

SENATE HEARING SLIP

(Please Print Plainly)

DATE: March 1 2000

BILL NO. SB 314
OF

SUBJECT Involuntary Commitment
of Prisoners for Mental Health
Treatment

(NAME) Dan Rossmiller

(Street Address or Route Number) Office of Senator George

(City and Zip Code) Madison

(Representing) Senator Gary R. George

Speaking in Favor:

Speaking Against:

Registering in Favor:
but not speaking:

Registering Against:
but not speaking:

Speaking for information
only; Neither for nor against:

Please return this slip to a messenger PROMPTLY.

Senate Sergeant-At-Arms
State Capitol - B35 South
P.O. Box 7882
Madison, WI 53707-7882

SENATE HEARING SLIP

(Please Print Plainly)

DATE: 3/1/00

BILL NO. SB 314
OF

SUBJECT _____

(NAME) Kristine Timm

(Street Address or Route Number) 2801 Rushfield Dr

(City and Zip Code) Oshkosh WI 54904

(Representing) Wisconsin Resource Center

Speaking in Favor:

Speaking Against:

Registering in Favor:
but not speaking:

Registering Against:
but not speaking:

Speaking for information
only; Neither for nor against:

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State Capitol - B35 South
P.O. Box 7882
Madison, WI 53707-7882

SENATE HEARING SLIP

(Please Print Plainly)

DATE: 3/1/00

BILL NO. SB 314
OF

SUBJECT ROBEAT

(NAME) WEGENER

(Street Address or Route Number) 2323 SHEPARD ST

(City and Zip Code) OSHKOSH WI

(Representing) 54901

Speaking in Favor:

Speaking Against:

Registering in Favor:
but not speaking:

Registering Against:
but not speaking:

Speaking for information
only; Neither for nor against:

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SENATE HEARING SLIP

(Please Print Plainly)

DATE: 3/1/00
BILL NO. SB 314
OR
SUBJECT _____

PAUL HARRIS
(NAME)
OFFICE OF LEGAL COUNSEL
(Street Address or Route Number)

(City and Zip Code)
DHFS
(Representing)

Speaking in Favor:
Speaking Against:
Registering in Favor:
but not speaking:
Registering Against:
but not speaking:
Speaking for information only; Neither for nor against:

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SENATE HEARING SLIP

(Please Print Plainly)

DATE: 3-1-00
BILL NO. SB 314
OR
SUBJECT _____

Paul Garbowski
(NAME)
149 E. Wilson
(Street Address or Route Number)
Madison, 53707
(City and Zip Code)
DOC
(Representing)

Speaking in Favor:
Speaking Against:
Registering in Favor:
but not speaking:
Registering Against:
but not speaking:
Speaking for information only; Neither for nor against:

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P.O.Box 7882
Madison, WI 53707-7882

SENATE HEARING SLIP

(Please Print Plainly)

DATE: 3-1-00
BILL NO. SB 314
OR
SUBJECT _____

Thomas J. Michlowski, M.D.
(NAME)
512 Sunrise Lane
(Street Address or Route Number)
6.B. 54301
(City and Zip Code)
Wisconsin Resource Center
(Representing)

Speaking in Favor:
Speaking Against:
Registering in Favor:
but not speaking:
Registering Against:
but not speaking:
Speaking for information only; Neither for nor against:

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Senate Sergeant-At-Arms
State Capitol - B35 South
P.O.Box 7882
Madison, WI 53707-7882

Vote Record

Senate Committee on Insurance, Tourism, Transportation and Corrections

Date: _____
 Moved by: Corbett Seconded by: Zien
 AB: _____ Clearinghouse Rule: _____
 AB: _____ SB: 314 Appointment: _____
 AJR: _____ SJR: _____ Other: _____
 A: _____ SR: _____

A/S Amdt: _____ to A/S Amdt: _____
 A/S Amdt: _____ to A/S Amdt: _____
 A/S Sub Amdt: _____ to A/S Sub Amdt: _____
 A/S Amdt: _____ to A/S Sub Amdt: _____
 A/S Amdt: _____ to A/S Sub Amdt: _____

Be recommended for:

- | | |
|---------------------------------------|--|
| <input type="checkbox"/> Passage | <input type="checkbox"/> Indefinite Postponement |
| <input type="checkbox"/> Introduction | <input type="checkbox"/> Tabling |
| <input type="checkbox"/> Adoption | <input type="checkbox"/> Concurrence |
| <input type="checkbox"/> Rejection | <input type="checkbox"/> Nonconcurrence |
| | <input type="checkbox"/> Confirmation |

Revised 2/25

Committee Member

- Sen. Roger Breske, Chair
- Sen. Richard Grobschmidt
- Sen. Jim Baumgart
- Sen. Kevin Shibilski
- Sen. Dale Schultz
- Sen. Alan Lasee
- Sen. David Zien

	<u>Aye</u>	<u>No</u>	<u>Absent</u>	<u>Not Voting</u>
Sen. Roger Breske, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Richard Grobschmidt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Jim Baumgart	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Kevin Shibilski	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Dale Schultz	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Alan Lasee	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. David Zien	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Totals: _____

Motion Carried

Motion Failed

Testimony of Ted Garlewski, Ph.D.
Psychological Services Coordinator
Department of Corrections
Senate Bill 314

Senate Committee on Insurance, Tourism, Transportation and Corrections
March 1, 2000

The Department of Corrections is in full support of Senate Bill 314. Extending the involuntary civil commitment period for inmates from the current 180-day time limit (within 365 days) to one year will be of benefit to all involved in the process.

It will benefit the inmate, first and foremost, as it will allow sufficient time to make a diagnosis and determine the appropriate course of treatment. These initial steps may alone account for a six month period. The mentally ill inmate will also benefit from the continuity of care that would be possible. This means that once treatment is initiated, it would continue without interruption by some artificial time limit and the individual can receive the full benefit of that treatment.

Continuous treatment is also more humane since 1) repeatedly relapsing into a state of mental instability may be terrifying to the person and could instill a sense of hopelessness and 2) it may give the inmate the opportunity to experience a stable, realistic way of relating to others and the environment as well as facilitate reintegration into society. This would eliminate the current cycle of partial treatment and relapse, which is inherently counterproductive to the stated goals and may hinder treatment recovery in the future.

Senate Bill 314 would additionally be of benefit to staff of the Department of Corrections. It takes quite a bit of effort on the part of medical, clinical and corrections staff to manage a seriously mentally ill inmate who refuses to participate in necessary treatment. To go through the process of transferring the inmate, obtaining the required court order, initiating treatment, observing some progress and then having treatment terminated prematurely can be very discouraging.

Thank you for allowing me to testify and I would be happy to answer any questions.

Senate Bill 314

Committee on Insurance, Tourism, Transportation and Corrections

Good morning. My name is Kris Timm, Acting Director of the Wisconsin Resource Center in the Department of Health and Family Services. With me today from the Wisconsin Resource Center are Dr. Thomas Michlowski, our Medical Director and Robert Wegener, our Director of Nursing. Paul Harris is from the Department's Office of Legal Counsel.

Mentally ill inmates at the Wisconsin Resource Center take medication for their mental illness in three different ways:

1. Voluntarily
2. Civilly committed under 51.20(1)(a)
3. Committed under 51.20(1)(ar) under the alternative standard where dangerousness to self or others does not have to be shown

Under current law, an inmate may be committed by an alternative petition under s.51.20(1)(ar). This section of the Chapter 51 statute is intended for those inmates who do not meet the civil commitment standard of dangerousness to self or others but whose mental illness is in need of treatment. The current statute permits qualified inmates to be committed for treatment for no more than 180 days out of each calendar year. Senate Bill 314 extends the time period to one year for which an inmate may be committed when it is determined there is a continuing need for treatment. The Wisconsin Resource Center (WRC) utilizes

the alternative petition allowed by the statute for a very small number of their mentally ill inmates.

The Wisconsin Resource Center is a medium security prison administered by the Department of Health and Family Services. It was created by the Legislature in 1983 to serve mentally ill inmates transferred from DOC institutions for care and treatment at the WRC. Once an inmate has been successfully treated by the WRC, he is returned to a DOC institution.

WRC currently has 225 inmates. Approximately seventy percent of WRC's inmate population take medication for their mental illness, the majority of them on a voluntarily basis. During 1999, thirty-three inmates were civilly committed to WRC under s.51.20(1)(a), thirty of which are committed under s.51.20(1)(a) and three committed under s.51.20(1)(ar). From January 1999 through December 1999, less than 10% of the inmates committed to the WRC for treatment of their mental illness are under s.51.20(1)(ar).

While those inmates who are civilly committed under s.51.20(1)(a) may be treated on an uninterrupted basis if they continue to meet the statutory definition for civil commitment, those committed under the alternative petition must have their treatment discontinued after six months. Treatment may not be initiated again until the following year, regardless of their continuing need.

During that period when they cannot be treated, they typically become psychotic and their level of cognitive functioning declines. Their psychosis is exhibited by disruptive behavior that makes it impossible to allow them out of their cells and at the same time maintain a therapeutic environment for the other inmates on the treatment unit. Discontinuing psychotropic medication periodically can have long term adverse effects. Continuous treatment slows or prevents the individual from regressing to a lower functioning state.

SB314 will help prevent this very small population of inmates in need of treatment from regressing further and becoming even more mentally ill. It will allow those individuals who do not meet the dangerousness standard prescribed by Chapter 51, but nevertheless are in need of treatment, to be cared for appropriately. It will break the continual cycle of treatment, psychosis and deterioration. It may shorten their length of stay at the Wisconsin Resource Center, thus making room for other DOC mentally ill inmates to be treated. The Department urges passage of this bill.