



# The Arlington Community Services Board

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**James Mack**  
ACCSB Chair

**Beth Tschopp**  
Executive Director

**June 17, 2015**  
**DHS Stambaugh Building Auditorium**  
**2100 Washington Blvd.**  
**Arlington, Virginia**  
**6:00 p.m. - Annual CSB Awards Ceremony**  
**7:00 pm – Full Board Meeting**

**Present:** Anne Hermann, Judy Deane, Linda Kelleher, Barbara Jones, James Mack, Asha Patton-Smith, Scott Brannon, Brian Berke, Shauna Alonge, Keith Whyte, Erica Jackson, Jarrod Nagurka

**Excused:** Lee Long, David Kidwell, Carol Skelly, Wayne Bert, David Gardner, Joanne Del Toro

**Staff:** Beth Tschopp, Farah Shakour, Joe Bullock, Alan Orenstein, Leslie Weisman

### **Public Comment(s)**

Ernie Speaker, Project Manager for the Northern Virginia Serving Together Organization introduced himself. He stated that the Serving Together Organization works with Veterans and their families to connect them to local resources and benefits. He noted that the organization is beginning to expand beyond Maryland into Northern Virginia.

Chair Mack asked Mr. Speaker if could send additional information to the members. Mr. Speaker responded that he will send additional information to the members.

### **Approval of the May 20, 2015 ACCSB Meeting Minutes**

Chair Mack called for a motion to approve the May 20, 2015 ACCSB Full Board meeting minutes. Ms. Hermann motioned to approve the minutes, Ms. Jackson seconded the motion, and the minutes were approved with two corrections.

### **Staff Recognition: CSB Annual Awards Ceremony**

The CSB Annual Awards Ceremony was held just prior to the beginning of the regularly scheduled CSB full board meeting. The CSB Annual Award recipients were as follows:

- Ken Evans, Mental Health Therapist, Behavioral Healthcare Division (BHD): Staff Recognition Award for Distinguished Service
- Nancie Connolly, Supervisor, Substance Abuse Case Management, BHD: Lifetime Achievement Award
- Marilyn Pasley, Supervisor, Emergency Services, BHD: Lifetime Achievement Award
- Tony Muccio, Mental Health Therapist, BHD: Staff Recognition Award for Exemplary Clinical Service
- Ana Barnett, Fernando Penaherrera and LeDell Miller, Substance Abuse Out-Patient North Team, BHD: Team Award
- Allison Kovachik, Administrative Technician, Electronic Health Records System, BHD: Staff Recognition Award for Exemplary Professional Administrative Support

- Leslie Weisman, Bureau Chief, Client Services Entry, BHD: Community Engagement Award for Crisis Intervention Team
- Captain Brian Berke, Arlington County Police Department (ACPD): Community Engagement Award for Crisis Intervention Team
- Hans Fogleman, community support of Clarendon House: Community Partner Award (nominated by Judy Deane and Anne Hermann)
- Steve and Cindy Fogleman, community support of Clarendon House: Community Partner Award (nominated by Judy Deane and Anne Hermann)
- Bayou Bakery: David Guas (Owner), Kyle Pool and Zach Gill, , community support of the Program of Assertive Community Treatment (PACT): Community Partner Award
- Life Members Council, Lomax African Methodist Episcopal Zion Church, community support of the PACT Program

**Presentation: Mental Health Docket**

Chair Mack introduced Matt Foley, Chief Public Defender, Office of the Public Defender for Arlington County and the City of Falls Church, and Leslie Weisman, Department of Human Services (DHS), Emergency Services Bureau Chief.

Ms. Weisman stated that a Mental Health Docket Exploratory Committee has been established to discuss bringing a Mental Health Docket Program to Arlington County. She stated that the Committee is composed of various persons in the Arlington County Criminal Justice System and the Mental Health Team. She noted that the group will meet on a monthly basis and has visited several Mental Health Dockets in other jurisdictions to observe their processes. Ms. Weisman turned the floor over to Mr. Foley.

Mr. Foley stated that Arlington County does not currently have a Mental Health Docket Program. He noted that his presentation is based on Richmond Virginia’s Mental Health Docket Program. He noted that Arlington County has three court entities; General District Court, Juvenile Domestic Relations Court and a Circuit Court.

Mr. Foley explained the difference between a court and a docket. He stated that Mental Health dockets are informal dockets presided over by Judges but not funded or otherwise sanctioned by the State and therefore, cannot be called a court.

Mr. Foley distributed Richmond’s General District Court Mental Health Pretrial Docket process (*Refer to Handout*). Mr. Foley stated that individuals that go before the Mental Health Pretrial Docket have only committed minor offenses, not serious felony offenses. He stated that after an individual is arrested, they go before the Magistrate. He further stated that the individual can then either post bond and be released prior to arraignment or, if the individual is unable to post bond, remain in jail and complete a Mental Health Screening by a Discharge Assistance Planner prior to arraignment.

Mr. Foley explained the difference in the process for an individual that posted bond and was released prior to arraignment versus the process for an individual that was unable to post bond, remained in jail and participated in a Mental Health Screening by a Discharge Assistance Planner prior to arraignment.

**Process for Individuals that post bond and are released prior to arraignment**

- Attend an Arraignment
- Attend a Mental Health Pretrial Docket
- Complete a Mental Health Assessment by Richmond Behavioral Health Authority (RBHA) and a Risk Determination by a Discharge Assistance Planner

If the individual is diagnosed with a Mental Health disorder, a bond review will be heard by the court. A determination will be made as to whether the individual will be released pretrial under the supervision of a Discharge Assistance Planner or if the individual will be incarcerated or sent to Central State Hospital.

If the individual is released pretrial under the supervision of a Discharge Assistance Planner and pleads guilty, they will attend a Mental Health Disposition. During the Disposition, the Court will determine one of the following outcomes:

- Participation in a Mental Health Program
- Time or conviction may be suspended
- Dismissal of charges
- Referral to a Community Mental Health Treatment Provider

If the individual is released pretrial under the supervision of a Discharge Assistance Planner and pleads not guilty, the individual will participate in a trial. During the trial, the Court will determine one of the following outcomes:

- A conviction that will lead directly to a disposition

Or

- A conviction where an assessment will be ordered to determine eligibility for a Mental Health Program prior to disposition

Or:

- An acquittal

Mr. Foley noted that this same process applies to individuals that are incarcerated or sent to Central State Hospital after the Bond Review is heard by the Court.

Process for individuals that are unable to post bond, remain in jail and complete a Mental Health Screening by a Discharge Assistance Planner

- Attend an Arraignment
- If there is no diagnosis of a Mental Health disorder, the individual is not a resident or is not willing to participate in a Mental Health Assessment by RBHA, the case will be scheduled on the Criminal Docket
- The individual will plead not guilty and go to trial

During the trial the Court will determine one of the following outcomes:

- A conviction that will lead directly to a disposition

Or

- A conviction where an assessment will be ordered to determine eligibility for a Mental Health Program prior to disposition

Or:

- An acquittal

Ms. Jackson asked Mr. Foley a.) to elaborate on the support of the Commonwealth's Attorney and b.) is there data available on the rate of recidivism in jurisdictions that have a Mental Health Docket in place. Ms. Weisman responded that a.) several of Arlington's prosecutors have indicated support of a Mental Health Docket and b.) data has been collected nationally on the rate of recidivism. Mr. Foley added that the Commonwealth Attorney's Office is responsible for community safety and accountability.

Mr. Nagurka asked a.) For further clarification on the difference between a docket and a court and b.) If making the program a court instead of a docket is a priority that Arlington County is embracing in collaboration with Fairfax Falls Church to persuade the General Assembly Delegation to move forward with

the program. Mr. Foley responded that a “Court” is authorized by the legislature and judges must abide by the rules set forth in the statute, whereas a “Problem Solving Docket” is not officially sanctioned and merely reflects the manner in which a judge may manage the way in which it processes cases. He further noted that he is not actively advocating for State authorization.

Ms. Deane asked if the CSB is organized appropriately to implement a Mental Health Court. Ms. Weisman responded that multiple response teams are already available 24 hours per day/7 days per week to provide services that are needed.

Mr. Mack asked how far away Arlington County is from implementing a pilot Mental Health Court. Mr. Foley responded that champions, such as judges, are needed to commit to implementing a Mental Health Court, making an implementation date difficult to determine at this point.

Ms. Alonge asked what plan is in place to ensure that an individual takes their medication. Mr. Foley responded that individuals that are on the Mental Health Docket are referred to treatment providers who ensure that the individual is cooperating with services. He noted that individuals can have sanctions imposed upon them if they are not taking their medications.

Mr. Mack asked how the CSB can assist in advocating for a Mental Health Court. Ms. Weisman responded that the CSB, if interested, could begin to have conversations about a Mental Health Court when appropriate.

Mr. Whyte stated that it would be helpful to receive a report on the statistics and number of individuals with Serious Mental Illness (SMI) in the community. Ms. Weisman responded that a report already exists and is run on a regular basis. She will provide a report to the members at the July 22, 2015 CSB full board meeting.

Mr. Foley thanked the CSB for inviting him to present about the possibility of implementing a pilot Mental Health Docket.

#### **Discussion: CSB Meeting Protocol**

Ms. Tschopp reminded the members that open meeting requirements must be met when three or more advisory group members get together, formally or informally, in person or electronically and public business is discussed or transacted. The public must be given three days prior notice of any such meeting.

#### **Discussion: CSB FY 2016 Legislative Priorities**

Chair Mack provided an overview of the CSB FY16 preliminary local budget requests. The CSB FY16 preliminary budget requests include:

- Medicaid Expansion (VACSB requesting)
- Increased waiver slots for individuals with an Intellectual and/or Development Disability (ID/DD)
- Increased Cost of Living Differential for Northern Virginia for ID/DD (15 - 30%)
- Increased DAP funding to move individuals off the Extraordinary Barriers List (EBL)

#### **ACCSB Executive Director’s Report**

- ✓ Ms. Tschopp presented a report on the group homes for May (*Refer to Handout*). She stated that 8 incidents were reported in May. She noted that there were 3 major incidents reported; all hospitalizations.
- ✓ Ms. Tschopp reported out about the Extraordinary Barriers List (EBL). She stated that 5 individuals in Arlington are currently on the EBL.
- ✓ Ms. Tschopp reported that CSB programs are meeting their financial target for this year.

## ACCSB Chair's Report

- ✓ Chair Mack reported that he testified before the County Board on June 13, 2015 in favor of the Arlington County Housing Framework and Implementation Master Plan. Ms. Kelleher thanked Mr. Mack for testifying.

## Report Out on ACCSB Retreat Initiatives

- Ms. Hermann reported out about the Mary Marshall Assisted Living Residence (MMALR).
  - The residence is at full census with two individuals on the waiting list
  - The MMALR Director is planning to be trained in Mental Health First Aide. Mental Health First Aide is an in-person training that teaches the lay person to assist individuals developing a mental illness or who are in crisis.
  - MMALR was featured in the Volunteers of America (VOA) Giving Spirit catalog
  - The Fenwick Foundation has chosen MMALR for one of its pilot dental program facilities. The Fenwick Foundation provides social, entertainment and educational opportunities for limited income individuals living at nursing facilities, other senior facilities, VA Medical Centers/hospitals, facilities serving individuals with a physical and mental disability , individuals that are physically ill or convalescing (and caregivers) and/or disadvantaged citizens.

MMALR is currently involved in a pre-pilot dental program. The pilot program will not take the place of other dental services that the County may provide. The pilot program is supported by and receives partial funding from the Arlington Community Foundation. Ms. Hermann asked the members to contact her if they know of a dentist who may want to participate in the program.

- Ms. Hermann provided a brief update about the Mary Marshall Assisted Living Residence (MMALR) wish list.
- Ms. Hermann reported that the Group Homes Work Group is discussing holding a meeting over the summer.
- Ms. Deane reported that the Young Adults Committee has not scheduled any meetings for the summer months. She noted that the Committees main priority will be to focus on First Episode Psychosis.
- Ms. Deane reported that the PACT Team and Clarendon House picnic was very successful. She noted that approximately 70 people were in attendance. The picnic was held on June 10, 2015 at the Barcroft Park and Recreation Center. Just Chefs in Roslyn provided the food.

## Adjournment

The Arlington County Community Services Full Board meeting was adjourned by Chair Mack at 8:45 p.m.

Respectfully submitted by Kelly Mauller