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**HOUSE JOINT RESOLUTION NO. 215**

Offered January 14, 2008

*Establishing a joint subcommittee to study mental health services in local and regional jails. Report.*

Patrons—Tyler, Barlow, Caputo, Dance and Ware, O.

Unanimous consent to introduce

Referred to Committee on Rules

WHEREAS, due to the process of deinstitutionalization, which has, over the past 30 years, decreased the number of available psychiatric beds in state hospitals; the shrinking availability of psychiatric beds in licensed hospitals; and the dearth of community-based services for persons with mental illness, many persons suffering from mental illness are unable to access necessary services and treatments; and

WHEREAS, persons suffering from mental illness are increasingly being committed to local and regional jails; and

WHEREAS, a recent report by the Joint Legislative Audit and Review Commission found that on any given day, more persons with mental illness are served in jails than in state or licensed hospitals, with 3,759 persons with mental illness served in local and regional jails, 1,493 persons with mental illness served in state hospitals, and 1,107 served in licensed hospitals; and

WHEREAS, a recent study conducted by the Department of Mental Health, Mental Retardation and Substance Abuse Services identified Virginia jails as reporting no mental health services available in their facilities; and

WHEREAS, many barriers limit the availability of mental health services to persons who are incarcerated in local and regional jails and who are suffering from mental illness; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That a joint subcommittee be established to study mental health services in local and regional jails. The joint subcommittee shall have a total membership of 15 members that shall consist of eight legislative members, four nonlegislative citizen members, and three ex officio members. Members shall be appointed as follows: five members of the House of Delegates to be appointed by the Speaker of the House of Delegates in accordance with the principles of proportional representation contained in the Rules of the House of Delegates; three members of the Senate to be appointed by the Senate Committee on Rules; two nonlegislative citizen members with experience in the field of mental health services or correctional services to be appointed by the Speaker of the House of Delegates; and ; two nonlegislative citizen members with experience in the field of mental health services or correctional services to be appointed by the Senate Committee on Rules. The Commissioner of the Department of Mental Health, Mental Retardation and Substance Abuse Services or his designee, the President of the Virginia Association of Regional Jails or his designee, and the President of the Virginia Sheriff's Association or his designee shall serve ex officio with voting privileges. Nonlegislative citizen members of the joint subcommittee shall be citizens of the Commonwealth of Virginia. Unless otherwise approved in writing by the chairman of the joint subcommittee and the respective clerk, nonlegislative citizen members shall only be reimbursed for travel originating and ending within the Commonwealth of Virginia for the purpose of attending meetings. If a companion joint resolution of the other chamber is agreed to, written authorization of both clerks shall be required. The joint subcommittee shall elect a chairman and vice chairman from among its membership, who shall be members of the General Assembly.

In conducting its study, the joint subcommittee shall determine the need for mental health services in the Commonwealth's local and regional jails, identify barriers to the provision of necessary services, and develop recommendations for actions to initiate or improve services to persons with mental illness incarcerated in the Commonwealth's local and regional jails.

Administrative staff support shall be provided by the Office of the Clerk of the House. Legal, research, policy analysis, and other services as requested by the joint subcommittee shall be provided by the Division of Legislative Services. Technical assistance shall be provided by the Department of Mental Health, Mental Retardation and Substance Abuse Services. All agencies of the Commonwealth shall provide assistance to the joint subcommittee for this study, upon request.

The joint subcommittee shall be limited to four meetings for the 2008 interim and four meetings for the 2009 interim, and the direct costs of this study shall not exceed \$9,600 for each year without approval as set out in this resolution. Approval for unbudgeted nonmember-related expenses shall require the written authorization of the chairman of the joint subcommittee and the respective Clerk. If a companion joint resolution of the other chamber is agreed to, written authorization of both Clerks shall

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59 be required.

60 No recommendation of the joint subcommittee shall be adopted if a majority of the House members  
61 or a majority of the Senate members appointed to the joint subcommittee (i) vote against the  
62 recommendation and (ii) vote for the recommendation to fail notwithstanding the majority vote of the  
63 joint subcommittee.

64 The joint subcommittee shall complete its meetings for the first year by November 30, 2008, and for  
65 the second year by November 30, 2009, and the chairman shall submit to the Division of Legislative  
66 Automated Systems an executive summary of its findings and recommendations no later than the first  
67 day of the next Regular Session of the General Assembly for each year. Each executive summary shall  
68 state whether the joint subcommittee intends to submit to the General Assembly and the Governor a  
69 report of its findings and recommendations for publication as a House or Senate document. The  
70 executive summaries and reports shall be submitted as provided in the procedures of the Division of  
71 Legislative Automated Systems for the processing of legislative documents and reports and shall be  
72 posted on the General Assembly's website.

73 Implementation of this resolution is subject to subsequent approval and certification by the Joint  
74 Rules Committee. The Committee may approve or disapprove expenditures for this study, extend or  
75 delay the period for the conduct of the study, or authorize additional meetings during the 2008 or 2009  
76 interim.

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