

By Representative Reddick

1 A bill to be entitled
2 An act relating to mental health; directing the
3 Department of Children and Family Services to
4 develop cooperative agreements with local
5 agencies for diverting from the criminal
6 justice system to the civil mental health
7 system persons with mental illness arrested for
8 a misdemeanor; directing the Louis de la Parte
9 Florida Mental Health Institute at the
10 University of South Florida to report to the
11 Legislature on cost-effective diversion
12 strategies; directing the Department of Law
13 Enforcement and the Department of Children and
14 Family Services to jointly review training
15 curricula for law enforcement officers and to
16 recommend improvements to the Legislature;
17 directing the Department of Children and Family
18 Services to contract with an independent entity
19 to review court jurisdiction over persons with
20 mental illness who are arrested for or
21 convicted of a misdemeanor and to recommend
22 policy changes to the Legislature; directing
23 the district forensic coordinators in the
24 Department of Children and Family Services to
25 assess the provision of in-jail mental health
26 services and report to the Legislature;
27 directing the Department of Children and Family
28 Services to prepare a single report by a
29 specified date; directing the Louis de la Parte
30 Florida Mental Health Institute to evaluate the
31 specialized mental health court in Broward

1 County and report findings and recommendations
2 to the Legislature; providing an appropriation;
3 providing an effective date.
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5 Be It Enacted by the Legislature of the State of Florida:
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7 Section 1. (1) The Department of Children and Family
8 Services shall develop written cooperative agreements with the
9 judicial system, the criminal justice system, and local mental
10 health providers in each district of the Department of
11 Children and Family Services which define strategies and
12 community alternatives for diverting from the criminal justice
13 system to the civil system under the Baker Act persons with
14 mental illness who are arrested for a misdemeanor. At a
15 minimum, the district diversion strategies must include:

16 (a) Prebooking or postbooking interventions.

17 (b) Ways in which mental health professionals may
18 assist law enforcement agencies with difficult mental health
19 cases.

20 (c) Information-sharing among community entities
21 regarding persons with mental illness who are frequently
22 arrested for misdemeanors, in order to improve early
23 identification and treatment of these persons.

24 (d) Referral of misdemeanant clients to appropriate
25 aftercare services upon release from jail or a facility that
26 receives clients under the Baker Act.

27 (e) Provision of appropriate psychotropic medications
28 to misdemeanant clients for a reasonable number of days
29 following discharge from jail or a facility that receives
30 clients under the Baker Act.
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1 (f) Provision of intensive case management services to
2 the appropriate misdemeanor clients.

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4 For the purpose of uniformity, each district must work with
5 the central program office to develop and include an analysis
6 of the client population and client movement, an analysis of
7 available and unavailable resources, and the identification of
8 key indicators that will measure the impact of these
9 strategies on the clients and on the community systems. The
10 department must complete the district diversion strategies,
11 client data analysis, and identification of key indicators and
12 submit a copy to the Louis de la Parte Florida Mental Health
13 Institute by October 1, 1999.

14 (2) The Louis de la Parte Florida Mental Health
15 Institute at the University of South Florida shall review the
16 state's district diversion strategies developed by the
17 department, as well as cost-effective strategies being used in
18 communities in other states, to divert misdemeanants from the
19 criminal justice system to the mental health system. Based on
20 this review, the institute must recommend those diversion
21 strategies and treatment activities used by Florida or other
22 states which have proven to be the most effective with the
23 misdemeanant population. The review must include details about
24 the cost savings that are associated with those programs and
25 must explain how those long-term or short-term cost savings
26 are achieved. The institute shall submit a final report on its
27 findings, conclusions, and recommendations to the President of
28 the Senate and the Speaker of the House of Representatives by
29 January 1, 2000. The report must specify what results can be
30 expected based on the current level of resources, as well as

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1 specify additional resources that are needed to adequately
2 serve the misdemeanor population.

3 Section 2. The Florida Department of Law Enforcement
4 and the Department of Children and Family Services shall
5 jointly evaluate the extent and effectiveness of current
6 training curricula and training efforts provided by the
7 Criminal Justice Standards and Training Commission under s.
8 943.17, Florida Statutes, and the Department of Children and
9 Family Services under part I of chapter 394, Florida Statutes,
10 for law enforcement officers in identifying mental illness and
11 shall make recommendations for improvements to the head of
12 each department. The Florida Department of Law Enforcement and
13 the Department of Children and Family Services shall prepare a
14 joint report that includes the findings and recommendations by
15 December 31, 1999.

16 Section 3. The Department of Children and Family
17 Services, in consultation with the Office of the State Courts
18 Administrator, shall contract with an independent entity to
19 study the concept of increasing court jurisdiction and
20 supervision over persons with mental illness who are arrested
21 for or convicted of a misdemeanor, to ensure compliance with
22 an approved individualized treatment or service plan. The
23 study shall focus on whether extending court jurisdiction
24 would enhance the mental stability of persons with mental
25 illness in order for them to live in the community, function
26 at their optimal level, and not be involved in any type of
27 criminal behavior. The Department of Children and Family
28 Services shall prepare a report by December 31, 1999, which
29 includes recommendations for statutory changes or departmental
30 policy changes that do not require statutory revisions.

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1 Section 4. The district forensic coordinators of the
2 Department of Children and Family Services shall assess the
3 provision of in-jail mental health diagnostic and treatment
4 services. The department shall prepare a report of its
5 findings, conclusions, and recommendations by December 31,
6 1999, including any proposed statutory revisions.

7 Section 5. The reports that are required in sections
8 2, 3, and 4 to be prepared by the Department of Children and
9 Family Services, including the joint report in section 2, must
10 be submitted in one report to the President of the Senate and
11 the Speaker of the House of Representatives by December 31,
12 1999.

13 Section 6. The Louis de la Parte Florida Mental Health
14 Institute shall evaluate the effectiveness of the specialized
15 mental health court established in Broward County to determine
16 client and system outcomes and cost efficiencies and shall
17 make recommendations for establishing similar special courts
18 in other judicial circuits. This evaluation must include
19 tracking clients for 1 year following release from the Broward
20 County jail by the special mental health court and from a
21 county jail without a special mental health court. The Louis
22 de la Parte Florida Mental Health Institute shall report to
23 the President of the Senate and the Speaker of the House of
24 Representatives on the findings of the evaluation, including
25 recommendations for any statutory revisions, by October 1,
26 2000.

27 Section 7. For the purpose of implementing the
28 requirements of section 3, the sum of \$100,000 is appropriated
29 from the General Revenue Fund to the Department of Children
30 and Family Services for the 1999-2000 fiscal year.

31 Section 8. This act shall take effect July 1, 1999.

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HOUSE SUMMARY

Requires the Department of Children and Family Services to develop strategies for diverting persons with mental illness who are arrested for misdemeanors from the criminal justice system to the mental health system. Requires the Louis de la Parte Florida Mental Health Institute at the University of South Florida to review the diversion strategies and report to the Legislature. Requires the Department of Law Enforcement and the Department of Children and Family Services to evaluate the training provided to law enforcement officers in identifying mental illness and report to the Legislature. Requires the Department of Children and Family Services to contract with an independent entity to study extending court jurisdiction of persons with mental illness who are arrested for or convicted of misdemeanors, and to prepare a report with recommendations. Requires the department to report on in-jail mental health diagnostic and treatment services. Requires that the Louis de la Parte Florida Mental Health Institute evaluate the mental health court in Broward County and report to the Legislature. Provides an appropriation.