



Incompetent to Stand Trial Solutions Workgroup

August 17, 2021

Members

Chair: **Stephanie Clendenin**, Director, California Department of State Hospitals (DSH)

Members:

- **Stephanie Welch**, Deputy Secretary of Behavioral Health, California Health and Human Services Agency
- **Nancy Bargmann**, Director, California Department of Developmental Services
- **Adam Dorsey**, Program Budget Manager, California Department of Finance
- **Brenda Grealish**, Executive Officer, Council on Criminal Justice and Behavioral Health, California Department of Corrections and Rehabilitation, Office of the Secretary
- **Tyler Sadwith**, Assistant Deputy Director, Behavioral Health, California Department of Health Care Services
- **Brandon Barnes**, Sheriff, Sutter County Sheriff's Office
- **John Keene**, Chief Probation Officer, San Mateo County & President-Elect, Chief Probation Officers of California
- **Stephanie Regular**, Assistant Public Defender, Contra Costa County Public Defender Office & Co-Chair of the Mental Health Committee of the California Public Defender Association
- **Veronica Kelley**, Director, San Bernardino County Department of Behavioral Health & Board President, California Behavioral Health Directors Association
- **Josh Gauger**, Legislative Representative, Administration of Justice, California State Association of Counties
- **Scarlet Hughes**, Executive Director, California Association of Public Administrators, Public Guardians and Public Conservators
- **Jessica Cruz**, Executive Director, National Alliance of Mental Illness – California
- **Pamila Lew**, Senior Attorney, Disability Rights California
- **Francine Byrne**, Judicial Council of California
- **Jonathan Raven**, Chief Deputy District Attorney, Yolo County



Ground Rules

- **Statute outlines the goals of this workgroup:**
 - Our charge is to generate actionable ideas and solutions to advance alternatives to placement in DSH restoration of competency programs, not to provide oversight.
 - We must submit recommendations to CHHS and the Department of Finance on or before November 30, 2021, for short-term, medium-term, and long-term solutions.
- **Process for Meetings:**
 - Keep the discussion moving forward toward solutions
 - This is not an oversight or voting group. Goal is to generate ideas and solutions.
 - Be brief and brilliant. Keep the discussion moving to allow for new ideas from all group members
 - Raise your hand on Zoom to indicate that you have a question or comment to share



Workgroup Structure

- Full 16 Member Workgroup will meet Monthly (twice in August, monthly thereafter through November).
 - One alternate for each member may be identified, as needed.
 - Alternates will attend as public members unless filling in for absence of the appointed member.
- Sub-Workgroups on specific topics will meet at least monthly through October.
- All meetings of the full work group and any sub-workgroups are subject to Bagley-Keene open meeting act requirements.



Public Comment

- Public Comment will be taken on any item on the agenda
- There are 3 ways to make comments:
 - Raise hand on zoom to speak – please keep comments to 2 min.
 - Type comment in chat function
 - Email comment to ISTSolutionsWorkgroup@dsh.ca.gov



Workgroup Goals:

- Meaningful, actionable, and sustainable solutions that:
 - Improve the lives of individuals with serious mental illness
 - Break the cycle of criminalization
 - Reduce the number of individuals found IST on felony charges (FIST)
 - Facilitate timely access to treatment in the appropriate setting for those who become FISTs
 - Advance alternatives to state hospitalization

Challenges and Solutions Discussion

- Objectives laid out in statute to brainstorm:
 - Reduce felony incompetent to stand trial (FIST) recidivism
 - Increase FIST treatment capacity
 - Increase FIST diversion
 - Reduce FIST length of stay
 - Reduce number of FISTs
 - Increase access to treatment before transfer to a restoration of competency program