

By Senator Margolis

35-502A-07

1 A bill to be entitled
2 An act relating to forensic mental health;
3 creating the Criminal Justice and Mental Health
4 Reinvestment Grant Program within the
5 Department of Children and Family Services for
6 the purpose of providing funds to counties to
7 establish or expand initiatives to improve the
8 accessibility and effectiveness of mental
9 health and substance abuse treatment services
10 for people who have a mental illness or
11 co-occurring substance abuse disorder and who
12 are in the justice system; requiring the
13 Substance Abuse and Mental Health Corporation
14 to establish a statewide justice and mental
15 health reinvestment grant review committee;
16 providing for membership on the review
17 committee; authorizing counties to apply for a
18 criminal justice mental health reinvestment
19 planning grant; requiring counties applying for
20 the planning grant to establish a local
21 criminal justice mental health planning
22 committee; providing for membership on the
23 local planning committee; requiring the
24 Department of Children and Family Services, in
25 collaboration with the statewide justice and
26 mental health reinvestment grant review
27 committee, to establish application criteria to
28 be used by the department when awarding funds
29 to eligible counties for planning grants;
30 requiring counties to include certain specified
31 information in submitting the planning grant

1 application; requiring the county to submit the
2 completed application to the department and to
3 the statewide justice and mental health
4 reinvestment grant review committee for
5 consideration; authorizing the department to
6 establish a Criminal Justice and Mental Health
7 Reinvestment Technical Assistance Center;
8 providing for certain functions to be performed
9 by the technical assistance center; requiring
10 the Department of Children and Family Services
11 to submit an annual report to the Governor, the
12 President of the Senate, and the Speaker of the
13 House of Representatives by a specified date;
14 specifying the issues to be included in the
15 annual report; providing an effective date.
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17 Be It Enacted by the Legislature of the State of Florida:
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19 Section 1. (1) Contingent upon appropriations, the
20 Criminal Justice and Mental Health Reinvestment Grant Program
21 is created within the Department of Children and Family
22 Services for the purpose of providing funds to counties to
23 establish or expand initiatives for improving the
24 accessibility and effectiveness of mental health and substance
25 abuse treatment services for people who have a mental illness
26 or co-occurring substance abuse disorder and who are in the
27 justice system.

28 (2)(a) The Substance Abuse and Mental Health
29 Corporation shall establish a statewide justice and mental
30 health reinvestment grant review committee.

31 (b) The review committee shall be comprised of:

- 1 1. The chairperson of the corporation;
2 2. One corporation member appointed by the Governor;
3 3. One corporation member appointed by the President
4 of the Senate; and
5 4. One corporation member appointed by the Speaker of
6 the House of Representatives.
7 (c) The following persons shall serve as ex officio
8 members of the review committee.
9 1. The Secretary of Children and Family Services.
10 2. The Secretary of Corrections.
11 3. The Secretary of Juvenile Justice.
12 4. The Secretary of Elderly Affairs.
13 5. The State Courts Administrator.
14 6. A person selected by the Florida Association of
15 Counties.
16 7. A person selected by the Florida Sheriffs
17 Association.
18 8. A person selected by the Florida Public Defender
19 Association.
20 9. A person selected by the Florida Prosecuting
21 Attorneys Association.
22 10. A primary consumer of mental health services
23 selected by the chairperson of the corporation.
24 11. A primary consumer of substance abuse treatment
25 services selected by the chairperson of the corporation.
26 (d) The review committee is responsible for
27 recommending to the Department of Children and Family Services
28 which county application should be approved to receive a
29 6-month planning grant or a 3-year implementation grant.
30 (3)(a) A county may apply for a 6-month planning grant
31 for criminal justice mental health reinvestment.

1 (b) In order to be eligible to receive a 6-month
2 planning grant for criminal justice mental health
3 reinvestment, the applying county must have a local criminal
4 justice mental health planning committee. The local criminal
5 justice mental health planning committee shall consist of:
6 1. The chief judge of the judicial circuit having
7 jurisdiction over the county, or a judge designated by the
8 chief judge.
9 2. The chief judge of the county court, or a judge
10 designated by the chief judge.
11 3. The state attorney of the judicial circuit having
12 jurisdiction over the county, or an assistant state attorney
13 designated by the state attorney.
14 4. The public defender of the judicial circuit having
15 jurisdiction over the county, or an assistant public defender
16 designated by the public defender.
17 5. The sheriff of the county.
18 6. The court administrator for the circuit court.
19 7. The director of probation or pretrial intervention
20 programs of the judicial circuit having jurisdiction over the
21 county.
22 8. A county commissioner selected by the county
23 commission.
24 9. A representative of the Mental Health Program
25 Office of the Department of Children and Family Services,
26 selected by the district administrator of the district having
27 jurisdiction over the county.
28 10. A primary consumer of mental health services,
29 selected by the district administrator of the district having
30 jurisdiction over the county.
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1 11. A primary consumer of substance abuse treatment
2 services, selected by the district administrator of the
3 district having jurisdiction over the county.

4 12. The director of a mental health treatment agency
5 operating in the county, selected by the district
6 administrator of the district having jurisdiction over the
7 county.

8 13. The director of a local substance abuse treatment
9 agency operating in the county, selected by the district
10 administrator of the district having jurisdiction over the
11 county.

12 (4)(a) The Department of Children and Family Services,
13 in collaboration with the statewide justice and mental health
14 reinvestment grant review committee, shall establish
15 application criteria to be used by the department when
16 awarding 6-month planning grant funds to eligible counties. A
17 6-month planning grant may not be awarded to a county unless
18 the county meets the established application criteria.

19 (b) The application criteria for a planning grant must
20 require information from a county showing:

21 1. An analysis of the current jail population in the
22 county which includes:

23 a. The screening and assessment process that the
24 county uses to identify a person who has a mental illness or
25 co-occurring substance abuse disorder;

26 b. The percentage of each category of persons admitted
27 to the jail which represents people who have a mental illness
28 or co-occurring substance abuse disorder;

29 c. A discussion of the factors that contribute to
30 observed differences between subsets of the jail population.
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1 2. The strategies the county intends to use to serve
2 one or more clearly defined subsets of the jail population who
3 have a mental illness. The proposed strategies may include
4 identifying the population designated to receive the new
5 interventions, a description of the services and supervision
6 strategies to be applied to that population, and the goals and
7 measurable objectives of the new interventions. The
8 interventions a county may use may also include, but are not
9 limited to:

- 10 a. Specialized responses by law enforcement agencies;
11 b. Centralized receiving facilities for individuals
12 evidencing behavioral difficulties;
13 c. Postbooking alternatives to incarceration;
14 d. New court programs, including pretrial services and
15 specialized dockets;
16 e. Intensified transition services that are directed
17 to the designated populations while the persons are in jail
18 and services to facilitate transition to the community;
19 f. Specialized probation processes;
20 g. Day-reporting centers; and
21 h. Specific linkages to community-based,
22 evidence-based treatment programs for people who have a mental
23 illness and who are involved in the justice system.

24 3. The projected impact of the proposed initiative on
25 the jail population and the jail's budget. The information
26 sought must include:

- 27 a. How the county's proposed initiative will reduce
28 the expenditures associated with the incarceration of people
29 who have a mental illness;

1 b. The methodology that the county intends to use to
2 measure the defined outcomes, and the corresponding fiscal
3 savings or averted costs; and

4 c. How the cost savings or averted costs will
5 facilitate the sustainability or expansion of mental health
6 services and supports needed in the community.

7 (c) A 6-month planning grant may not supplant funding
8 for existing programs. A planning grant may not be awarded
9 unless the applicant county makes available resources in an
10 amount equal to at least 25 percent of the total amount of the
11 grant. As used in this paragraph, the term "available
12 resources" includes in-kind contributions from participating
13 agencies.

14 (5) Using the criteria established by the department,
15 the local criminal justice mental health planning committee
16 shall prepare the county's application for the 6-month
17 planning grant. The county shall submit the completed
18 application to the department and to the statewide justice and
19 mental health reinvestment grant review committee.

20 (6) The Department of Children and Family Services may
21 establish a Criminal Justice and Mental Health Reinvestment
22 Technical Assistance Center at the Louis de la Parte Florida
23 Mental Health Institute at the University of South Florida.
24 The center must:

25 (a) Provide technical assistance to county applicants
26 preparing a 6-month planning grant.

27 (b) Project the impact of the proposed intervention on
28 the population of the county detention facility.

29 (c) Provide technical assistance to counties that are
30 awarded a planning grant.

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1 (d) Monitor the impact of grant awards on the criminal
2 justice system in the applicant county.

3 (e) Disseminate and share best practices among
4 grantees.

5 (7) The Department of Children and Family Services
6 shall submit an annual report concerning the grant program to
7 the Governor, the President of the Senate, and the Speaker of
8 the House of Representatives by January 1 of each year,
9 beginning on January 1, 2009. The report must include:

10 (a) A detailed description of the progress made by
11 each county grantee to meet the goals described in the
12 application;

13 (b) The impact of grant-funded initiatives on meeting
14 the needs of persons who have a mental illness or substance
15 abuse disorder and who are in the criminal justice system;

16 (c) A summary of the act's impact on jail and prison
17 growth and expenditures; and

18 (d) A summary of the act's impact on the availability
19 and accessibility of effective community-based mental health
20 and substance abuse treatment services for people in contact,
21 or at risk of contact, with the criminal justice system.

22 Section 2. This act shall take effect upon becoming a
23 law.

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SENATE SUMMARY

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3 Creates the Criminal Justice and Mental Health
4 Reinvestment Grant Program within the Department of
5 Children and Family Services for the purpose of providing
6 funds to counties to establish or expand initiatives to
7 improve the accessibility and effectiveness of mental
8 health and substance abuse treatment services for people
9 with mental illnesses and co-occurring substance use
10 disorders in the justice system. Requires the Substance
11 Abuse and Mental Health Corporation to establish a
12 statewide justice and mental health reinvestment grant
13 review committee. Authorizes counties to apply for a
14 6-month criminal justice mental health reinvestment
15 planning grant. Requires counties applying for the
16 planning grant to establish a local criminal justice
17 mental health planning committee. Requires the Department
18 of Children and Family Services to establish application
19 criteria to be used by the department when awarding
20 6-month planning grant funds to eligible counties.
21 Requires counties to include certain specified
22 information in the planning grant application submission.
23 Authorizes the department to establish a Criminal Justice
24 and Mental Health Reinvestment Technical Assistance
25 Center. Requires the Department of Children and Family
26 Services to submit an annual report and provides for the
27 issues to be included in the annual report.
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