



County of Orange  
C a l i f o r n i a

**James D. Ruth**  
Interim  
County Executive Officer

May 19, 2003

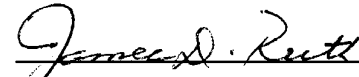
Honorable Frederick P. Horn  
Presiding Judge of the Superior Court of California  
700 Civic Center Drive West  
Santa Ana, CA 92702

Subject: Response to Orange County Grand Jury Report, "Drug and  
Mental Health Court Support"

Dear Judge Horn:

Per your request, and in accordance with Penal Code 993, enclosed please find the County of Orange response to the subject report as approved by the Board of Supervisors. If you have any questions, please contact Frank Kim at the County Executive Office who will either assist you or direct you to the appropriate individual.

Respectfully,

  
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James D. Ruth, Interim County Executive Officer

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# **2002-2003 Orange County Grand Jury Report Drug and Mental Health Court Support for the Criminal Offender**

## **FINDINGS**

The Orange County Grand Jury requested responses to Findings 1-6.

- 1. The support provided by Orange County departments and agencies contributes to the success of the Drug and Dual Diagnosis Programs. There is also a plan for a Mental Health Court Program that will require additional support.**

**Response: Disagree partially with the finding.**

The County agrees that support provided by Orange County departments and agencies contributes to the success of the Drug and Dual Diagnosis Programs.

The County is not able to categorically state that there is a plan for a Mental Health Court Program. A grant application was previously submitted by the court to obtain funding for this program. However, the grant was not received and we are not aware of a current plan for the court.

- 2. The funding reductions by the County for the support of the Orange County Specialty Courts during this period of budget reductions and increasing caseloads, will jeopardize their success.**

**Response: Agree with the finding.**

The Health Care Agency has no plans to reduce its support for drug or dual diagnosis courts at the present time. However, reductions in any of the funding sources for these programs could have an impact on their success.

- 3. A need exists to support Mental Health cases involving adults with mental health conditions within the Criminal Justice System.**

**Response: Agree with the finding.**

- 4. An Operational Agreement between County and Court does not exist for the planned Mental Health Court.**

**Response: Agree with the finding.**

- 5. Available residential treatment care facilities (beds) to accommodate the Drug Court and Mental Health Court Operations are in short supply.**

**Response: Agree with the finding.**

The Health Care Agency faces unique circumstances in finding residential placement opportunities for its clients in various programs.

While there is not currently a waiting list for client placement, in general there is a limited supply of beds for Proposition 36 clients. The number of individuals who can be placed into these residential programs is limited by available funding.

Adult Mental Health Services does face a shortage of beds in the area of board and care homes for the mentally ill. Funding for these beds is dependent on the clients' eligibility for SSI benefits. The shortage of board and care home beds is due in part to a shortage of individuals interested in operating such programs.

- 6. A Chief of Operations within Behavioral Health Services is a critical need for coordinating Mental Health support throughout the Orange County Court system.**

**Response: Agree with the finding.**

The Behavioral Health Services Chief of Operations position was filled March 31, 2003.

## **RECOMMENDATIONS**

The Orange County Grand Jury requested responses to Recommendations 1-6.

- 1. Development of a public information plan to emphasize the importance and the success of the Orange County Specialty Courts and support to the public to obtain broader community awareness. (Finding 1)**

**Response: The recommendation will not be implemented because it is not reasonable.**

The County is supportive of a plan to increase awareness and success of the Specialty Courts. However, the implementation of any such plan should be under the direction of the Courts.

2. **Consider placing a higher priority on the allocation of Orange County funds to maintain the support for the Specialty Courts. (Finding 2)**

**Response:** The recommendation will not be implemented because it is not reasonable.

There is presently a severe strain on the finances of the County in all program areas due to the slow economy and state fiscal crisis. County funding will be prioritized based on mandated functions of each department. The County recognizes the importance of the Specialty Courts and will provide support to the level of available funding.

3. **Consider taking immediate action to allocate County funding to include support for a program for adults with mental health conditions within the Criminal Justice System. (Finding 3)**

**Response:** The recommendation will not be implemented because it is not reasonable.

There is presently a severe strain on the finances of county health programs due to the state fiscal crisis. It is anticipated that health care programs will be significantly reduced in FY 03-04. While additional resources for new programs are unlikely, the County will continue to support the existing Dual Diagnosis Court for probationers who are diagnosed with co-occurring disorders.

4. **Prepare an Operational Agreement or its equivalent, for the planned Mental Health Court to establish the basis for needed department or agency support. (Finding 4)**

**Response:** The recommendation will not be implemented because it is not warranted.

Until such time as a definite plan is established for a Mental Health Court, it would be premature to enter into an Operational Agreement.

5. **Develop a detailed plan to overcome the shortage of available 'beds' needed to accommodate and to provide treatment for the present and planned Specialty Court defendants. (Finding 5)**

**Response:** The recommendation will not be implemented because it is not reasonable.

The development of additional residential treatment beds for Alcohol and Drug Abuse Services clients is largely dependent on the availability of funding for such programs. Without a change in Federal law, the Health Care Agency is required to use non-profit providers for such federally funded programs, and the supply of beds in non-profit facilities is limited. The availability of another funding source might make it possible to use private, for profit facilities, which would increase the availability of beds.

Funding for board and care beds for the mentally ill is largely dependent on the eligibility of the client for SSI benefits. HCA Behavioral Health Services works on an on-going basis to expand the availability of board and care homes.

**6. Consider filling the vacant position of Chief of Operations in the Behavioral Health Services. (Finding 6)**

**Response: The recommendation has been implemented.**

The Behavioral Health Services Chief of Operations position was filled March 31, 2003.