

Arlington Mental Health and Disability Alliance
For Self-Determination & Dignity

June 24, 2019

Honorable Chairman Dorsey and Members of the Arlington County Board:

The Arlington Mental Health and Disability Alliance is a group of local advocates comprised of community members living with mental illness and other disabilities, and their families. We seek to support the critically important work of Arlington's Human Services Department, the Community Services Board and all those working in the justice system. This letter is on behalf of our members.

We recently learned that a behavioral health care docket has been developed. We are grateful to those who have worked to make this docket a reality. A docket that can provide for pre-charge and pre-plea diversion and community-based treatment is a top priority for our Alliance. However, it did take us by surprise to learn that an application will be submitted this week to the Virginia Supreme Court, with implementation soon to follow. There has been no community outreach or transparency on the design of this court docket. Although members of our community have requested a copy of the application, we have been told it will not be made publicly available before it is submitted to the Virginia Supreme Court. At this point, there are no public committee meetings being held during which we could even submit public comment.

This is not a transparent approach. This court docket will have such broad effects on our community. If changes are needed, we fear that the program will already be "baked in" and we will have lost an opportunity to ensure that the docket is effective and evidence-based.

As you may know, in November of 2016, the Arlington County Sheriff's office reached a settlement agreement with the Department of Justice over treatment of those detained who have disabilities. According to the 2018 Compensation Board Mental Illness in Jails Report, our jail had a population of 307 mentally ill persons. Yet, we have no comprehensive approach to diversion for those who become court involved as a result of mental illness or disability, regardless of age. This means that we are criminalizing mental illness and disability in our community.

We call upon you to ensure transparency and a full opportunity to be heard on the scope and the details of the proposed docket. We are hearing it is a post-plea sentencing diversion program for adults only, much like the existing drug court. Our community should have a voice in the development of this important court docket. Specifically, we believe a public hearing on this matter would be appropriate, and would like to see a reconsideration of the timing of this application to ensure community input is fully considered.

Respectfully yours,



Perry Gibbs



Juliet Hiznay



Naomi Verdugo

Cc: Hon. R. Frances O'Brien, Chief Judge, General District Court
Mark Schwartz, County Manager
Michelle Cowan, Deputy County Manager
Theophani Stamos, Commonwealth's Attorney
Brad Haywood, Chief Public Defender
Anita Friedman, Director, Department of Human Services
Deborah Warren, Executive Director, Community Services Board