



General Government & Social Services Committee

August 11, 2020

Summary and Motions

Committee chair, Susan Lamb, called the meeting to order at 1:06 p.m. Committee members Steve Kay, Richard Moloney, Chuck Ellinger, James Brown, Bill Farmer, Lisa Higgins-Hord, Fred Brown, Jennifer Reynolds, and Kathy Plomin were present. Mark Swanson was in attendance as a non-voting member.

Kay read the following statement: "Due to the COVID-19 pandemic, state of emergency and Governor Beshear's Executive Orders regarding social distancing, this meeting of the Urban County Council is being held via video-teleconference pursuant to Senate Bill 150 (as signed by the Governor on March 30, 2020) and Attorney General Opinion 20-05, and in accordance with KRS 61.826, because it is not feasible to offer a primary physical location for the meeting."

I. Selection of the Vice-Chair

Lamb announced that because Angela Evans no longer serves on the council she has selected Kathy Plomin as the new vice-chair; Plomin accepted.

II. Approval of June 9, 2020, Committee Summary

A motion was made by Ellinger to approve the June 9, 2020, General Government & Social Services Committee summary; seconded by Plomin. The motion passed without dissent.

Lamb switched the order of the presentations to hear agenda item four first.

IV. Expand Adult Mental Health Court with an Aftercare Program

Kelley Gunning, NAMI's Director of Advocacy and Public Affairs, started the presentation by reading a letter on behalf of Judge John Tackett about the success and needs of Fayette Mental Health Court that intervenes in the lives of criminal defendants who suffer from diagnosable and serious mental illness in partnership with the courts and law enforcement. Phill Gunning, NAMI Executive Director, reviewed their proposal to expand FMHC programming at a cost of \$180,000 that focuses on doubling their caseload and the implementation of an aftercare program. He outlined proposed operating expenditures such as technology improvements, totaling about \$18,000. He explained the role of four proposed positions, a total cost of \$162,000, which includes two substance abuse specialists, a technology specialist, and a systems navigator/community liaison. He talked about the benefit of gaining staff who understand the "addict brain", limited staff capacity, and borrowing administrative support from NAMI. He highlighted the challenges of COVID-19 but said the court is still operating. He spoke about the effects of COVID-19 on folks who suffer from mental illness and two suicides in the last month in their family services program. Last, he emphasized the return on investment that continues to grow.

(A motion by Farmer, seconded by Reynolds, was unanimously approved for an additional five minutes for the presentation.) Heather Matics, Fayette County Attorney Prosecutor, first talked about the value of human life. She touched on the variety of institutions that have failed many of their participants, such as the criminal justice system that wasn't set up to treat mental health issues. She spoke about the trauma these folks have experienced, explaining how FMHC helps create substitute family support

systems for their participants. She explained a shift in the program to start referring to their 'participants' as 'members'. She talked about the benefit of an aftercare program to continue their newly created support systems.

Reynolds asked how many people the program serves each year. P. Gunning said the number is revolving because there are four phases of the program. Jennifer Van Ort Hazzard explained the average per year is about 25 but pointed out the first few years were slower. P. Gunning estimates the proposal would allow them to serve about 35 to 40 participants at a time and that the cost per participant is far less than if they were stuck in the system. They pointed out the information in the packet that highlights the return on investment. Reynolds concluded the cost per person is about \$8,700, which doesn't factor in the savings.

Plomin asked about the waiting list, which Hazzard explained the waiting period is more associated with the court system. K. Gunning explained the situation as fluid and that people are always in process. They discussed how the aftercare program is being invented based on their knowledge of what the community and their participants need, similar to how they created FMHC in response to the gap in resources in our community. Hazzard added that the fourth phase in their program is what other programs often refer to as their aftercare program. Plomin eluded the depression that's taking place and the effects on folks with mental health issues.

Kay asked Lamb about the intent to consider these proposals in relation to CARES Act funding while mentioning the mayor's proposals and about the process to consider them. Lamb talked about the need to properly vet the proposals. She highlighted the vulnerable population that needs these services and her desire for the council to learn about these new opportunities. Kay talked about avoiding ad hoc budgeting and the importance to set up a process for the council to weigh all of its options.

Moloney mentioned Mary C. Noble's appointment as Secretary of Kentucky's Justice and Public Safety Cabinet while eluding to many empty beds at Eastern State Hospital and asked about outreach to the state legislature. K. Gunning said she worked diligently to get rid of ESH for eight years; recently she reached out to Kentucky's Health and Family Services Cabinet to relieve burdens from the street and police officers. She talked about the fight to get the empty beds at ESH in play and that she would gladly accept Moloney's help; he agreed. Moloney talked about the possibility to get CARES Act funding directly from the state, highlighting his concerns regarding the purpose and use of the city's reimbursement funds and balancing the needs of other non-profits. He doesn't support the use of one-time funds for ongoing expenses but said a number one priority should be to fill those beds.

Connie Milligan explained her expertise with mental health courts and highlighted a ground-swell of conversation about the need for aftercare programs. She pointed out the state finances these hospital beds and state restrictions that limit their use, which has forced the local level to respond. She said an aftercare program will help prevent folks from relapsing and that that local support allows it to be tailored to this community.

John Landon, an attorney who wrote the regulations for FMHC and the juvenile treatment court, spoke about the way in which several constitutional and state standards are interpreted impacting whether an individual can use the hospital. He mentioned Tim's Law (passed in 2017) that allows judges to order outpatient treatment for individuals suffering from serious mental illness without having to go to the hospital but funds were not budgeted to support the adopted legislation. He described the court as

adding another tool for Law Enforcement and that it may be helpful to talk with them; Police has always been at the table for FMHC.

No action was taken under this item. Lamb introduced newly appointed Lisa Higgins-Hord, 6th District Council Member, who is now a member of the committee.

III. Juvenile Treatment Court

Melissa Moore-Murphy, Fayette District Court Judge, said the juvenile treatment court (JTC) is a new court they are trying to start, under the guidance of those who created FMHC. She explained how kids get to court for status offenses (under KRS Chapter 630) and public offenses (under KRS Chapter 635). She said the juvenile court's statutory intent is to reform, repair, and rehabilitate and highlighted the rights of juveniles. Lindsay Hughes-Thurston, Fayette District Court Judge, said the purpose of JTC is to protect our public, to reduce the recidivism rate among juveniles, and increase their overall wellness to thrive. She talked about the reasoning to describe the program as juvenile treatment versus other labels. She said the goal is early intervention; while juvenile court is working, they are seeing many young folks suffering from mental illness.

Hughes-Thurston talked about Adverse Childhood Experiences (ACEs) and consequential statistics, which is driving much of the public offense behavior; she referenced a pyramid chart outlining the impact of ACEs. She reviewed the McArthur Adult Mental Health Court study on the history of trauma that examined the effectiveness of specialty courts and recidivism. Moore-Murphy highlighted missed opportunities to work with youth, the instrumental benefit of the city's Division of Youth Services, and recognizing the need for the whole family to receive mental health treatment. She talked about the ripple effect in our community when experiencing the loss of a young person and emphasized the impact that has on young people. She outlined what JTC will look like, a four-phased approach that will encompass the family. They recently hosted their first steering committee meeting, with 47 participants and partners. They concluded they need funding and they need the city's help.

Moloney talked about resources for youth programming and reaching them early. Referencing the effects of the coronavirus on the city's payroll tax, which often funds programs such as this, he suggested partnering with the school system, which has the talent and expertise to reach these young people. Moloney talked about contributing Neighborhood Development Funds and the city's current priorities to maintain payroll and pay our debt, concluding the schools need to do this. Moore-Murphy talked about the steering committee's 47 attendees, of which eight of those folks represented Fayette County Public Schools; she highlighted FCPS police chief Martin Schafer's immediate interest in the program and knowledge of what is needed. She said the school is the next step and they are working on making them a monetary partner.

Plomin asked about the anticipated operational budget. They don't have that yet but Moore-Murphy mentioned the amount used to start FMHC (\$150,000) for reference. To start, the funds will be for the salary of one person. Moore-Murphy pointed out JTC would be the first program of its kind. Landon explained that JTC has different regulations than adult mental health court, specifically how individual treatment plans are necessary for each child. He said this is the component of the program that spreads the cost around; portions of these plans are typically reimbursed by the federal government or the school system, depending on the services the child needs and is entitled to. He said you need a coordinator to monitor progress for all the individualized treatment plans. Plomin said there are a lot of other resources out there, including family foundations, and she is willing to help them identify

additional funding sources. She recalled her earlier work with United Way's Success by 6 and the importance of early childhood environments.

Lamb said with presentations such as these, the council has the opportunity and ability to expand people's knowledge of the resources out there. She said she would like these items to remain in the committee. J. Brown talked about the judges being innovative to address some of the issues that face us. He and Lamb discussed referring to the financial part of these requests into the Budget, Finance, and Economic Development Committee because that is likely where the council will discuss the coronavirus relief funds. Lamb said she would like the committee to hear regular updates from JTC, similarly to FMHC.

A motion was made by J. Brown to refer the financial requests for the Fayette Mental Health Court program expansion and the Juvenile Treatment Court to the BFED Committee to be considered when the committee discusses coronavirus relief funds, seconded by Farmer. The motion passed with a 7 - 3 vote (Kay, J. Brown, Lamb, Farmer, Higgins-Hord, Reynolds, and Plomin voted yes; Moloney, Ellinger, and F. Brown voted no).

Discussion on the motion included the following. Moloney expressed concerns about the designation of relief funds as it relates to the economic contingency fund. He eluded to opening the door for a wave of requests from other non-profits.

Lamb said August 25 is the next BFED Committee. She reminded the committee that the Council Rules & Robert's Rules Review Subcommittee is meeting August, 13 at 3:30 p.m.

V. Items Referred to Committee

No comment or action was taken under this item.

A motion was made by Farmer to adjourn (at 2:42 p.m.); seconded by Plomin. The motion passed without dissent.

Link to video of the meeting: http://fucg.granicus.com/MediaPlayer.php?view_id=4&clip_id=5182
HBA 9-3-20