

AGENDA COVER MEMO

W8C3  
04-8-25-4

Agenda Date: August 25, 2004

To: Board of County Commissioners

Department: Health & Human Services

Presented By: Rob Rockstroh



Agenda Title: ORDER / IN THE MATTER OF DELEGATING AUTHORITY TO THE COUNTY ADMINISTRATOR TO SIGN A MEMORANDUM OF AGREEMENT WITH THE CITY OF EUGENE TO ESTABLISH THE MENTAL HEALTH COURT

**I. MOTION**

ORDER / in the Matter of Delegating Authority to the County Administrator to Sign a Memorandum of Agreement with the City of Eugene to Establish the Mental Health Court.

**II. ISSUE OR PROBLEM**

The U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, approved the grant application for funding the FY 2003-2005 Mental Health Court in the amount of \$149,999. The Lane County Board of County Commissioners approved the application for these grant funds through Board Order No. 02-8-28-8 and accepted the funds through Board Order No. 03-6-11-2. Due to a decision by the Lane County District Attorney not to prosecute some 2000 non-violent misdemeanors including criminal mischief, harassment, trespass and disorderly conduct because of budget cuts and due to the District Attorney allowing only these types of crimes to be considered suitable for diversion to Mental Health Court, there has been an insufficient number of referrals to meet the obligation of the grant. Lane County and the City of Eugene would like to enter into an agreement whereby mental health services would be offered to clients of the City of Eugene Municipal Court through the Mental Health Court.

**III. DISCUSSION**

A. Background

The purpose of this grant is to fund a Mental Health Court demonstration project that implements collaborative efforts to bring improvements in the way offenders with mental disabilities or illnesses are addressed. Through this grant program, the goal is to decrease the offender's frequency of contact with the criminal justice system by improving his or her social functioning through mental health treatment, stable employment, housing, and support services.

This grant supports the development and establishment of a Mental Health Court to serve 35 offenders with mental health problems per grant year for a total of 70 offenders. The Mental Health Court has been operating since October 1, 2003. Lane County requested and was granted by the Office of Justice Programs an extension of the end date of this grant from February 28, 2005 to September 30, 2005.

During the first three quarters of the grant, October 1, 2003 through June 30, 2004, the following occurred:

- 17 offenders were recommended by the Jail to the Mental Health Court
- 7 were accepted by the District Attorney
- 4 were enrolled in the program
- 2 have been undergoing treatment
- 2 are in State hospitals
- 2 are awaiting trial

In March of 2004, Lane County and Eugene Municipal Court began conversations about establishing the Mental Health Court for the City of Eugene. Two meetings occurred in June to develop an agreement. The initial concept was to reassign suitable cases from Municipal Court to Circuit Court to utilize the established Mental Health Court. However, this was not acceptable to the District Attorney due to budgetary constraints. Eugene Municipal Court decided to thus adopt the program in its entirety as is currently done with the co-occurring disorders diversion program. The process will be similar to that involving Circuit Court, but clients will be required to report to the Municipal Court for six months rather than one year. The City of Eugene has modified their court docket system to provide the six-month judicial reporting which is a key to successful Mental Health Court.

#### B. Analysis

At the current rate of intakes and referrals to the Mental Health Court, Lane County will not meet the obligations of the grant to provide mental health services to 70 offenders. A priority of the Mental Health and Addictions Implementation Plan 2005-2007 is to integrate mental health services with the criminal justice system. The Mental Health Court helps achieve that integration.

Numerous phone calls and letters and contact by Judge Cynthia Carlson to the Springfield Municipal Court did not yield any contact or interest in pursuing this Mental Health Court for Springfield offenders.

#### B. Alternatives / Options

1. To delegate authority to the County Administrator to sign a Memorandum of Agreement with the City of Eugene to provide Mental Health Court services.
2. Do not delegate authority to the County Administrator to sign a Memorandum of Agreement with the City of Eugene to provide Mental Health Court

services. If Lane County does not enter into this agreement and these services are not offered to offenders in the Eugene Municipal Court, it is highly unlikely that Lane County will meet the obligation of this grant. This could affect Lane County's ability to be awarded future grants from the Department of Justice, Office of Justice Program.

C. Recommendation

To approve item one above. Mental Health Courts are being recognized nationwide as promising approaches to integrating the criminal justice and mental health systems.

D. Timing

Funding for this program has been available since October 2003. Therefore, actions to implement the Mental Health Court in Municipal Court have already begun and will be finalized upon Board action.

**IV. IMPLEMENTATION**

Upon approval by the Board, the Memorandum of Agreement will be forwarded to the County Administrator for signature .

**V. ATTACHMENTS**

Board Order  
Grant Award Signature Page

Marcia \ Board Order 03-05 \ Mental Health Court Memorandum

**THE BOARD OF COUNTY COMMISSIONERS, LANE COUNTY, OREGON**

**ORDER:            ) IN THE MATTER OF DELEGATING AUTHORITY TO THE  
                      ) COUNTY ADMINISTRATOR TO SIGN A MEMORANDUM OF  
                      ) AGREEMENT WITH THE CITY OF EUGENE TO ESTABLISH THE  
                      ) MENTAL HEALTH COURT**

WHEREAS, Lane County regards community safety as a high priority; and

WHEREAS, the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, has awarded Lane County a grant in the amount of \$149,999 for FY 2003-2005 for the operation of a Mental Health Court; and

WHEREAS, the Board of Commissioners accepted the grant through Board Order No. 03-6-11-2; and

WHEREAS, Insufficient numbers of offenders with mental health disorders are being referred to the Mental Health Court; and

WHEREAS, The City of Eugene desires a contract with Lane County to establish a Mental Health Court in their Municipal Court.

NOW, THEREFORE, IT IS HEREBY ORDERED that County Administrator be delegated the authority to sign a Memorandum of Agreement with the City of Eugene to establish the Mental Health Court.

DATED this \_\_\_\_\_ day of August 2004.

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Bobby Green, Sr., Chair  
Lane County Board of Commissioners