



ARLINGTON COUNTY, VIRGINIA

**County Board Agenda Item
Meeting of February 21, 2009**

DATE: February 21, 2009

SUBJECT: Appropriation of State Funds and Authorization of State-funded Positions for Department of Human Services.

C. M. RECOMMENDATION:

1. Appropriate \$136,500 in FY 2009 from the Virginia Department of Mental Health, Mental Retardation and Substance Abuse Services (DMHMRSAS) (101.364501) to the Department of Human Services (DHS) (101.52139) for new positions to support ongoing post-magistrate booking project to divert persons with serious mental illness from the criminal justice system.
2. Authorize 3.5 FTE permanent grant-funded positions in DHS to provide mental health case management, peer support and administrative assistance in accordance with state grant requirements.

ISSUES: This is a request to fulfill the terms of a grant from the Commonwealth to provide additional jail diversion services for persons with mental illness involved in the criminal justice system. There is no impact on net tax support in FY 2009. Jail diversion will reduce state and local criminal justice costs.

SUMMARY: DHS has received notification of continuing state funding for jail diversion initiatives in response to a grant request. The funding is part of an FY 2009 increase allocated to ten Community Services Boards (CSBs) throughout the Commonwealth to increase and expand mental health services. The funding is intended to divert into treatment persons with serious mental illness who come before the Magistrate in Arlington from incarceration, thus reducing criminal justice costs and recidivism. Jail diversion is limited to non-violent offenders. The Arlington County Community Services Board approved this as an action item at their December 17, 2008 Meeting.

BACKGROUND: The large number of seriously mentally ill individuals in the criminal justice system is a growing concern both locally and nationally. State psychiatric facilities in Virginia have decreased the number of beds by 90 percent compared to 30 years ago. Persons who used to be served by state psychiatric facilities are often on the streets. Their serious mental illness

County Manager: _____

County Attorney: _____

Staff: Staff: Michael R. Peter, DHS, Behavioral Healthcare Division

may lead to encounters with the police and criminal justice system. Twenty-five percent of current Arlington County Detention Facility (ACDF) inmates have been diagnosed with serious mental illnesses. Inmates with mentally illness typically stay longer in jail than those who are arrested on the same charges, but do not suffer from mental illness.

Across Virginia, each CSB is approaching the issue in a unique manner. In Arlington, a Mental Health Criminal Justice Review Committee was convened, which has been meeting regularly for over five years. This committee is comprised of high level participants including a judge from General District Court, the Chief Magistrate for Arlington, top administrators of the ACDF, Community Corrections, DHS staff, CSB members, police representatives, representation from the Public Defenders office and the Commonwealth Attorney's office. This group adopted the national best practice sequential intercept model to identify points throughout the criminal justice system where trained staff can intervene to divert people with mental illness from the system and into a cost-effective treatment program where their needs can be more appropriately met.

An initial jail diversion program was implemented two years ago with state funds. The program known as the Forensic Case Management Unit was established to work with those already in the ACDF. The success of the Forensic Case Management program led to an invitation to submit a proposal for expansion funding. These new funds will be used to divert persons with mental illness at their initial detention and court hearings, thus averting an extensive stay in the ACDF.

DISCUSSION: Currently the Forensic Case Management program assesses and works with approximately 120 clients per year. By adding an additional 3.5 FTE to the program, capacity will be expanded to assessing over 300 individuals and providing intensive mental health case management to 150 consumers per year. The scope of the program will be broadened from working with clients already in the ACDF to working with those clients who come before the courts before sentencing. This will allow for criminal justice cost savings by reducing the mentally ill inmate population. Instead of incarceration, the target population will be provided community-based support to expedite linkages to mental health services and reduce recidivism.

FISCAL IMPACT: There is no impact on net tax support in FY 2009. Jail diversion will reduce state and local criminal justice costs. The new state appropriation will fully fund the cost of 3.5 FTEs for the remainder of FY 2009. At this time, funding is expected to be fixed at the FY 2010 level of \$273,000, which will fully fund all 3.5 FTEs for a full year. The state will provide minimal cost of living increases that would not necessarily keep pace with increasing personnel costs. As a result, funds may be needed in the future for increased costs or services may be reduced.