

MEMORANDUM

Agenda Item No. 11(A)(8)

TO: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

DATE: September 15, 2009

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Resolution urging passage
of the Community Mental
Health & Substance Abuse
Treatment & Crime
Reduction Act

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Natacha Seijas.



R. A. Cuevas, Jr.
County Attorney

RAC/jls



MEMORANDUM
(Revised)

TO: Honorable Chairman Dennis C. Moss **DATE:** September 15, 2009
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FROM: R. A. Cuevas, Jr. **SUBJECT:** Agenda Item No. 11(A)(8)
County Attorney

Please note any items checked.

- "3-Day Rule" for committees applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous ____) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(8)
9-15-09

RESOLUTION NO. _____

RESOLUTION URGING PASSAGE OF THE COMMUNITY
MENTAL HEALTH & SUBSTANCE ABUSE TREATMENT &
CRIME REDUCTION ACT

WHEREAS, the cost to provide mental health services in Florida's prisons and forensic treatment facilities currently exceeds a half billion dollars annually; and

WHEREAS, based on recent rates of growth, state expenditures are projected to increase by as much as a billion dollars per year over the next decade; and

WHEREAS, on any given day in Florida, there are more than 17,000 prison inmates, 15,000 local jail detainees and 40,000 individuals under correctional supervision in the community who experience mental illnesses; and

WHEREAS, each year, roughly 125,000 people experiencing acute mental illnesses are booked into Florida jails; and

WHEREAS, Florida currently spends more than \$200 million annually on 1,700 beds serving roughly 3,000 individuals under forensic commitment, which accounts for one-third of all adult mental health dollars and two-thirds of all state mental health hospital dollars; and

WHEREAS, Florida currently admits about 1,500 people per year to state hospitals under forensic commitment; and

WHEREAS, if nothing changes, the number of commitments is projected to exceed 3,000 admissions per year in the next decade, at a cost of more than a half billion dollars annually; and

WHEREAS, a recent evaluation by researchers at the Harvard Medical School found that two-thirds of prisoners with mental illnesses in local jails and state and federal prisons across the U.S. were not taking medication at the time of arrest; and

WHEREAS, between 1996 and 2007, the average annual rate of growth among Florida prison inmates with mental illnesses was more than two and a half times that of the general prison population; and

WHEREAS, the number of state prison beds serving inmates with mental illnesses is projected to more than double in the next decade from 17,000 to over 35,000, an increase of nearly 1,900 beds each year, at a cost of over \$3.6 billion just for new beds and services; and

WHEREAS, the Community Mental Health & Substance Abuse Treatment & Crime Reduction Act is targeted at addressing these issues; and

WHEREAS, key elements of the Community Mental Health & Substance Abuse Treatment & Crime Reduction Act include:

- Creation of a comprehensive continuum of specialized home and community-based services designed to address the needs of people with histories of incarceration, homelessness, trauma, and addiction.
- Implementation of strategies that improve access to federal entitlement benefits such as Social Security and Medicaid to help offset treatment costs that are currently funded entirely by state tax dollars.
- Amendment to the Medicaid state plan that will create mechanisms to control growth by capping enrollment under the proposed legislation and limiting initial implementation to areas of the state where larger numbers of people involved in the prison and forensic mental health systems reside.
- Creation of performance standards and accountability measures for providers and communities.
- Implementation and outcomes will be monitored by a statewide leadership group created within the existing Florida Mental Health and Substance Abuse Corporation Policy Council; and

WHEREAS, passage of the Community Mental Health & Substance Abuse Treatment & Crime Reduction Act would close the revolving door of recidivism, devastation of our families and communities, the breakdown of our criminal justice system, and wasteful spending; and

WHEREAS, passage of the Community Mental Health & Substance Abuse Treatment & Crime Reduction Act also would decrease crime, improve public safety, improve public health, decrease injuries to law enforcement officers and people with mental illnesses, decrease demand for costly acute care services in jails, prisons, forensic mental health treatment facilities, emergency rooms, and other crisis settings and decrease rates of chronic homelessness,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board:

Section 1. Urging the passage of the Community Mental Health & Substance Abuse Treatment & Crime Reduction Act or similar legislation that would create a safe, effective and cost efficient system of care for people with severe and persistent mental illnesses who are involved in or at risk of becoming involved in the criminal justice system.

Section 2. Directs the Clerk of the Board to transmit a certified copy of this resolution to the Governor, Senate President, House Speaker, and the Chair and Members of the Miami-Dade County State Legislative Delegation.

Section 3. Directs the County's state lobbyists to advocate for the passage of legislation as set forth in Section 1 above, and authorizes and directs that the 2010 State Legislative Package be amended to include this item.

The Prime Sponsor of the foregoing resolution is Commissioner Natacha Seijas. It was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

- | | |
|----------------------|---------------------------------|
| | Dennis C. Moss, Chairman |
| | Jose "Pepe" Diaz, Vice-Chairman |
| Bruno A. Barreiro | Audrey M. Edmonson |
| Carlos A. Gimenez | Sally A. Heyman |
| Barbara J. Jordan | Joe A. Martinez |
| Dorrin D. Rolle | Natacha Seijas |
| Katy Sorenson | Rebeca Sosa |
| Sen. Javier D. Souto | |

The Chairperson thereupon declared the resolution duly passed and adopted this 15th day of September, 2009. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.



Jess M. McCarty