

CONFERENCE OF CHIEF JUSTICES

Resolution 7

In Support of Federal Funding to Plan and Implement Programs Focused on Offenders with Mental Illness or Co-Occurring Mental Illness and Substance Abuse Disorders

WHEREAS, the Conference of Chief Justices recognizes that the disproportionate number of people with mental illness in the criminal justice system is one of the most pressing problems facing law enforcement, courts, and corrections; and

WHEREAS, a collaborative and coordinated effort among the courts, executive agencies, communities, and mental health and substance abuse providers is required to effectively address the problems; and

WHEREAS, the Mentally Ill Offender Treatment and Crime Reduction Act (MIOTCRA) of 2004 (Public Law 108-414) seeks to address these problems by creating a system of planning and implementation grants for communities to improve coordination between criminal justice and mental health systems; and

WHEREAS, MIOTCRA established a grant program to create or expand: (1) mental health courts or other court-based programs; (2) programs that offer specialized training for identifying the symptoms of mental illness; (3) programs that support cooperative efforts by criminal, juvenile justice, and mental health agencies to promote public safety by offering mental health and substance abuse treatment services; and (4) programs that support intergovernmental cooperation between state and local governments with respect to mentally ill offenders; and

WHEREAS, the authorization for MIOTCRA expires at the end of FY 2013; and

WHEREAS, the Justice and Mental Health Collaboration Act will be introduced to reauthorize MIOTCRA and include enhancements based on the experience of the states, including the following provisions:

- Clarification that MIOTCRA funds can be used for veterans treatment courts;
- Requirement that Department of Justice prioritize awarding grants to applicants who use evidence-based interventions and risk assessment tools; and
- Clarification of the eligibility requirements for offenders to participate in the program;

NOW, THEREFORE, BE IT RESOLVED that the Conference of Chief Justices urges Congress to reauthorize the Mentally Ill Offender Treatment and Crime Reduction Act to provide resources to assist states in dealing with mentally ill offenders and to incorporate the above enhancements; and

BE IT FURTHER RESOLVED that the Conference of Chief Justices requests that Congress require that the Department of Justice meaningfully consult with the highest judicial officer of the state on the use and distribution of these funds within the state and require the Department of Justice, contemplating awarding a grant to a local court, to secure a statement of support for the proposed project from the highest judicial officer or state court administrator to ensure that the proposed project is consistent with the statewide plan and will be sustainable when the federal funds are no longer available.

Adopted as proposed by the CCJ/COSCA Problem-Solving Courts Committee at the 2013 Conference of Chief Justices Midyear Meeting on January 30, 2013.