every four years. Initially, they are expected to complete a training by the end of summer 2018—a SAMHSA course titled “Creating Safe Spaces.”

The Department of Corrections has met the state prison officer training requirement; all officers are trained in Mental Health First Aid and in Dialectical Behavioral Therapy.

Court services officers will receive mental health training at their spring conference in Rapid City this month. Mental health training will be a reoccurring item at their CSO training.

Judges have received at their annual judicial conference.

State’s Attorneys are considering a training at their annual conference. Paul Bachand, director of the State’s Attorney Association, is planning the training.

h. Jail mental health data collection pilot (Staci Ackerman)

Staci Ackerman described the progress of the Jail Mental Health Screening Pilot Program. HB 1183 required four jails to participate in the pilot; seven volunteered to participate in the study. Pilot data collection began Feb. 1 and will end June 30. By mid-March, 2,300 data collection

forms were received. Fifteen percent of the screening forms resulted in a score that would have indicated a need for an assessment. The pilot sites will continue to monitor the data.

i. Probation mental health data and screening (Greg Sattizahn, Amy Iversen-Pollreisz)

The UJS and DSS are working together to implement a formalized screening process, including the Correctional Mental Health Screen that the jails are using, plus some additional questions. The UJS will begin administering this screen upon placement on probation beginning May 1st.

j. Studying needs and options to improve linkages between the criminal justice and mental health systems (Amy Iversen-Pollreisz)

Amy Iversen-Pollreisz reviewed the progress of the Services Workgroup, which has been discussing how to examine services given the state's geographic challenges. The services work group is reviewing the Sequential Intercept Model (SIM). The SIM model identifies needed available resources and gaps and helps determine what priorities a specific community may have. The Services Workgroup is considering putting a framework together to assist local areas in assessing their needs and resources as a way to improve linkages to services.

Use of the Sequential Intercept Model in Minnehaha and Codington Counties (Commissioner Cindy Heiberger and Sarah Petersen)

Minnehaha County is using the Sequential Intercept Model (SIM) mapping process to determine the services needed in their community. Commissioner Heiberger said that Minnehaha County received funding from the MacArthur Foundation's Safety and Justice Challenge for the project. The county held a workshop in 2017 to create a county specific map of existing behavioral health resources. The county is coordinating with multiple stakeholders, including the hospitals, and using the map and data to plan a county triage center. Minnehaha will be holding another workshop in July.

Sarah Petersen, the Welfare Director in Codington County, added that her county is also using the SIM mapping process. She stated that it is important for the SIM map to be specific to each community based on available resources and services. Codington County was dealing with overcrowded jails, individuals experiencing mental health crises, and people cycling through the system. Sarah described the steps Codington County went through to utilize the SIM, and how exploring options at the different intercepts (or decision points) will help to improve responses to mental illness in the county. Like Minnehaha, Codington will continue to collect and track data.

Governor Updates. (AJ Franken)

Mr. Franken stated that Governor Daugaard supported HB 1040 in an effort reduce shortages in healthcare professionals. He said the Governor remains committed to addressing the barriers to professionally-licensed individuals coming into the state.

Legislative Updates.

The Executive Board of the legislature voted to create a summer study to review mental health services in the state. The legislature passed a bill (HB 1040) to give the Board of Counselors the ability and flexibility to license more people coming into South Dakota with out-of-state licenses. The additional flexibility will simplify the process and potentially add more mental health professionals to the state workforce.

Mental Health Court Performance Measures (Greg Sattizahn)

Barbara Pierce from the Crime and Justice Institute was asked to research national information on common mental health court performance measures. Many courts rely on guidance from the National Center for State Courts as they set up data collection and measurement procedures.

Public Input

No comments.

Next Meeting

The Council meets approximately every three months, but the agenda content determines whether to meet in person, by ITV, or telephonically. Scheduling notices will be sent in June.

Motion to Adjourn

After no further comments or discussion, meeting adjourned at 12:50 pm with no opposition.