



TO: Members, Senate Judiciary Committee
Members, Senate Appropriations Subcommittee on Public Safety

FROM: Lisa Schaefer, Director of Government Relations

DATE: March 19, 2018

SUBJECT: CCAP Comments on Addressing those with Mental Health and Substance Abuse Issues in the Criminal Justice System

On behalf of the County Commissioners Association of Pennsylvania (CCAP), representing all 67 counties in the commonwealth, I write to share our comments about the challenges counties face regarding inmates with mental health, developmental disabilities and substance abuse issues, including a shortage of forensic beds and the need for additional community-based services. Counties support expanding resources that will allow more options for care and treatment of these individuals outside of the prison system.

Pennsylvania county corrections systems are experiencing explosive growth in some sectors of their populations. While many county jails have developed and implemented population control measures, those same jails frequently indicate that the percentage of inmates with mental illness, serious mental illness, and untreated or undertreated substance abuse continue to grow. In fact, as many as 65 percent of all county jail inmates in Pennsylvania have a substance abuse disorder, 10 to 30 percent have a mental illness, and as many as 14 percent have a serious mental illness. Across the country, county jails house more individuals with mental illness than psychiatric hospitals. Often, unique circumstances can compound the problem, such as juvenile offenders, homelessness, the needs of returning veterans or other traumatic experiences.

Untreated and unaddressed substance abuse and mental health needs are often the catalyst to entry into the criminal justice system - and the reason individuals continue to cycle back through the system. By treating the reasons behind criminal behavior, we can break the cycle of admissions and readmissions to county jails.

Counties have been leading the call for comprehensive recommendations that will address behavioral health issues in county prisons. In 2016, CCAP created a Comprehensive Behavioral Health Task Force to help guide counties seeking alternatives to incarcerating mentally ill and substance abusing offenders in order to increase the likelihood of improved lives, better use of resources and safer communities. Although counties had been considering piecemeal solutions for some time, given the lack of a comprehensive plan, counties acknowledged the need to step forward to develop their own. The Task Force's report, released in August 2016, contains legislative proposals, educational recommendations,

networking opportunities or facilitation of options for regional collaborations, development and sharing of best practices, or other recommendations, and can be viewed at <http://www.pacounties.org/GR/Pages/BehavioralHealth.aspx>.

The National Association of Counties, the Council of State Governments and the American Psychiatric Association Foundation have also come together to lead a national Stepping Up Initiative to help advance counties' efforts to reduce the number of individuals with mental illness and substance abuse disorders in jails. More information is available at stepuptogether.org.

Pennsylvania's counties have continued to raise this matter as one of their top priorities, recognizing that prisons are not the place for many individuals with mental illness or developmental disabilities. Society must provide care and treatment to improve lives, use resources more effectively and build safer communities.

The shortage of psychiatric, or forensic, beds in state hospitals for county inmates who have mental illness and developmental disabilities has become a crisis that fails to effectively or compassionately address human need. A recent analysis of forensic availability commissioned by the state demonstrated that need far exceeds capacity. The state and counties are already taking important steps to address this issue, including significant policy changes at Norristown State Hospital as well as other bed space and procedural efforts that are beginning to balance capacity with need. But more support and assistance must be provided, with a collaborative initiative between the state and counties needed to effectively address the shortage of forensic beds, including assistance and involvement from the governor, legislators and policy makers.

While procedures will ultimately be initiated statewide, community-based services that will allow counties to divert those with mental illness to a setting other than jail must be developed and maintained. Greater focus must be placed on treatment and restoration services within the prison system, including expanded options to allow mentally ill and developmentally disabled individuals to obtain care and treatment in the community rather than prison. Effective best practices and joint training for prison administrators, county mental health staff, the judiciary, law enforcement, the medical community and others, in close partnership with the commonwealth, should be immediately implemented.

Counties speak from the unique role as integral partners with the commonwealth in all aspects of the criminal justice system, and we thank you for your consideration of these comments. We would be happy to answer questions or furnish additional information to the committees.