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SENATE JOINT RESOLUTION NO. 440

Senate Amendments in [] — February 6, 2001

Directing the Joint Commission on Behavioral Health Care, in conjunction with the Virginia State Crime Commission and the Virginia Commission on Youth, to study treatment options for offenders who have mental illness or substance abuse disorders.

Patrons Prior to Engrossment—Senators Houck, Chichester, Hanger, Howell, Lambert, Martin, Miller, K.G., Quayle, Rerras, Stolle and Wampler; Delegates: Albo, Callahan, Councill, Devolites, Dickinson, Hall, Rapp, Rust, Scott and Weatherholtz

Referred to Committee on Rules

WHEREAS, a national study by the National Gains Center titled "The Prevalence of Co-Occurring Mental and Substance Abuse Disorders in the Criminal Justice System" (1997) indicated that approximately seven percent of jail detainees suffer from acute and serious mental illness at booking and many others have less serious mental disorders that require treatment and mental health services; and

WHEREAS, approximately one-third of jail detainees meet diagnostic criteria for alcohol or other drug dependence but fewer than 15 percent of incarcerated adult offenders who admit their drug histories receive the treatment they need for their addictive disorders; and

WHEREAS, five percent of jail inmates have concurrent mental illness and substance abuse disorders; and

WHEREAS, in 1993, the Joint Legislative Audit and Review Commission (JLARC) found that the Department of Corrections had not "fully developed a system of comprehensive mental health care" (House Document 5, 1994) and, in 1994, JLARC found that the Department of Corrections needed to strengthen its oversight of health and safety conditions in local jails (Senate Document 17, 1995); and

WHEREAS, a 1994 study titled "Mental Health Needs of Youth in Virginia's Juvenile Detention Centers," reported that eight to 10 percent of youths in secure detention homes have serious mental health problems, which require immediate attention, and that adequate resources do not exist to address the needs of many of these youths; and

WHEREAS, appropriate treatment of mental illnesses and substance abuse disorders of inmates in local jails and juvenile detention centers would reduce disciplinary problems and recidivism, improve the inmate's chance of success upon release, and reduce costs for the taxpayers of Virginia; and

WHEREAS, successful treatment programs must include the specialized training of law-enforcement personnel to identify and address the unique needs of people with serious mental illness and substance abuse disorders, as well as coordination of all mental health and substance abuse treatment plans and social services, such as life skills training, housing, vocational training, education, job placement, health care, and relapse prevention; and

WHEREAS, identifying workable treatment options and funding alternatives for offenders with mental illness or substance abuse disorders and developing strategies to secure specialized training for law-enforcement personnel will require coordination among various state agencies with concurrent responsibilities in this area; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the Joint Commission on Behavioral Health Care, in conjunction with the Virginia State Crime Commission and the Virginia Commission on Youth, study treatment options for offenders who have mental illness or substance abuse disorders. In conducting the study, the Commission shall examine, but not be limited to examining: (i) the incidence of mental illness and substance abuse among offenders; (ii) the current system for delivering mental health and substance abuse services, including assessment, treatment, post-release, and follow-up; (iii) model treatment programs for offenders; (iv) the costs and benefits of private versus public treatment services; (v) the need for specialized training of local law enforcement and court personnel to identify and handle offenders with mental illness and substance abuse disorders; and (vi) funding, sources of funding, and legislation required to ensure adequate assessment and treatment services.

As it deems appropriate, the Joint Commission on Behavioral Health Care shall request the participation of state and local agencies and organizations who represent or whose responsibilities involve services to offenders with mental illness and substance abuse disorders.

The Joint Commission on Behavioral Health Care shall provide [~~periodic updates~~ an interim report] on the progress of its study to the Senate Finance and House Appropriations Committees. Staff support shall be provided by the Division of Legislative Services and the staffs of the Virginia State Crime Commission and the Virginia Commission on Youth.

All agencies of the Commonwealth shall provide assistance to the Joint Commission on Behavioral

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57 Health Care for this study, upon request. [The direct costs of the study shall not exceed \$20,000.00.]

58 The Joint Commission on Behavioral Health Care [and the Virginia State Crime Commission and
59 the Virginia Commission of Youth] shall complete [~~its~~ their] work in time to submit [~~its~~ their]
60 findings and recommendations [by October 20, 2001,] to the Governor and the 2002 Session of the
61 General Assembly as provided in the procedures of the Division of Legislative Automated Systems for
62 the processing of legislative documents.

63 [Implementation of this resolution is subject to subsequent approval and certification by the Joint
64 Rules Committee. The Committee may withhold expenditures or delay the period for the conduct of the
65 study.]