

**TESTIMONY OF JOSEPH GILES
ERIE COUNTY COUNCIL CHAIRMAN
SECOND VICE PRESIDENT
COUNTY COMMISSIONERS ASSOCIATION OF PENNSYLVANIA**

**BEFORE THE HOUSE JUDICIARY COMMITTEE
SUBCOMMITTEE ON COURTS**

**SENATE BILL 1128
CRIMINAL JUSTICE & MENTAL HEALTH REINVESTMENT ACT**

My name is Joseph Giles, and I am currently the Erie County Council President. I am also the County Commissioners Association of Pennsylvania Second Vice President, former Chair and now member of the CCAP Courts and Corrections Committee as well as a long term member of the National Association of Counties Justice and Public Safety Committee. I sit on the National Association of Counties Board of Directors representing CCAP. In those capacities, I have been involved with the issues surrounding mentally ill inmates at the County, State and National level for many years. I am very pleased to see that this issue is getting attention in Pennsylvania, and that the proposal you have under review is directed at finding solutions to the crisis of mentally ill inmates in county jails.

Thank you for the opportunity to offer testimony on behalf of the County Commissioners Association of Pennsylvania on the Criminal Justice and Mental Health Reinvestment Act, contained in SB 1128. As you know, CCAP is a non-partisan, nonprofit, association providing legislative, regulatory, insurance, training, research, and similar programs for all of the Commonwealth's 67 counties. I am here today with Carmine Scotece, Butler County Human Services Director. We are please to be here today to offer the county perspective on this very important topic.

We often find that law makers are unaware that county jails are totally funded by the county, through property tax revenues. There is no state or federal funding handed down to the counties to cover the costs incurred to house inmates. In fact, counties become liable for all medical needs of inmates as soon as they enter the jail for any reason. This is prior to any adjudication, and benefits that the inmate qualifies for under state and federal programs such as Medicaid, Medicare, veterans benefits, and some private health insurance will disappear. The average cost to house an inmate in a county facility is about \$50 per day, and that average is likely to increase as counties are forced to commit more of their already strained revenue sources into expansion or rebuilding their county jails.

Like the Commonwealth, county jails are struggling with overcrowding. Despite significant growth in county jail capacity over the past 20 years, much of it resulting from Act 71 bond financing, many county jails are at capacity, or well over capacity at this time. The problems of overcrowding in county jails have been a point of significant focus for CCAP members over the past two decades. There is a need for counties to examine the reasons for overcrowding, including the reasons that cause a jail admission in the first place.

Counties are experiencing an increase in admissions of inmates with mental health issues, and many of those problems are far outside the ability of counties to deal with, and these issues affect counties in every state of our nation. As you know, county jails are generally designed to hold pre-trial inmates, or those whose incarceration is expected to be short term. Programming that would be available to inmates in a state correctional facility, such as substance abuse counseling, and assistance with education, employment, and mental health issues are outside of the normal services expected in the county jail setting. Few counties possess the resources to deal with these problems and often times county jail personnel are unable to respond to the specialized needs of mentally ill inmates. To give you an idea of the impact, estimates show that a county jail housing a mentally ill inmate will spend twice as much per day in housing, medical and medication costs than they will for an inmate who is not mentally ill. Estimates show that as many as 76% of those county jail inmates with mental illness are also substance abusers.

Counties are strongly in support of mechanisms to divert inmates with mental illness to settings and services that can address their mental health and substance abuse problems that may be the primary cause of their admission or readmission to a jail facility.

I'm sure that you will hear a lot of statistics today, and I think it is important for you to know that of the nine million people who will enter our nation's county jails each year, estimates show that 24% will display symptoms of psychotic behavior. Many of these individuals will be entering the county jail as a result of their committing some minor infraction. Often times, the individual's mental health is the cause of the behavior, and not criminal intent. Our members, along with the National Association of Counties, have been advocating for programs that promote the implementation of a wide range of community based services that address the many issues affecting this population. We believe that the county human services system is better equipped to monitor an individual with mental health concerns, and provide for medication management, and supports that will improve their condition, provided that the required resources are available to those crucial community programs.

National research has shown that placing a mentally ill individual in jail can intensify the behaviors that result from their illness, leading to increased costs to stabilize the inmate, and result in counties placing extraordinary resources into the management of a few inmates.

We applaud Senator Greenleaf for his sponsorship of SB 1128, and are very encouraged that the committee is closely reviewing this bill. We support this legislation, and are pleased that Pennsylvania will be taking steps to address this growing problem by providing resources in the form of a grant program. We are also in support of the bill's provisions requiring a broad based local approach involving criminal and civil justice systems, mental health and substance abuse providers, as well as transportation and housing assistance programs. The involvement of this combination of supports assures that the system will be in place to address all of the likely issues that a diverted inmate will find challenging, and will lead to a comprehensive approach that is more likely to keep the mentally ill out of jail in the future. For counties that currently have some programming in place, the inclusion of expansion grants is another concept we strongly support. The "Center for Excellence" where counties can go for technical assistance may lead to programs getting off the ground.

We do note, however, that the advisory committee created in the bill includes only state agencies. We would caution the committee against moving forward without assuring county involvement at the planning and oversight stages. Counties know best what their limitations and abilities are, and our statewide organization, acting on behalf of all 67 counties should be included at the earliest stages of planning to assure that we do not create programs that fail to consider the challenges that counties are facing. We would urge the committee to require consultation with CCAP, on behalf of the counties, and to assure that the expertise of county jail administrators is tapped into at the planning stages.

As I turn the microphone over to Mr. Carmine Scotece who will offer his expertise, I once again offer our thanks to the committee, and will be happy to take your questions.