

IMPROVING CRIMINAL JUSTICE RESPONSES FOR PERSONS WITH MENTAL ILLNESS

HB 1183 OVERSIGHT COUNCIL MEETING

Thursday, January 4, 2018, 1:30 PM

State Capitol, Room 132

Pierre, SD

**Attendance (by phone and ITV)**

Greg Sattizahn, Hon. Carmen Means, Commissioner Cindy Heiberger, Mike Miller, Senator Alan Solano, Representative Leslie Heinemann, Chris White, Terry Dosch, Amy Iversen-Pollreis, Sheriff Mike Milstead, AJ Franken, and Senator Reynold Nesiba

**Call the Meeting to Order**

Chairman Greg Sattizahn called the meeting to order at 1:37 p.m. A quorum was determined present by roll call.

**Triage Center**

Independent of the Oversight Council, communities have taken steps to better serve the individuals with mental illnesses within their county. Kari Benz, Minnehaha County Director of Human Services, summarized Minnehaha's efforts to provide better care at a lower cost. Minnehaha County is developing a triage center to be used as an alternative to emergency rooms to care for those with mental illness or substance abuse issues. Among those in the triage center target population are individuals who law enforcement may encounter and might otherwise bring to jail.

Currently, several individuals are working on the details of the triage center to address the location, staffing, operations, providers, and services. The county has applied for a \$50,000 grant through the Safety and Justice Challenge Foundation and is in the process of collecting data, visiting other sites for potential ideas, and seeking feedback. The county plans to have another committee meeting this spring to decide how best to move forward and discuss budget and financial plans. They are working with local real estate agencies to discuss possible locations. The end goal is to have a pilot program implemented by Fall of 2018. Sheriff Milstead commented that many of these services already exist but people do not know how to access them; therefore, the team is planning on further community education and networking to discuss the varieties of services.

**Department of Corrections Training in Mental Health First Aid (MHFA) and Dialectical Behavior Therapy (DBT)**

Jennifer Stanwick-Klimek, Deputy Warden of the Mike Durfee State Prison, reported the following training statistics to the Council:

*MHFA*

- MHFA training was implemented January 1, 2016
- Trained 764 existing staff between January 1, 2016 and June 31, 2016
- Trained 110 new hire staff during FY16
- Trained 282 new hire staff during FY17
- Trained 80 new hire staff from July 1, 2017 to present
- Total of 1,236 staff trained to date
- 100% of all DOC institutional staff were trained

Deputy Warden Stanwick-Klimek also mentioned recertification training is required of staff every three years. MHFA training is a collaborative effort between DOC and DSS.

#### *DBT*

- DBT training was implemented January 2017
- Trained 708 existing staff between Jan 1, 2017 and June 31, 2017
- Trained 90 new hire staff during FY17
- Trained 45 new hire staff from July 1, 2017 to present
- Total of 843 staff trained to date
- 100% of all DOC institutional staff have been trained

Deputy Warden Stanwick-Klimek indicated that after these trainings, staff are much better prepared and make more educated decisions.

Discussion ensued on whether the abbreviated DBT training is available for anyone besides DOC staff. Deputy Secretary Amy Iversen-Pollreis from DSS indicated that this curriculum could be shared with anyone interested.

Given the MHFA and DBT training presented, Mr. Sattizahn acknowledged that DOC has fully complied with the requirements of HB 1183 and commended the department on its accomplishments.

#### **Implementation Updates**

**Competency Evaluation Fund:** Bob Wilcox with County Commissioners stated that 46 providers have requested reimbursement to date. Additionally, there is now a review board in place consisting of five members. Paul Bachand, a local attorney, and Jane Naylor from the Hughes County Auditor's Office are two people who have agreed to be on the Review Board.

Mr. Sattizahn mentioned the judges and attorneys are working on creating orders that will go to the county auditors to simplify the process, which is a new process for the attorneys, legal staff and the clerks. The goal is to reduce the time between the signed order and the evaluation to be within 21 days. Statewide data is still being gathered to modify the order. AJ Franken from the Governor's Office asked if there is a ballpark dollar figure for the evaluations

for which the counties are requesting reimbursement. Mr. Wilcox noted that the evaluations to date have ranged from \$350 to \$3,000.

**Competency Evaluators and Training:** Deputy Secretary Iversen-Pollreisz discussed the status of the number of individuals who are now allowed to complete exams. She stated the list of providers to do competency evaluations is growing. The larger list of evaluators will hopefully reduce the cost. She is currently working on a letter that will be sent to the membership of relevant professional boards notifying them of upcoming training opportunities so they can become qualified to conduct the evaluations. The cost for online training is \$500. One incentive may be to have those training costs reimbursed.

Judge Means asked if the list of evaluators is available to the judges, and Mr. Sattizahn replied that the link is on the UJS website that links to the DSS updated list of evaluators.

**CIT Review Team (Jail Officer Training; Crisis Response Training):** Mr. Sattizahn reported that the CIT Review Team has met two times to discuss training for jailers and law enforcement. Their first meeting focused primarily on training jailers. There is an online course titled "Creating Safe Scenes," which is a two-hour curriculum selected by the AG's office. DCI has communicated with all jails in the state and asked that this course be completed by all jailers by December 2018.

The second meeting focused on law enforcement training. The DCI will offer Mental Health First Aid course in select locations to gauge interest. This group also discussed hiring a CIT coordinator to bring training to the communities that have not had it. Sending a trainer to the smaller communities would be more feasible than having the communities send their employees to a multi-day training. The group made the recommendation to the Oversight Council to have a statewide coordinator. This recommendation was accepted by the Council and Mr. Sattizahn said he would notify the review team so the members can start working with the AG's office and DCI on the details of a contract coordinator position. To support this effort, Sheriff Leidholt and Don Hedrick will present to the Police Chiefs and Sheriffs in the spring to gain buy-in for crisis training.

Sheriff Milstead commented this training plan is a significant improvement over what was initially proposed. Deputy Secretary Iversen-Pollreisz and Senator Solano both agreed with the direction of the review team as well. To supplement the training, Sheriff Milstead is working with neighboring states to expand access to online mental health training for law enforcement.

**Jail Mental Health Screening Pilot:** Staci Ackerman participated by telephone. She stated that the screening pilot group met December 15, 2017 to discuss the pilot. Two speakers from Illinois shared their experiences with the tool. There are 7 sites considering participating in the pilot which is scheduled to start on February 1, 2018. Terry Dosch asked if there are any plans to collect and record the results from the data from the screening. Mr. Sattizahn explained that the plan, which is still being worked out, is for the jails to send the screening results to the clerks who would enter the data into Odyssey. This information would

be analyzed by staff of the Oversight Council. Mr. Dosch added this will be important data collection for future planning and decision making.

Sheriff Milstead voiced some concerns about implementation and follow-up and communication between the judges and the jailers. Ms. Ackerman said the group meets tomorrow to discuss further details and address concerns.

Further discussion was had about the intent and purpose of the screening tool. County Commissioner Cindy Heiberger said further input from the rural communities is needed. Mr. Dosch suggested the screen should include criteria for serious mental illness (SMI) criteria.

Ms. Ackerman commented that the purpose is to gather consistent information to better identify the extent of possible serious mental illness among the jail population. The long-term goal is to figure out how to better allocate the resources where needed and provide better mental health treatment in the future.

**Defense Attorney Training:** Mr. Sattizahn informed the council that after July 1, 2018, the bill requires attorneys to have training before representing a person with mental illness. This group is developing an attorney handbook which will include a possibly a checklist, practice tips, glossary of terms, and practices and procedures for representing a person with mental illness.

The group intends to work with the State Bar to finalize and make the handbook available and possibly an online video put onto the UJS website. The attorneys may need a certificate of completion before being put on the list of defense attorneys. Mr. Sattizahn is meeting with the State Bar Committee next week to discuss the idea of having a speaker at the State Bar Convention for CLE training and accreditation. It is expected that the video and handbook will be completed by March or April. Mr. Sattizahn will share these plans with the State Bar and the Supreme Court. No questions or additional comments were given.

#### **Public Input**

No one present for comments.

#### **Next Meeting:**

The next meeting is planned for March or April 2018. Subgroups will continue their work. Possible phone conferences may be needed before the March or April meeting. Sheriff Milstead inquired into telehealth services, and Greg responded that the Services Workgroup will need to meet and discuss telehealth services and possibly create a special subgroup for this topic alone.

#### **Motion to Adjourn**

After no further comments or discussion, the meeting adjourned at 3:08 pm.