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**Testimony to the Senate Judiciary Committee
Supporting HB2240 – Crisis Intervention Act**

March 22, 2017

Chairman Wilborn and Committee Members,

Our associations support HB2302. This bill is the result of work by the Kansas Judicial Council after HB2639 was referred to them by a House Committee last year. I was honored to be a member of the Judicial Council Committee assigned to working on this bill, representing the law enforcement interests. The committee had representation including judges, attorneys, care providers, mental health advocates, mental health service users and others. The bill is the result of lengthy discussions on many important aspects of this issue with compromises made by those involved on issues where we weren't in total agreement. We encourage you to move this bill forward with minimal, if any, amendments.

Key Points of the Bill:

1. The bill does not mandate any local mental health center to implement the program. However, we believe there are at least four major counties that are interested in doing so.
2. For those areas without these facilities, the process for handling an involuntary commitment will remain the same as it is today.
3. The process in this bill is consistent with the current and continuing process for involuntary mental health commitment. This means there will not be disparate treatment between areas that choose to provide the new program and those that don't.
 - a. It should be noted that some in the Judicial Council Committee would have preferred to rewrite the entire code on mental health commitment. Others on the committee were opposed to doing that. Of course that was not the intent of the legislation leading to the formation of the committee or the charge of the committee. The committee made every effort to maintain consistency between the new process and the existing process since both will still be utilized across the state. As long as the bill remains consistent with the recommendations of the Judicial Council Committee, that consistency should remain intact.
4. The process in the bill will expedite both the law enforcement involvement and getting the patient into mental health treatment.
5. The premise of the local program is that many of the persons needing intervention can be stabilized at the community level within the time frame of the new process and will not have to go to the state hospitals at all. However, if that stabilization does not occur the state hospital will still be utilized. Regardless of when the stabilization occurs, starting in the community mental health system will result in these patients being already engaged with the local programs which will help them continue to improve their mental health when they are released back to their homes and community.

The Law Enforcement Interest

Law enforcement is interested in this bill for numerous reasons:

1. Law enforcement is typically the first responder to complaints involving persons who present a risk to themselves or others due to mental illness and/or substance addictions.
2. Today is day 640 of the moratorium on admissions of involuntary patients to Osawatomie State Hospital. This is causing a great deal of problems with our limited options to deal with these people needing mental health treatment while we wait for a vacancy at the state hospital. Sometimes the wait is for several days. During that time we have officers on overtime sitting with the patient in an office or the person is in an emergency room for extending periods. In any case, during this period of time the person needing treatment is getting none and valuable law enforcement and medical resources are lost.
3. Law enforcement is focusing more efforts into building community partnerships to find solutions to persons we come into contact with due to their mental health needs. This includes training officers to better understand and identify persons suffering with mental illness, diverting people from minor criminal charges to mental health treatment when appropriate, directing people to local mental health services, and other efforts.

This bill will help law enforcement in the following ways:

1. It will decrease the time it takes for our officers to resolve the commitment process for persons who present a risk to themselves or others.
2. It will reduce law enforcement time transporting persons to the state hospitals.
3. It will reduce the need for repeated law enforcement intervention when people return to the community from treatment at the state hospitals.
4. It will help our officers improve their skills related to handling the mentally ill by expanding our interactions with local mental health services.

Some may ask if this bill is just the result of lack of services or diminished services provided by the state hospitals, in particular the Osawatomie State Hospital. That is a complex issue and I will address it by answering a series of questions:

1. If there were not an admission moratorium at Osawatomie State Hospital would this bill still improve services to those in need of mental health treatment?
 - a. The necessity might be decreased, but it would not be eliminated. Even without the moratorium, the process created in this bill will be more efficient and provide an improved continuity of care for the patients.
2. How will this process help those jurisdictions that do not have the resources for the proposed local involuntary treatment facilities?
 - a. The more populated areas of the state have the higher numbers of placements in state hospitals. If more of those are handled at the local level that will free beds in the state hospitals reducing the wait time for a vacancy such as currently exists at Osawatomie State Hospital.

The passage of this bill will not just help law enforcement, it will also help many people suffering mental illness today whose treatment is delayed by the Osawatomie moratorium. But more importantly, the treatment at the local level, where it is feasible to provide those services, will result in improved continuity of care and engagement of local mental health resources by all involved.

We encourage you to move this bill forward favorably.

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