



**Middlesex County Restoration Center
Tuesday, September 22, 2020
3 – 5 pm
Zoom**

MINUTES

Attendees: Sheriff Peter J. Koutoujian, co-chair; Danna Mauch, Massachusetts Association for Mental Health, co-chair; Senator Cindy Friedman; Representative Kenneth Gordon; Judge Minehan; Nancy Connolly, Department of Mental Health; Deirdre Calvert, Bureau of Substance Addiction Services; Lydia Conley, Association for Behavioral Health; Eliza Williamson, National Alliance on Mental Illness (NAMI) Massachusetts; Robert Bongiorno, Chief of Bedford Police Department; Marisa Hebble, Ma Trial Court; Dave Swanson, MA Senate; Cody Case, MA General Court; Catia Sharp, MSO; June Binney, member of the public; Richard Sheola, member of the public.

10:00 AM: WELCOME AND INTRODUCTION

Sheriff Koutoujian called the meeting to order.

10:05 AM: LEGISLATIVE UPDATE

Senator Friedman talked about how hard everyone (the Governor, House, and Senate) is working to minimize the cuts and try to maintain a level budget, including by creatively using the CARES Act money. There are some hopeful signs that this will be doable, but 2022 is expected to be difficult. The goal is to not go into the Stabilization Fund next year, but also not make a contribution either. This was as of a conversation last week. The confidence that there will be more money from the federal government in the next three months is quickly diminishing, but legislators are holding out hope for more stimulus in January. COVID has clearly exacerbated the problem the Commission is trying to solve – CHA has no partial hospitalization programs going on right now; SUD beds are closing. It makes what we are doing that much more important.

Representative Gordon added that this is consistent with what he has heard in the House of Representatives as well.

10:15 AM: APPROVING THE MINUTES FROM THE LAST MEETING

Sheriff Koutoujian motioned to approve the minutes from the last meeting.

Sheriff Koutoujian asked for all of those in favor, and then all of those opposed. The vote was unanimous in favor of approving the minutes from the last meeting.

10:20 AM: PUBLICITY

Sheriff Koutoujian shared that he plans to talk to the Boston Globe editorial board about a story highlighting the ways in which the Restoration Center Commission has been working on solutions to the problem of police dealing with problems that aren't their job for a while now to promote programs like this as a response to ongoing efforts in police reform.

Danna Mauch added that COVID is hitting these people hard; people who have mental health conditions who are likely to be justice involved are also more likely than the general population to be unhoused, which exacerbates the challenges of COVID. Racial disparities in all three of these areas are stark, and racial justice is a topic of national interest currently. This Commission and the stakeholders at the table here have been talking about the needs of people who are justice-involved for a long time; we have something not only constructive to offer in the current conversations, but that is fact-based, that has some research and analysis behind it. It is worthy of the Commission's consideration to offer what we have learned to the conversation that is going on. Danna asked "how can we make a helpful contribution to that conversation?"

Senator Friedman thought that was a good point, and asked Nancy and Scott as the representatives of the administration/people who are doing things in a greater context to describe how the administration and people who are doing the work can engage the Restoration Center Commission in a more overt way so that we make those connections in a greater context than only the pilot. Danna is talking about a conversation that is broader than just this commission.

Danna added that one of the things about our "pilot" is that it depends on close collaboration and alignment with a number of other elements in the system. This isn't stepping outside of our box so much as talking more fully about what we have been looking at. What we have learned would be helpful to others who are now looking at criminal justice and policing reform.

Senator Friedman agreed. What are we doing and how does that fit into whatever else is going on out there. We want to be coordinated, share our contribution, and get feedback too.

Danna added that it's important for people to know what we have been working on so that they can use it when they are working on things to for example take things off the plates of police that don't need to be there.

Scott Taberner agreed. We should bring the work of the Commission into bigger things that are going on. During COVID, EOHHS has a concerted effort to work on healthcare and racial equity within MassHealth. MassHealth is now examining all of the initiatives/options that should be included in the 115 waiver that must be re-submitted to CMS in a year. One of the key issues that has been discussed for inclusion would be to use the waiver to increase access and quality of care for persons of color in the state, including how coverage intersects with law enforcement and the criminal justice system. For example, this will include CSP-JI. Also talking about doing in-reach in other ways for services to get around the Medicaid inmate exclusion. Also, can we leverage dollars up-front for diversion? Scott mentioned a related commission that he co-chairs, the policing and behavioral health commission. Scott asked Senator Friedman and Representative Gordon what's going on with the conference committee for the policing bill? The intersection of this commission and several other major initiatives is something we should be taking on, bringing the right people together.

Sheriff Koutoujain said that COVID was thrown on us so quickly; there is probably no better time than COVID to have engaged in that program [CSP-JI]. We are decarcerating so quickly, which causes a lot of anxiety for people not having community connections. Thought of using that program in a different way at that time because people were going back out on the street with nothing – no mental health services, no substance use services, no housing.

Senator Friedman said this brings up a really important point. What the program is designed to do and what happens on the ground is often very different. It is important for the people designing programs and the people on the ground to be constantly checking in with each other. We always have to going back and forth and making sure that the policy fits the practice, and that the barriers people are facing on the ground are addressed. Senator Friedman thought that next steps should include having Scott, Nancy, Marisa, the people doing the work on the ground present at the next meeting on the 115 waiver, the SIM report, and other ongoing work. Then the Commission can discuss what specific needs are out there that we should address as part of the restoration center. How we can fill gaps, be most effective.

Nancy Connolly responded that, if anything, this COVID crisis has shaken things up and forced us to intensify interagency collaborations because people weren't being served and they needed to be served right away and it wasn't clear who was

going to serve them. There were many people who were released to homelessness and had never sought services before and became visible for the first time to DMH. Also been dealing with the racial equity issues as well. Marisa's work on mapping has been important here. Just coming out with research on psychological testing and whether there is racial bias in that – for example, a risk factor of arrest is a history of arrest, but there is racial bias in the arrest history, which artificially bumps up the risk score for people of color. This is a time for reexamining a lot of things. When the courts were shut down, almost none of their programs were going on; but now they are back up to the same numbers as pre-COVID despite the courts not being back to full capacity yet. Interagency services comes into play here to reduce redundancy in services. The criminal justice and behavioral health worlds have never been separate at DMH, but now people are seeing this too. We are identifying a mass of people now who have long been under-served.

Sheriff Koutoujian added that something to watch is whether the people with mental health conditions are still getting stuck even while we massively decarcerate.

Nancy Connolly added that the needs/complexity level is going up with this group – it will be more difficult to design services around people who are more complex.

Sheriff Koutoujian said that his facility had a person who for years was very violent and always hurting people. They can't send that person to Bridgewater anymore because they don't want to do restraints or deal with person who is more violent. The person is very complex. Nancy really helped. Thinking about a class action about how these people shouldn't be in a jail, but need to be in a secure facility.

June Binney raised her hand and said that as jail populations decrease, the percentages of people with mental health conditions increase – we know this across jurisdictions around the country. She offered to connect the Commission with presenters on new ESP-like crisis services in NYC, as well as their 2 restoration centers, the health homes, their work to decarcerate and close Rikers Island as well (all of this is interrelated).

Danna Mauch noted that program capacity that has been lost because of health requirements due to social distancing, and asked Deirdre Calvert what she has been seeing at DPH.

Deirdre Calvert responded that they have tried to keep all programs open, but they have to reduce by 50% because of public health requirements plus the added cost of PPE and cleaning and sick time. Telehealth flexibility has been a life saver. Flexibility around OTPs and their ability to distribute methadone in higher quantities, allowing people to take home 30 days worth, have been a life saver to help ensure people don't have to stand in line every day. Many OTPs didn't

exercise the flexibility to its fullest extent unfortunately – aren't letting people they consider "unstable" to take home, which is causing problems in Melnea Cass area. Worried about increases in alcohol use – seen an increase in number of people contemplating treatment for alcohol use.

Lydia Conley added that, depending on the service modality, their members have had a slightly different experience. SOAP has huge variability in whether those programs have been able to open. Some are open with reduced capacity; some are closed. Variability in whether telehealth has been working for them.

Deirdre Calvert said that there is telehealth inequality: people can't go to support meetings who don't have good internet. AA/NA are anonymous so can't use technology.

Marisa Hebble said that she had heard that providers are seeing decreases in missed appointments because of telehealth

Deirdre Calvert said that no-show rates have gone down to 5% in some cases, especially for methadone at OTPs (don't have to take 3 buses and leave your kids everyday to get it). But there is variability between people, programs, and services.

Danna Mauch added that even though we have reduced no-show rates and more participation in OP treatment, for those people who need more structure or need services that are more challenged due to COVID, she speculates that is feeding the uptick in presentations to the court for evaluations. What are the police seeing in terms of calls for help? Without support and structure around these programs it is hard to keep up the heroics of the telehealth and workarounds – leads to more pressure on criminal justice and public safety.

Senator Friedman said she hears about the tenuousness of these programs. What could we be doing to shore up those programs over the next year? What are some concrete things? Our reason for being here is to stop people from going to jail in the first place. We really want to focus on stopping that pipeline. What are our next steps? What should we be focused on in the short-term? At some point it would be great to talk to NY and find out how their restoration centers are going and what's working/what's not.

Sheriff Koutoujian responded that the first next step is an op-ed with Globe editorial board. The Sheriff apologized, and said he needed to step off the call.

Dann Mauch welcomed judge Minehan, who joined the meeting late. She then suggested that a few of the members can put together updates for the committee and structure the agenda so we can make recommendations on some actions. What time frame would be most helpful for the legislative side? What are the time frames inside the administration? Map the agenda accordingly.

Scott Taberner said that preparation for the 115 waiver renewal development is happening this fall. Within the next month/month and a half, MassHealth will be issuing a roadmap for the 5 year waiver. The opportunity for input into that process will be a series of meetings across the state. Scott welcomed the opportunity to sit down with a small group and try to capture many of the topics we have discussed here and see if we could weave together a proposal for the waiver. Scott said he is working with BSAS to see if BH-JI can take on an MAT component, and proposed a small group and come up with the handful of major initiatives that are going on and how this fits in. Chief Bongiorno and some of the police agencies we are working with have a very enlightened view of how to use these services.

Senator Friedman said she is interested in having a general roadmap/conversation about where the largest pieces are in MassHealth, the courts, how that can inform what we do next.

Danna asked Chief Bongiorno if he had additional items to add to the agenda.

Chief Bongiorno added that calls for service are down about 1,000, but when we look at key metrics, domestic calls and mental health calls are all up dramatically. Restraining orders and noise complaints are also up. Complexity and needs for services are doing up.

Nancy Connolly asked why is the complexity going up? Is it a failure of the system, or is it a success of the interventions that we are having that we are able to better identify people? For example, having a jail diversion coordinator helps to better identify people. Has the system failed us, or are we getting better at identifying people?

Danna Mauch responded that these people have always been there, but the pandemic has thrown it into stark relief because of the need to de-congregate things. It presents an opportunity to re-assess people's needs.

Senator Friedman noted that these are good questions to keep in our minds as we look at what services are needed. She also suggested saving the NY presentation until the meeting after next in order to prioritize hearing about the MassHealth work and other local work to inform the budget.

Scott Taberner asked where the police reform bill stands.

Senator Friedman said that can't tell us where it is in conference.

Scott responded that he is anxiously awaiting news on this because it is so relevant to this discussion.

Catia Sharp mentioned that telehealth successes and challenges can be another topic for discussion at the next Commission meeting.

Deirdre Calvert said that DPS is doing a survey that she can tell us more about.

Nancy Connolly also offered to join.

Danna Mauch asked how the meeting schedule should look going forward.

Catia Sharp proposed going back to monthly meetings.

There was unanimous agreement to do so.

12:00 PM: NEXT STEPS AND CLOSING

Danna Mauch took a motion to adjourn; the group voted unanimously to adjourn.