

Senate Bill No. 1769

Passed the Senate August 28, 2000

Secretary of the Senate

Passed the Assembly August 24, 2000

Chief Clerk of the Assembly

This bill was received by the Governor this _____ day
of _____, 2000, at _____ o'clock ____M.

Private Secretary of the Governor

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CHAPTER _____

An act to add Section 6045.3 to, the Penal Code, relating to mental health courts.

LEGISLATIVE COUNSEL'S DIGEST

SB 1769, Chesbro. Mental health courts.

Existing law establishes various court diversion and alternate sentencing procedures and programs for specified crimes and defendants. Among other things, the Board of Corrections awards and administers grants to counties that administer a program to reduce crime and costs related to mentally ill offenders.

This bill would provide that this program may provide for the development and implementation of a mental health court. The bill would specify the objectives of the mental health court, which shall provide a single point of contact where a defendant with a mental disability may receive court-ordered treatment and support services in connection with a diversion from prosecution, a sentencing alternative, or a term of probation. The bill would provide that a mental health court shall meet specified criteria, including referral sources, standards for acceptance, participation, and graduation, the utilization of specified local officials as designated staff, and the provision of individualized treatment resources through community mental health providers and other agencies. This bill would also provide that the county mental health department shall provide initial and ongoing training for designated staff on the nature and symptoms of mental illness and on the treatment and supportive services available in the community.

The people of the State of California do enact as follows:

SECTION 1. Section 6045.3 is added to the Penal Code, to read:



6045.3. (a) A component of the comprehensive plan described in Section 6045.2 may be the development and implementation of a mental health court.

(b) For purposes of this section, a mental health court shall have the following objectives:

(1) Increased cooperation between the criminal justice and mental health systems.

(2) Faster case processing time.

(3) Improved access to necessary services and support.

(4) Improved well-being for offenders with mental illness.

(5) Reduced recidivism.

(c) The mental health court shall provide a single point of contact where a defendant with a mental disability may receive court-ordered treatment and support services in connection with a diversion from prosecution, a sentencing alternative, or a term of probation.

(d) The mental health court shall meet the following criteria:

(1) Defendants may be referred to the mental health court from a variety of sources, including, but not limited to, police, attorneys, family members, probation officers, the district attorney, the public defender, jail personnel or another court.

(2) The court shall develop standards for acceptance into, continuing participation in, and graduation from, the mental health court program.

(3) The mental health court shall utilize designated staff which include, but is not limited to, a presiding judge, prosecutor, public defender, county mental health liaison, and probation officer.

(4) The county mental health department shall provide initial and ongoing training for designated staff, as needed, on the nature of mental illness and on the treatment and supportive services available in the community.



(5) A mental health court shall utilize community mental health providers and other agencies to offer defendants access to individualized treatment services.



Approved _____, 2000

Governor

