

BEHAVIORAL HEALTH ADVISORY BOARD

General Meeting

Monday, August 20, 2018, 1:00 – 3:30 p.m.

Ventura County Behavioral Health

1911 Williams Drive, Training Room • Oxnard, CA 93036

AGENDA

- I. Call to Order and Pledge of Allegiance
- II. Approval of the Agenda – **ACTION**
- III. Approval of the July 16, 2018 Minutes – **ACTION**
- IV. Welcome and Introductions
- V. Public Comments (3 min. per speaker)
- VI. Chair's Report (7 min.)
 - A. California Association of Local Behavioral Health Boards and Commissions (CALBHB/C) Governing Board Meeting
 - B. Behavioral Health Action Coalition
 - C. Events and Announcements – Janis Gardner, Chair Emeritus
- VII. Board Members Comments and Announcements (3 min. per speaker)
- VIII. Presentation: Pharmaceutical Crimes Unit – Sgt. Matthew Young, Ventura County Sheriff's Office (20 min. + Q&A)
- IX. Director's Report – Dr. Sevet Johnson (10 min.)
- X. Secretary's Report – Kay Wilson-Bolton (5 min.)
- XI. BHAB Committees Reports (5 min. each)
 - A. Adult Services Committee – Nancy Borchard and Gane Brooking, Co-Chairs
 - B. Prevention Committee – Janis Gardner, Chair
 - C. Transitional Age Youth (TAY) Committee – Cmdr. Ron Nelson, Chair
 - D. Youth & Family Committee – Denise Nielsen, Chair
 - E. Legislative Workgroup– Ratan Bhavnani
 1. Discussion on AB 1810 - **ACTION**
- XII. New Business
 - A. Progress on the Adult Crisis Stabilization Unit (CSU) – Dr. John Schipper, VCBH Adult Division Chief
 - B. Request for Leave of Absence: Marlen Torres – **ACTION**
 - C. Appoint New Chair for the Transitional Age Youth (TAY) Committee Effective October 2018 – **ACTION**
 - D. New BHAB Procedure: Process for the BHAB to Make Recommendations to the Board of Supervisors on Pending Legislation and other Matters – **ACTION**
 - E. Proposed New Process for the Ongoing Review of Contracts
 - F. General Meetings in November and December - **ACTION**
- XIII. Old Business
 - A. Fiscal Year 2017-18 Annual Report Preparation Update
 - B. Future Presentations
 - C. Future Recognitions

Members of the public making oral presentations to the Board in connection with one or more agenda or non-agenda items at a single meeting are limited to a cumulative total time not to exceed (5) minutes for all of their oral presentations at such meeting unless otherwise provided. The entire public comment period is limited to no more than (20) minutes total for all speakers. NOTE: The Chair may limit the number or duration of speakers on a matter. In compliance with the Americans With Disabilities Act, if you need special assistance to participate in this meeting, please contact Behavioral Health Administration at (805) 981-6830. Reasonable advance notification of the need for accommodation prior to the meeting (48 hours advance notice is preferable) will enable us to make reasonable arrangements to ensure accessibility to this meeting.

XIV. Contracts – **ACTION**

A. Board of Supervisors Agenda – September 11, 2018

1. Fiscal Year 2018-19 Alcohol and Drug Program – Organized Delivery System (ADP-ODS), 7.0 New Positions
2. Mental Health Services: Homeless Mentally Ill, Outreach and Treatment Services Funding
3. Mental Health Services: La Siesta and Hickory House

B. Board of Supervisors Agenda – September 18, 2018

1. Alcohol and Drug Program – Aegis Treatment Centers
2. Mental Health: California Psychiatric Transitions
3. Mental Health Adults Contracts: Anka Behavioral Health; Anne Sippi Clinics, Los Angeles and Bakersfied; Turning Point Foundation
4. Mental Health Services: Memorandum of Understanding (MOU) with Santa Paula Unified School District

XV. Public Comments (3 min. each)

XVI. Adjourn

Next Meeting: Monday, September 17, 2018

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Behavioral Health Advisory Board

Legislative Workgroup

August 2018

Report on California Assembly Bill 1810

Diversion of Individuals with Mental Disorders

AB 1810 was passed by both houses and signed into law by Gov. Brown on June 27, 2018.

This law establishes a procedure of diversion for defendants with mental disorders through which the court would be authorized to grant pretrial diversion, for up to 2 years, to a defendant who may have committed a misdemeanor or felony offense, in order to allow the defendant to undergo mental health treatment. A court must find that the defendant's mental disorder played a significant role in the commission of the charged offense. The law authorizes a referral for mental health treatment to be made to a county mental health agency, existing collaborative courts, or assisted outpatient treatment only if that entity has agreed to accept responsibility for the treatment of the defendant.

Though AB 1810 has been signed into law, an amendment is being considered which would clarify two items:

- Specifically bans defendants who have been charged with murder, rape and other sex crimes from participating, and allows judges to bar a much broader range of dangerous suspects.
- Counties must opt in to the program after consulting with prosecutors, defense attorneys, mental health workers and local judges.

The new law provides the capability of a pre-trial/pre-pleading diversion program. If the defendant completes the mental health program, no charges are ever filed and there is no conviction. If the defendant does not complete the program, then he/she must plead, and the criminal proceedings resume.

California may redo law to treat, free suspects

Don Thompson, The Associated Press - Published in The VC Star on 8/15/18

SACRAMENTO - California Gov. Jerry Brown wants to tighten a law he signed weeks ago that critics say could have freed rapists and murderers who completed two years of mental health treatment.

The proposal obtained by The Associated Press on Tuesday specifically bans those charged with murder, rape and other sex crimes from participating and allows judges to bar a much broader range of dangerous suspects.

It also makes clear that counties must opt in to the program after consulting with prosecutors, defense attorneys, mental health workers and local judges.

The law signed by the Democratic governor in June vastly expands the number of suspects who can be diverted to mental health treatment programs and have their charges dismissed. Prosecutors complained that the measure was far too broad and have been negotiating with Brown's administration for weeks.

The administration wants lawmakers to approve the narrower program before they adjourn for the year at month's end. It posted the new proposal Monday night.

"While nothing's perfect, this version right now solves a majority of the issues," said Stanislaus County District Attorney Birgit Fladager, the new president of the California District Attorneys Association.

El Dorado County District Attorney Vern Pierson, who led prosecutors' negotiations with Brown's administration, called the proposal "a significant improvement" over the new law.

Defense attorneys said they don't object to excluding those charged with the most extreme crimes but that the revision goes too far.

The proposed rollback "guts mental health diversion and goes far beyond a reasonable compromise," said Nick Stewart-Oaten, a member of the California Public Defenders Association's legislative committee and a Los Angeles County deputy public defender. He expects more revisions as lawmakers consider the proposal.

While defense attorneys appreciate the administration's desire for a workable program, he said its latest proposal "allows counties to continue to do what they have done for years — send sick people to prison instead of treatment. The end result is higher incarceration rates for ill Californians, lawsuits for ill Californians, lawsuits against counties for mistreatment of the mentally ill and higher recidivism rates for untreated offenders."

The proposal also makes it clear that suspects can be barred from owning firearms while they are in the program and that they can be required to pay restitution, both of which prosecutors said had been unclear.

The law signed in June limits the treatment period to two years, but the administration's proposal would allow judges to extend the program for a third year.

California already allowed counties to offer such programs for offenders with developmental disabilities, traumatic brain injuries, post-traumatic stress disorder or who have mental health problems resulting from their military service.

The new law allows treatment instead of charges for any suspect with mental illnesses, including bipolar disorder or schizophrenia, though it excludes anti-social personality disorders and pedophilia.

It aims to get treatment for mentally ill suspects before they reach the criminal process, are deemed incompetent to stand trial and sent to mental hospitals, which already have large waiting lists. The current budget also includes \$115 million over three years for 850 new placements in community mental health programs.

Prosecutors complained that lawmakers approved the law in one day as part of an 88-page omnibus budget bill instead of going through the usual legislative process.