

HB06-1070 Bill Analysis

For the Health District of Northern Larimer County Board of Directors

February 15, 2006

Bill Title: Demonstration Programs for Juvenile Justice Mental Health Family Advocates

Summary: Creates six demonstration programs for juvenile justice mental health family advocates to be implemented and monitored by the Division of Mental Health with support from the Division of Criminal Justice.

Sponsors: House: Stafford, Jahn, and Solano
Senate: Windels and Kester

Committees: House Judiciary

History: Introduced in House 1-12-06. Assigned to Judiciary and Appropriations Committees. Referred unamended to Appropriations on 1-24-06.

Estimated Date of Next Action: Not found on legislative calendar.

Date of Analysis: 2-9-06

Prepared by: Janelle Spears

Priority: 1

Background

The bill was introduced by members of the Oversight Committee for the Continuing Examination of the Treatment of Persons with Mental Illness who are Involved in the Justice System. This committee developed a comprehensive task force of 29 members that met numerous times during 2004/2005 to investigate this issue.

The task force relied on numerous focus groups with families, advocacy groups, and professionals in the field as well as extensive research on best practices to develop a comprehensive framework for improving services for these youth. One legislative recommendation made for this first year resulted in this bill to create pilot programs to increase family advocacy.

The intent of this bill is to address the difficulties that families are having navigating an overwhelming system that has many complex and confusing expectations that are often not adequately explained. It is also intended to create a more family-centered approach. With these changes the juvenile justice system will be better able to respond to the unique needs of families whose youth have mental health and substance abuse issues.

This bill would authorize the funding for six demonstration programs to be implemented and monitored by the Department of Human Services Division of Mental Health. The Division of Mental Health after consultation with the Division of Criminal Justice will develop the request for proposals to design demonstration programs. The bill specifies that two of the demonstration programs will be from urban areas, two from rural areas and two from suburban areas. The Division of Criminal Justice will be responsible for writing the initial report in 2007 and the evaluation report for 2008. These programs will follow a family advocacy model that focuses on providing navigation, crisis response, integrated planning, and diversion from the juvenile justice system for youth involved or at risk to be involved in the juvenile justice system that have a mental illness or co-occurring disorder.

Why is this issue important?

This issue is important to the community because youth with mental illness and co-occurring disorders are disproportionately represented in the juvenile justice system. Approximately 24% of detained or committed youth have serious mental health or substance abuse issues. These rates among youth detained in the juvenile system are three to four times greater than for the general population.¹ The juvenile justice system is complicated and confusing. Families need more assistance to be able to understand and navigate this system.

These demonstration programs are intended to develop a more family centered, individualized, strengths based, culturally competent, and collaborative approach that better meets the needs of families and youth with mental illness and co-occurring disorders. This is in line with the mission of the Community Mental Health and Substance Abuse Partnership to make long-lasting systemic change in how we address the needs of those with mental illness or substance abuse problems.

Reasons to support bill:

- Colorado families and youth have difficulties navigating and understanding the juvenile justice and mental health systems.
- Family advocacy has been shown to help achieve a family-centered system that results in the best possible outcomes for youth and their families.²
- There are Victim Advocacy groups and Court Appointed Special Advocates (CASA) for dependency and neglect cases for children, but there is no such advocacy for youth with mental illness involved in the juvenile justice system.

Federation of Families for Children’s Mental Health helped to author this bill and was heavily involved in the task force that did the research and background work that lead to this bill. Federation of Families for Children’s Mental Health is a part of a coalition with advocacy organizations Family Voices Colorado, Empower Colorado, and Parent to Parent. All of these family advocacy organizations support this bill.

Reasons to oppose bill:

- These demonstration programs do not address *system* change of this fragmented system.
- There is not a strong evaluation component laid out for these demonstration programs to determine the programs’ effectiveness, therefore it may not be possible to know if the money was well spent.
- Because the money comes from the General Fund, it is uncertain if those funds are being taken away from programs for indigent care which is an important priority.

Mental Health Access Colorado (MHAC) may oppose this bill if money would be diverted from funding for indigent care programs.

Fiscal Note:

The fiscal note indicates that the Department of Human services should receive a General Fund appropriation of \$297,571 and the Department of Public Safety should receive a General Fund appropriation of \$26,949 for the 2006-07 fiscal year. For fiscal year 2007-08 the General Fund appropriation would be \$374,338 to Department of Human Services and \$21,247 to Department of Public Safety. It is written into this bill that the Division of Criminal Justice would only need to comply with the bill’s reporting requirements if sufficient funds are appropriated to implement this bill.

About this Analysis

This analysis was prepared by Health District of Northern Larimer County staff to assist the Health District Board of Directors in determining whether to take an official stand on various health-related issues. Analyses are based on bills or issues at the time of their consideration by the Board and are accurate to the best of staff knowledge. It is suggested that people check to see that a bill has not changed during the course of a legislative session by visiting the Colorado General Assembly web page at www.state.co.us/gov_dir/stateleg.html. To see whether the Health District Board of Directors took a position on this or other policy issues, please visit www.healthdistrict.org/policy.

About the Health District

The Health District is a special district of the northern two-thirds of Larimer County, Colorado, supported by local property tax dollars and governed by a publicly elected five-member board. The Health District provides medical, mental health, dental, preventive and health planning services to the communities it serves.

For more information about this analysis or the Health District, please contact Carrie Cortiglio at (970) 224-5209

¹ Moe, J., (2004). Persons with mental illness in the criminal justice system the challenge and colorado’s response. A Legislative Council Publication Issue Brief. 04-7

² Ingarciola, P., Lynn, J., Updike, B., (2005). A framework for system improvement on behalf of youth with mental illness and co-occurring disorders in the juvenile justice system. Consultants for Systems Integration.