

Psychiatric Security Review Board (PSRB)

Program Overview

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What Does PSRB Do?

- Supervise those judged:
 - Guilty Except for Insanity (GEI);
 - Responsible Except for Insanity (REI); along with
 - Adults with mental illnesses resistant to treatment and in need of supervision and monitoring (civil commitment)
- Operate Sex Offender Risk Classification/Relief Program
- Operate Firearm Relief/Records Reconciliation Program

What We Don't Do

1. Supervise .370 or “Aid and Assist” defendants
2. Provide Clinical Services
3. Fund treatment and supervision

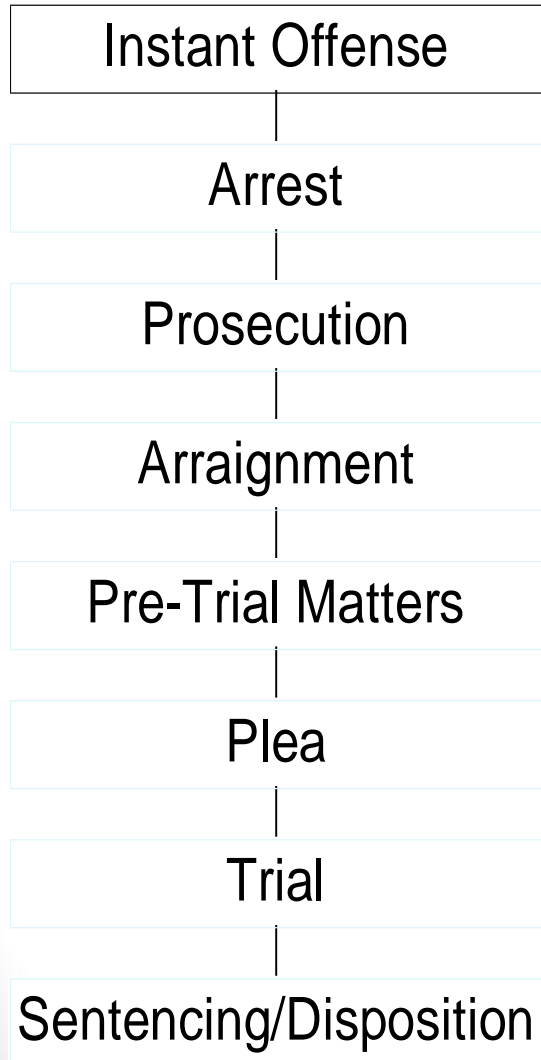
History of PSRB

- When?
- Why Then?
- Why Now?
- Mission is public safety and community reintegration

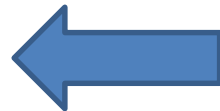
Adult Panel & Juvenile Panel:

- 10 member. Part-time. Multi-disciplinary.
 - 2 psychiatrists
 - 2 psychologists
 - 2 attorneys experienced in criminal practice
 - 2 parole/probation officers
 - 2 public members
- In addition to Board responsibilities, virtually all Board Members maintain FT employment
- Board Member Stipend per day: \$358
- Conduct hearings weekly—over 600 last year
- **11 FTE**

Pathway Into Criminal Commitment



- ▶ Difficulty in jail
→ Judge declares incompetent to proceed w/ case
“370” →
- ▶ Usually sent to hospital → Back to jail → Eval then Finish case



- ▶ Guilty Except for Insanity

How the Board Meets Objectives

1. Conducts timely hearings to make necessary determinations regarding each patient
2. Oversees conditional release of patients
3. Works collaboratively with OHA/DHS and community mental health providers to ensure adequate continuum of treatment and residential services are available
4. Conducts outreach with a multitude of stakeholders to lessen the barriers for GEI patients to integrate fully into the community setting

At Every Hearing, PSRB & SHRP Must Determine Whether:

- (1) The individual has a qualifying mental illness, even in remission; and
 - (2) This mental illness causes the individual to be a substantial danger to others when the illness is active.
- **If the answer is “no” to either of the above criteria, the Board must discharge the individual for lack of jurisdiction.**

Qualifying “Mental Disease or Defect”

- “Mental Disease”=Serious and Persistent Mental Illness (Schizophrenia, bipolar disorder most common)
- “Defect”=Developmental Disability/Intellectual Disability
- Using DSM-5 as the current reference point

What is Not a Qualifying Diagnosis?

- A personality disorder (ORS 161.295(2))
- Drug and alcohol dependence and drug/alcohol-induced psychosis (*Tharp v. PSRB*, 338 Or 413 (2005))
- A sexual disorder (*Beiswenger v. PSRB*, 192 Or App 38 (2004), Sup Ct review denied)

GEI Snapshot (Feb 2017)

Majority live in the Community

207 GEI Patients at Oregon State Hospital

374 PSRB patients on conditional release

581 TOTAL

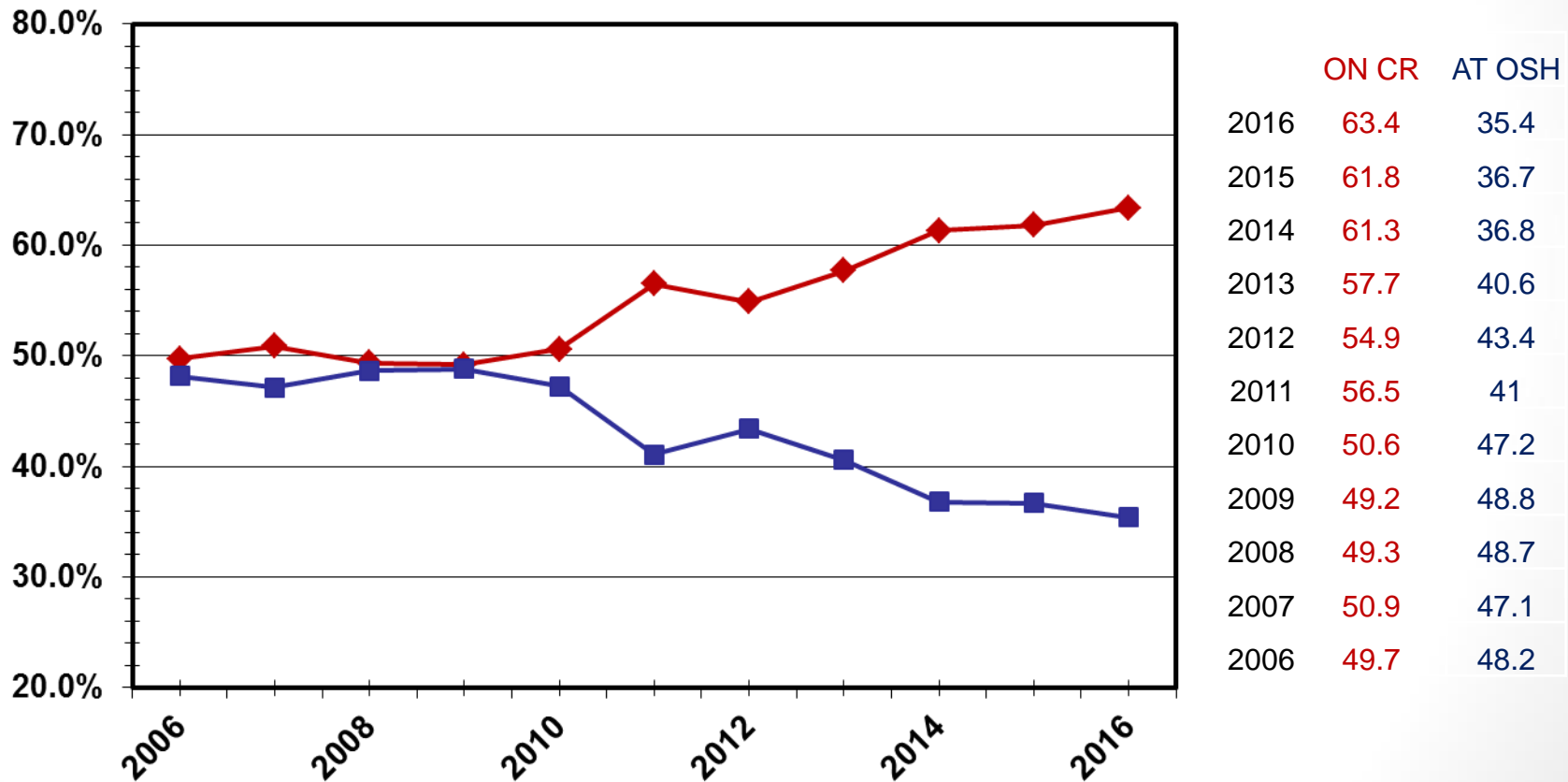
Conditional Release Comes about in 2 Ways

- From the Courts
- From OSH: released by PSRB or SHRP after treatment at the State Hospital

Five Layer Review/Evaluation for Conditional Release from OSH

- A person will not be placed on conditional release until the following proposed conditional release plan has been supported by the:
 - Hospital treatment team
 - Hospital Forensic Risk Review
 - Community Provider
 - County Mental Health Agency
 - PSRB/SHRP – Final Approval, at a full hearing

Percentage of GEI patients on Conditional Release vs in OSH



Numbers approximate as of 12/31 of given year

Types of Residential Placements Available for PSRB Clients

- Secure residential treatment facility (SRTF) – 19%
- Residential treatment facility/home (RTF/RTH) – 35%
- Adult Foster Homes – 6%
- Semi-Independent/Supported Housing (SH) - 19%*
- Independent living - 20%

*Includes 5% Intensive Case Management

A “Day in the Life” of a PSRB patient on Conditional Release

- 20 hrs./week structured activity provided by Community Mental Health Agencies, including:
 - Individual therapy
 - Substance abuse/self-help groups
 - Random urinalysis testing (UAs)
 - Peer support groups
 - Skills training (public transportation, money mgt., cooking, laundry, shopping)
 - Group therapy
 - Employment
 - College

Adult Recidivism Rate

Percentage of Clients on Conditional Release Convicted
of a New Felony or Misdemeanor

	On CR *	New Felonies or Misdemeanors	Percentage
2011	483	2	.41%
2012	485	5	1.03%
2013	457	4	.88%
2014	458	1	.22%
2015	446	0	0
2016	442	1	.23%

Average = .46%

Results

- Continued to fulfill mandate to protect the public as evidenced by 0.46% recidivism rate since 2011
- Maintained 99% of adult patients safely in the community despite having a higher percentage of patients on conditional release than last biennium
- GEI Census at OSH decreased 31.2% in last 5 years

Major Initiatives in 2017-19

- Continue solid public safety record
- Manage increased percentage of patients on conditional release
- Complete sex offender classification and implement relief hearing program
- Collaborate with OHA/DHS and OSH to improve OSH “back door” barriers
- Integrate trauma-informed practices into PSRB operations

Challenges for the Board

- Ability to manage demands of system within current resources
- Uncertain future of Medicaid Funding
- Operating environment routinely includes misconceptions of those with mental illness, assumptions about PSRB patients
 - Rental Housing Barriers
 - Employment Barriers
- Addressing the widely disparate expectations of stakeholders

2017 Proposed Legislation

1. **SB 63** – Administrative Clean up Bill
2. **SB 64** – Amends Stigmatizing Statutory Language/Clarifies Qualifying Mental Disease
3. **SB 65** – Creates a Restorative Justice Program
4. **SB 66** – Requires Court to provide notification in GEI and Civil Commitment Cases

2017-19 Governor's Recommended Budget

- Current Service Level- \$2.98 million GF/11 FTE
- These funds can provide the Board the resources for staff to manage their current workload within a 40 hour work week
- Does not allow for any significant increase in workload or responsibilities that might result from new legislation

Questions?