

**Testimony on LB 669
Before the Judiciary Committee
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Good afternoon Senator Ashford and members of the Judiciary Committee, for the record my name is Brad Meurrens, M-E-U-R-R-E-N-S, and I am the Public Policy Specialist and registered lobbyist for Nebraska Advocacy Services, Inc., the Center for Disability Rights, Law, and Advocacy. We are the designated Protection and Advocacy organization for persons with disabilities in Nebraska. When the services and supports for persons with mental illness who live in the community fail, corrections is the system most likely to absorb those individuals; which is why I am here today to offer our strong support for LB 669.

For a number of reasons, developing diversion programs for persons with mental illness in the corrections system is a beneficial alternative; for people with mental illnesses tend to fare worse under the traditional punitive model of corrections, e.g. serve longer sentences, more disciplinary actions, etc.

- 1. Rather than simply locking up persons with mental illness, diversion programs redirect these persons to systems premised on treating the underlying disorders.**
 - Reports by the Nebraska ACLU <http://www.aclunebraska.org/publications.htm> and Human Rights Watch <http://www.hrw.org/reports/2003/usa1003/index.htm> and <http://hrw.org/english/docs/2006/09/06/usdom14137.htm> point out significant deficiencies in the treatment and discharge of Nebraska prisoners with mental illness.
- 2. Diversion programs can relieve some of the overcrowding pressure on our current correctional systems.**
 - There is growing consensus that the number of persons with mental illness in our penal system is significant. According to the Frontline documentary *The New Asylums*, <http://www.pbs.org/wgbh/pages/frontline/shows/asylums/>,

approximately 17% of Nebraska's inmates have a diagnosable mental illness, slightly higher than the national average.

3. Diversion programs are a cost-effective alternative.

- In Nebraska, it costs approximately \$25,000 per year to incarcerate an individual in a correctional facility. By comparison, the cost for the Lancaster County jail diversion program is much less. Given the significant number of offenders housed in Nebraska's correctional institutions on any given day, less costly jail diversion programs are a wise investment.
- Federal research is positive regarding the effectiveness of jail diversion programs. The federal Substance Abuse and Mental Health Services Administration (SAMHSA) Jail Diversion Knowledge and Application Program research shows that people living with mental illness who were diverted from jails and prisons into the mental health system spent more time in the community, rather than in the hospital or incarcerated; received significantly more mental health treatment; and were no more likely to be rearrested during the follow-up year than persons who were not diverted.

However, we would recommend that LB 669 be amended to include language specifying that the membership of the advisory council created by LB 669 include at least one current or former recipient of behavioral health services from each of the six behavioral health regions.

This concludes my testimony this afternoon, and I would be happy to entertain any questions the committee may have.