



# Board Agenda Item 35

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DATE: June 12, 2018

TO: Board of Supervisors

SUBMITTED BY: Dawan Utecht, Director, Department of Behavioral Health

SUBJECT: Agreement with Superior Court of California, County of Fresno for Behavioral Health Court, Drug Court, and Family Dependency Treatment Court Care Coordination Services

RECOMMENDED ACTION(S):

**Approve and authorize the Chairperson to execute an Agreement with the Superior Court of California, County of Fresno for the provision of coordination services for Juvenile and Adult Behavioral Health Courts, Drug Court, and Family Dependency Treatment Court effective July 1, 2018, not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions, with a maximum compensation not to exceed \$752,225.**

Approval of the recommended action will allow for the continuance of mental health and substance use disorder treatment services care coordination, data gathering and program review tracking for Juvenile and Adult Behavioral Health Courts (BHC), Drug Court, and Family Dependency Treatment Court (FDTC), and staff support and incentives for the Drug Court. The coordination services are funded by Mental Health Services Act (MHSA) Community Services and Supports (CSS) and Behavioral Health Realignment, with no increase in Net County Cost.

ALTERNATIVE ACTION(S):

If the recommended action is not approved, the provision of mental health and substance use treatment and rehabilitation to individuals whose mental illness and substance use disorder contributes to their non-violent criminal behavior will not be delivered in a coordinated manner between the courts and the Department of Behavioral Health (DBH). Quality management will also become a challenge to accomplish successfully.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended action. The maximum annual cost of \$70,000 for BHC, Drug Courts and FDTC care coordinator services will be fully funded with MHSA CSS funds, and the maximum annual cost of \$80,445 for Drug Court services for staff support and incentives will be fully funded with Behavioral Health Realignment. The total maximum cost for the term is \$752,225. Sufficient appropriations and estimated revenue will be included in the Department's Org 5630 FY 2018-19 Recommended Budget and will be included in future budget requests for the duration of the term. Total expenditures will be determined by actual services provided.

DISCUSSION:

The Fresno County Juvenile and Adult Behavioral Health Courts (BHC) were established to more effectively address the increase in mental health defendants cycling through court and detention facilities. The BHC is

a cross-system collaboration of the Superior Court, Office of the Public Defender, Office of the District Attorney, Fresno County Sheriff's Office, County Department of Public Health, County Department of Behavioral Health (DBH), County Probation Department, school district mental health practitioners and community mental health treatment providers. As a voluntary, post-conviction program where participation is a probation term and condition, the BHC attempts to take into consideration the unique needs of the individual's mental health condition and work with the participant to regain the independence they previously enjoyed. Although, the court portion of the program lasts a minimum of 18 months, a participant may continue to access community mental health treatment provider services.

The Fresno County Adult Drug Courts strive to create effective working relationships between treatment and the criminal justice systems to increase access to treatment services, relieve jail over-crowding, reduce recidivism and improve public safety. With more than 70% of drug court participants having co-occurring mental health and substance use disorders, Drug Courts provide intensive supervision and substance use treatment, community-based drug education and support.

The Fresno County Family Dependency Treatment Court works with participants who are facing the termination of parental rights as a result of their substance use disorders rather than criminal charges. The primary goal is to help defendants engage in mental health and substance use treatment, as well as supportive services such as public benefits, transportation, employment and housing to support their recovery and increase the chance of reunification with their children.

Approval of the recommended action will allow the continuance of Court Care Coordinators who are responsible for increasing service access, building capacity and removing barriers for those in the justice system that are in need of substance use and mental health treatment and supportive services. In FY 2016-17, a total of 981 adults and youths entered the three treatment courts for recovery; 305 participants successfully completed their programs to have their charges dismissed, which allows them to achieve better long-term outcomes for employment, housing, family and social relationships, and other life factors. Collaborative partners also worked together to shorten the time between citation and arraignment, and subsequently Drug Court arraignment, from 90 days to 30 days to reduce the failure to appear rates. This change has resulted in more participants appearing in court to be engaged in treatment and other appropriate services. More than half of the defendants who are eligible to enter the drug court program chose to engage in treatment.

OTHER REVIEWING AGENCIES:

The Behavioral Health Board was made aware of the recommended Agreement at its May 16, 2018 meeting.

REFERENCE MATERIAL:

BAI #38, October 27, 2015  
BAI #32, April 21, 2015  
BAI #34, December 3, 2013

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with the Clerk - Agreement with Superior Court

CAO ANALYST:

Ronald J. Alexander, Jr.