

DHS Forensic Newsletter

April 2022



Provided by Wisconsin Community Services (WCS), supporting the Wisconsin Department of Health Services (DHS)

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New Treatment to Competency Unit at Wisconsin Resource Center

DHS recently opened a unit at the Wisconsin Resource Center in Oshkosh to serve people in county jails waiting for treatment to competency services. This is part of ongoing efforts by DHS to ensure people who need these services are served as quickly as possible after DHS receives the court order. Mendota Mental Health Institute in Madison is the main receiving facility for treatment to competency patients. While beds for this service have been added to the hospital in recent years and some patients found not guilty by reason of mental disease or defect have been moved to Sand Ridge Secure Treatment Center in Mauston to free up beds at Mendota Mental Health Institute, the demand for treatment to competency services continues to outpace Mendota Mental Health Institute's capacity to immediately serve everyone. The new unit at Wisconsin Resource Center is taking some pressure off the long-standing DHS inpatient system for treatment to competency services. Other efforts include continued growth in partnerships with county jails to provide treatment to competency services in the jail setting and more utilization of outpatient competency restoration services.

Distribution of forensic court orders

Send criminal complaints, reports from examiners, and supporting documentation to: DHSMMHIadmissions@dhs.wisconsin.gov. Send information attached to the CR-270 and CR-277 forms to the court-appointed evaluator. This is not the responsibility of DHS.

Accuracy of court orders

There's been an increase in the number of court orders submitted to DHS with inaccurate or missing information. Having the correct name, case number(s), date of birth, and current contact information for the defendant and both attorneys is essential to complete the court-ordered task in a timely fashion.

Days credit on misdemeanor cases

The information regarding days of credit is crucial for DHS to calculate the amount of time allowed under the commitment for treatment to competency. Please take time to discuss the "days credit" for time in custody. Note the "days credit" on the CR-206 form.

Delays or no decision on competency

Some courts continue to allow an adjournment of the competency hearing or choose not to make a competency determination at the hearing after receiving a progress report from DHS that opines the person as “competent” or “not competent and not likely to become” under Wis. Stat. ch 971.14(5)(c). This delays the person from being discharged from the DHS commitment, which impacts the admission of people who have been waiting for competency restoration treatment services.

Kudos on your collaborative effort

The state mental health institutes discharged 39 people in February committed for inpatient treatment for competency restoration under Wis. Stat. § 971.14(5). There were 19 cases in which the court personnel coordinated to move-up or set the return to court date at the request of DHS. These cases resulted in a reduction of 382 days these people could have spent at the mental health institutes under the commitment.

Impact of delays

The state mental health institutes discharged 39 people in February committed for inpatient treatment for competency restoration under Wis. Stat. § 971.14(5). There were six cases in which the competency hearing was adjourned, or the DHS progress report was challenged, with doctor’s testimony and/or a second independent opinion requested. The delay in these cases resulted in an additional 81 days under the commitment for these six people.

Questions during hearings

If questions are raised during a hearing on a predisposition investigation report or a conditional release plan, please check if there is a DHS representative present to assist. Whether the hearing is being held in person or virtually, the contracted provider who authored the report or plan is typically present. The contracted provider is a representative of DHS authorized to answer questions.

Training events

Visit the [WCS Court Liaison and Tracking Service website](#) if you would like to schedule a training in your county.

Contact Us

Adam Oldenburg
Court Liaison
414-750-3519
aoldenburg@wiscs.org

Vicki Shequen
Assistant Court Liaison
414-303-7547
vshequen@wiscs.org