A CONFERENCE OF THE MENTAL HEALTH LEGAL ADVISORS COMMITTEE
Co-Sponsored by Citizens for Juvenile Justice & Prisoner Legal Services

TAKING THE “CRIMINAL” OUT OF “CRIMINAL JUSTICE”:
Meeting the needs of people with mental health issues in Massachusetts after
passage of the Criminal Justice Reform Act

MCLE, 10 Winter Place, Boston
November 14, 2019

Has the Criminal Justice Reform Act of 2018 kept its promises to Massachusetts
residents with mental health needs who are at risk of incarceration or incarcerated? Where
should advocates look next to reform the juvenile/criminal justice systems?

8:30 - 9:00 REGISTRATION & CONTINENTAL BREAKFAST

9:00 - 9:05 WELCOME

9:05 - 9:35 REFORMING THE JUVENILE AND ADULT JUSTICE SYSTEMS - AN INTRODUCTION TO THE TOPIC NATIONALLY AND IN MASSACHUSETTS
Our morning speaker will address current reform efforts for people with mental health issues involved in the juvenile justice and criminal justice systems on the national level and how Massachusetts can learn from those efforts.

Christine Cole, Executive Director, Crime and Justice Institute, Community Resources for Justice.

9:35 - 10:45 EARLY INTERVENTIONS FOR CHILDREN AT RISK OF JUVENILE JUSTICE SYSTEM INVOLVEMENT
What reforms can we make now to avoid the DCF to DYS to prison continuum? The panel will focus on meeting the mental health needs of youth, including those in foster care, who have experienced trauma.

Panelists:

Coco Holbrook, Esq., Mental Health Legal Advisors Committee, Facilitator
Lisa Newman-Polk, Esq. -- Speaking about advocating for parole for men convicted of murder by contextualizing their childhood difficulties and trauma.

Kate Lowenstein, JD, MSW, Multisystem Youth Project Director, Citizens for Juvenile Justice -- Speaking about intervening in the pipeline to halt the disproportionate representation of youth in DCF and DYS custody in the carceral system.

Joseph Leavey, President and Founder, Communities for People

Sandra McCroom, President & CEO, Children's Services of Roxbury

10:45 - 11:00 MORNING BREAK

11:00 - 12:10 SCHOOL-BASED REFORMS IN THE CJRA AND FUTURE ADVOCACY FOR ADOLESCENTS

The CJRA contains several provisions intended to reduce or eliminate schools’ reliance on police when addressing school discipline matters. This panel will review the implementation of these reforms and discuss efforts to further redress Massachusetts' school-to-prison pipeline.

Panelists:

Matthew Cregor, Esq., Mental Health Legal Advisors Committee, Facilitator

Lisa Thurau, Esq., Founder & Executive Director, Strategies for Youth -- Providing a local and national perspective.

Angela Brooks, Esq., Assistant Attorney General, Office of the Attorney General of Massachusetts - Speaking about tracking implementation.

Bishop Talbert Swan, President, Springfield NAACP -- Providing a local perspective.

12:10 - 1:00 LUNCH BREAK

1:00 - 2:00 APPLYING THE ADA’S INTEGRATION MANDATE TO CRIMINAL JUSTICE REFORM EFFORTS IN MASSACHUSETTS
Our midday speakers will discuss the application of the ADA’s integration mandate to criminal justice reform, in theory and in Massachusetts specifically.

Robert Fleischner, Esq. will speak about the application of the Olmstead decision, interpreting the ADA’s Integration Mandate, to the services offered (or not offered) to those involved in the juvenile and adult justice systems.

Danna Mauch, Ph.D., President & CEO, Mass. Association for Mental Health will speak about the extent to which Massachusetts is meeting its obligations under Olmstead in practice and where advocates should focus their attention to ensure further compliance.

2:00 - 3:10 EXPANDING ADULT DIVERSION FROM THE CRIMINAL JUSTICE SYSTEM
These panelists will discuss efforts across the state to expand diversion of people from the criminal justice system, at all the intercept points. Panlists will address the role of first responders confronting people with mental illness, the idea of creating a physical location to divert people with mental illness, and the work of Mass. Probation Services.

Panelists:

Jennifer Honig, Esq., Mental Health Legal Advisors Committee, Facilitator

Marisa Hebble, MPH, Manager, Mass. Community Justice Project, Mass. Trial Court -- Discussing the Community Justice Project which facilitates collaborations at the community level to better connect the criminal justice system and behavioral health treatment, healthcare, recovery and community support systems, utilizing Sequential Intercept Mapping. Spearheaded by the Massachusetts Trial Court, this project seeks to reduce the risk of justice-involvement and improve outcomes among persons with mental health and/or substance use disorders.

Sarah Abbott, Ph.D., Psychologist, Advocates -- Speaking about creating the first Co-Responder Training and Technical Assistance Center and about co-responder teams of police and clinicians across the state.

Cindy F. Friedman, MA, Senator, Massachusetts Senate -- Addressing the Middlesex County Restoration Center Commission, which examined creating a physical place that people could be diverted to and served pre-arraignment.
Pamerson Ifill, Deputy Commissioner of Pretrial Services Division, Massachusetts Probation Services -- Describing the work of Mass. Probation Services in diverting pretrial detainees.

3:10-3:25  AFTERNOON BREAK

3:25- 4:40  DIVERTING ADULTS WITH MENTAL ILLNESS IN THE CORRECTIONAL SYSTEM FROM RESTRICTIVE HOUSING AND PROMOTING THEIR REENTRY INTO SOCIETY

These panelists will address the services that should be afforded incarcerated persons with mental illness in solitary confinement, when seeking parole, and during re-entry.

Panelists:

Phillip Kassel, Esq., Mental Health Legal Advisors Committee, Facilitator

Kristen Dame, MA, LMHC, Northeast Regional Supervisor for Social Service Advocates, Committee for Public Counsel Services -- Discussing, based on her observations as a clinician in the Departmental Disciplinary Unit in Walpole MA, the impact of prolonged solitary confinement, as well as what faces such people upon release.

Jennifer Honig, Esq., Mental Health Legal Advisors Committee -- Discussing recent litigation challenging the treatment afforded prisoners in the Bristol County House of Correction.

Bonita Tenneriello, Esq., Prisoner’s Legal Services -- Discussing the Criminal Justice Reform Act’s origin, requirements, and, based on her experience on the newly created Solitary Confinement Oversight Committee, implementation issues.

Donald Perry, Former prisoner and parolee -- Discussing the vulnerabilities of parolees with mental health issues to revocation and bad outcomes, as well as efforts to improve parole practices.

Opal Stone, MBA, Director of Reentry Services, Advocates -- Discussing problems specific to ex-prisoners and parolees with mental illness and
successful efforts to assist prisoner reentry through the provision of intensive case management services.

Christine Cole, Executive Director, Crime and Justice Institute, Community Resources for Justice -- Setting Massachusetts work on these issues in a national context, comparing it to what other states have done and suggesting tactics that have worked elsewhere and could be incorporated here.

4:45 CLOSING REMARKS