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COUNTY OF SONOMA

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SEP 14 2004

August 27, 2004

The Honorable Allan Hardcastle
Presiding Judge, Sonoma County Superior Court
600 Administration Drive
Santa Rosa, CA 95403

GRAND JURY

Re: Required responses to the 2003-2004 Grand Jury Final Report

Dear Judge Hardcastle:

Pursuant to the California Penal Code sections 933 and 933.5, the County Administrator's response to the Grand Jury final Report on "Facing up to Changes in the Jails" included on pages 43 through 51 of the bound report, is attached.

Sincerely,

Mike Chrystal
County Administrator

c: Board of Supervisors
Court Executive Officer
County Clerk

Enclosure: Response to "Facing up to Changes in the Jail"

**COUNTY ADMINISTRATOR'S OFFICE
RESPONSE TO THE 2003-2004 GRAND JURY REPORT**

Facing Up To Changes in the Jails

RECOMMENDATION, Page 50 (R3)

A review should be undertaken to analyze the costs of long-term care of the mentally ill in the community, compared to the expense of housing and treating them in the jails for the short-term. The review should include a cost/benefit analysis of re-opening community treatment programs for the mentally ill where their interests, and the interest of society, can be better served, and whether programs such as F.A.C.T. should be re-established.

RESPONSE:

The recommendation has already been implemented.

An outcome analysis and a limited cost benefit analysis of the FACT Program, as an example of one community treatment program, have been completed. Though the outcome data reflected the positive impact on clients, the limitations with available cost data did not allow the drawing of firm conclusions related to cost savings generated by the FACT Program. However, cost data combined with subjective information indicates a cost shift from the criminal justice system to the mental health system, rather than an outright cost savings.

Continuation of the State-grant funded FACT program with county resources would have resulted in a substantial county investment with a limited number of beneficiaries as compared with investments in other mental health programs. The departments involved in the FACT program indicated that, given the loss of state grant funding, a higher priority should be given to maintaining other existing law enforcement, detention and mental health services over continuation of the FACT program, which would require cutting baseline programs and shifting local funds to the state-funded grant program. The shift of county funding from other mental health or law enforcement programs could negatively affect public safety and mental health services for others.

There are a couple of opportunities that the county has identified to address this specific population. In March 2004, the Board of Supervisors directed the County Administrator to work with the Jail Oversight Committee (JOC) to explore options to safely reduce jail population in light of the termination of the FACT program and the apparent increase in overall jail population. The Treatment and Alternative Programs Sub-Committee of the JOC made several recommendations for options to reduce jail population. The County Administrator recommended to the Board of Supervisors three of the highest priority options, one of which addresses the mentally ill population. The Board of Supervisors approved \$372,000 in funding during the budget hearings for these three options in spite of an extremely strained budget.

In addition, there is a Mental Health initiative on the November ballot that might provide additional funding for local mental health services. If the Mental Health initiative should pass, and a FACT-type program is allowable under the legislation, the Health Services Department has indicated that a program similar to FACT would be a high priority for them. In response to the recommendation to re-open community treatment programs, the respondent is not aware of any community treatment programs that have been shut down by the County, though Regional Programs have been restructured and service levels reduced. Passage of the Mental Health initiative may provide resources to expand services to previous levels, though it may do so at a cost to other programs.

As a final note and as indicated in the recommendation, sentencing practices by the State Superior Courts must consider broader societal interests beyond cost/benefit analysis, including public safety. Sentencing practices must take into account the extent and nature of the criminal activity committed by the persons with mental illness in determining whether any type of community treatment in place of incarceration is appropriate.

The County Administrator respectfully submits that the scope of analysis required to fully address the Grand Jury's recommendation is beyond the ability of this department's current level of resources.