

## **COMMITTEE BILL ANALYSIS**

**Bill:** Senate Bill 128

**Printer's No.:** 83

**Sponsor:** Senator Greenleaf

**Prepared by:** Gregg Warner

**Synopsis:** This bill is the Criminal Justice and Mental Health Reinvestment Act and it establishes a grant program to assist counties in diverting from the criminal justice system individuals with mental health problems.

**Summary:** The grant program is intended to provide funding to counties with which they can plan, implement or expand initiatives that increase public safety, avert increased spending on criminal justice and improve the effectiveness of treatment services for individuals with mental illnesses, substance abuse disorders or co-occurring mental health and substance abuse disorders. The grant program will be administered by the Pennsylvania Commission on Crime and Delinquency (PCCD).

### **Advisory committee**

The bill establishes the Advisory Committee for Criminal Justice and Mental Health Reinvestment. The advisory committee shall have oversight responsibilities for the program including monitoring both the grant process and outcome aspects of the program. The advisory committee shall advise the PCCD in establishing the criteria to be used to review submitted grant proposals and to select counties that will be awarded grants. The advisory committee shall be comprised of representatives of related State agencies.

### **Grants**

A county may apply for a one-year planning grant, a two-year implementation grant or a two-year expansion grant. The legislation includes an application process which requires counties to provide the PCCD with detailed information on the county criminal justice system and how it interacts with individuals who have mental health problems. The PCCD will award the grants based on the amount of funds available. There are also monitoring and reporting requirements.

### **Planning grants**

The planning grants will be used to develop effective collaboration efforts among participants in affected government agencies, including the criminal and civil justice systems, mental health and substance abuse treatment service providers, transportation programs, and housing assistance programs. The collaborative efforts will be the basis for developing a problem-solving model and strategic plan for treating persons who are in or at risk of entering the criminal justice system and doing so at the earliest point of contact, taking into consideration public safety. The planning grants will be used to develop strategies to divert individuals from judicial commitment to community-based service programs.

### **Implementation and expansion grants**

The implementation and expansion grants will support programs and diversion initiatives including specialized responses by law enforcement agencies; centralized receiving facilities for individuals evidencing behavioral difficulties; post-booking alternatives to incarceration; new court programs, including pretrial services and specialized dockets; specialized diversion programs; intensified transition services that are directed to the designated populations while they are in jail to facilitate the person's transition to the community; specialized probation and parole processes; day-reporting centers; linkages to community-based, evidence-based treatment programs for people who have mental illness or substance abuse problems; community services and programs designed to prevent criminal justice involvement of high-risk populations; and specialized training for criminal justice and treatment services professionals.

### **Effective date**

This act takes effect July 1, 2013, or immediately, whichever is later.

**Background:** The Council of State Governments (CSG) Justice Center was very helpful in drafting this legislation. The Senate and House Judiciary Committees and their staffs worked with the CSG Justice Center to address the issue of the involvement of mentally ill individuals with the criminal justice system. On June 4, 2007, the Senate and House Judiciary Committees held a joint public hearing to hear from the CSG Justice Center experts and State officials who had been working with the Justice Center. In response to the CSG Justice Center's recommendations, this legislation was introduced. On April 18, 2008, the House Judiciary Committee Subcommittee on Courts held a public hearing on this legislation.

Meanwhile, also in conjunction with the CSG Justice Center, the Department of Public Welfare and the Pennsylvania Commission on Crime and Delinquency created an advisory committee in PCCD with a grant program and have partnered with Drexel University and the University of Pittsburgh to establish the Pennsylvania Mental Health and Justice Center of Excellence "to plan and implement programs, to promote the use of evidence-based practices, and to serve as a resource for technical assistance and training on the treatment of dually-diagnosed offenders. The Center also hosts a central repository for the collection of information on both criminal justice and mental health responses throughout the state."

### **Statistics**

According to the Treatment Advocacy Center, recent studies show that at least 16% of the inmates in prisons and jails have a serious mental illness. In 1983 a similar study reported 6.4%. In less than three decades, the percentage of seriously mentally ill prisoners has almost tripled. These findings are consistent with the studies reporting that 40% of individuals with serious mental illnesses have been in prison or jail at some time in their lives.

**Legislative history**

This legislation was introduced in 2007-2008 (Senate Bill 1128), 2009-2010 (Senate Bill 74) and 2011-2012 (Senate Bill 30). The Senate Judiciary Committee reported Senate Bill 1128 from committee; the Senate re-referred Senate Bill 1128 to the Senate Appropriations Committee where the bill remained for the rest of that session.