

August 3, 2007

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California Department of Mental Health
1600 9th Street, Room 250
Sacramento, California 95814*(By Electronic Mail and U.S. Mail)*Re: Comments on Proposed PEI Draft Proposed Guidelines and
PEI Draft Resource Materials

Dear Department of Mental Health Staff:

We write to submit these comments on the Proposed Prevention and Early Intervention (PEI) Draft Proposed Guidelines and PEI Draft Resource Materials. The Youth Law Center is a San Francisco-based national, public interest legal advocacy organization that works to protect the rights of children in the child welfare and juvenile justice systems. We have a long term interest in assuring that children in California receive mental health services that may prevent them from entering those systems, or reduce their length of stay once they are in. We appreciate the immense amount of thought and public discussion that has resulted in the proposed guidelines, and are pleased with the over all product

These comments are directed at one small, but important area – the language with respect to children at risk of or in juvenile justice. This group is appropriately a target population, but the guideline language needs to be clear to ensure that counties understand how to consider this group in developing local plans. There are several places in the proposed guidelines where a few words would vastly improve the guidance and clarify the intentions of the Mental Health Services Act. The proper wording has been considered and voted on over the past several months, by the Mental Health Services Oversight and Accountability Commission (MHSOAC), and we ask that DMH follow the recommended language emerging from those discussions.

At the July 27, 2007, MHSOAC meeting in Riverside, the Commission voted to amend the definition of this priority population as follows:

Children and youth at risk of or experiencing Juvenile Justice involvement –Those with signs of behavioral/emotional problems and are at risk of or have had any contact with any part of the juvenile justice system, and who cannot be appropriately served through Community Services and Supports (CSS).

This language was developed and voted on after extensive discussion that signs of behavioral/emotional problems sometimes manifest after the child has entered the front door of juvenile justice, but the short term, intensive services contemplated by PEI could prevent the mental health conditions from worsening, and could prevent the child from intruding further into juvenile justice and attendant incarceration. We believe the MHSOAC language appropriately addresses this issue and urge you to incorporate this definition in Appendix 3, p. 4 as defining the juvenile justice priority population

In addition, at a number of points, PEI Draft Proposed Guidelines and PEI Draft Resource Materials should be changed to reflect this slightly broader definition of the juvenile justice priority population – most of which are currently limited to those “at risk of” juvenile justice involvement. For your convenience, we have scanned the Proposed Guidelines and supporting materials, and identified the places where conforming changes should be made. Also for your convenience, we have made our specific language recommendations co-extensive with the comments submitted by Brian Lee, of Fight Crime, Invest in Kids, California:

Page 2: Bullet point on priority populations should be changed from “Children/youth at risk of juvenile justice involvement,” to “Children/youth at risk of **or experiencing** juvenile justice involvement.”

Page 7: The cross reference to the outdated January 26, MHSOAC Policy Direction definitions of priority populations should be eliminated to avoid confusion, since some of the definitions have changed and definitions will be included in these guidelines.

Page 10: Language in first bullet point on fitting into more than one priority population should be changed from “might be at risk of contact with the juvenile justice system,” to “might be at risk of **or experiencing** contact with the juvenile justice system.”

Page 12: List of priority populations, number 5, should be changed from “Children and Youth at Risk of Juvenile Justice Involvement,” to “Children and Youth at Risk of **or Experiencing** Juvenile Justice Involvement.”

Page 16: In Part V. Accountability and Evaluation, consider adding a juvenile justice measure to the to the documented progress measures. For example, “Prevents or reduces incarceration in juvenile justice facilities,” and/or “Prevents or reduces intrusion into the juvenile justice system ”

In the PEI Workplan Summary, Appendix 1, Form No. 3, page 1: “Children and Youth at Risk of Juvenile Justice Involvement,” to “Children and Youth at Risk of **or Experiencing** Juvenile Justice Involvement.”

And again, in Appendix 3, Glossary, page 4: Change the existing definition for the “Juvenile Justice Involvement” to match the MHSOAC language: **“Juvenile Justice Priority Population: Children and youth at risk of or experiencing Juvenile Justice involvement – Those with signs of behavioral/emotional problems and are at risk of or have had any contact with any part of the juvenile justice system, and who cannot be appropriately served through Community Services and Supports (CSS).”**

In the Prevention and Early Intervention (PEI) Resource materials, conforming changes should be made to references to “At Risk of Juvenile Justice Involvement,” so they refer to “At Risk of **or Experiencing** Juvenile Justice Involvement ” This change should be made on the following pages:

RM-1, page 1: In the bullets on PEI Priority Populations, add **“or experiencing.”**

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RM-3, Resource Materials for Children and Youth at Risk of School Failure," page 1, add "**or experiencing.**"

RM-3, Resource Materials for Children and Youth at Risk of Juvenile Justice Involvement," page 1, title on this page and on every page of the section (pages 1-15) should be changed to include "**or Experiencing.**" Also in this section, RM-3, page 1: Narrative in second paragraph should be changed from "offered to at-risk children, youth and families" to "**offered as early as possible to children, youth, and families for those at risk of or experiencing juvenile justice involvement.**" And RM-3, page 2: Language in narrative on top half of page should be changed from "at-risk of" to "at-risk of **or experiencing** juvenile justice involvement."

RM-3, Resource Materials for Stigma and Discrimination," page 2: Second paragraph should be changed from "at risk of juvenile justice involvement," to "at risk of **or experiencing** juvenile justice involvement."

RM-4, "Draft PEI Logic-Model" – Chart, second column Implementation (Strategies) top box should be changed from "youth at risk of juvenile justice involvement," to "youth at risk of **or experiencing** juvenile justice involvement."

Thank you for this opportunity to comment on the Draft Proposed Guidelines. The PEI-funded programs will make a huge difference to people with emerging mental health service needs across our State -- particularly those in traditionally underserved populations, including the juvenile justice priority population. Thank you for your commitment to and leadership in this important process. Please let us know if we can assist you in understanding or implementing any of the requested changes discussed in these comments.

Sincerely yours,



Sue Burrell, Staff Attorney
Corene Kendrick, Staff Attorney