



State of Arizona
Psychiatric Security Review Board
2019 Annual Report



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BOARD MEMBERS

JAMES P. CLARK, M.D., CHAIR – PSYCHIATRIST/PSYCHOLOGIST MEMBER

MICHAEL KLEMENS, PH.D., VICE-CHAIR – PSYCHOLOGIST MEMBER

SUSAN STEVENS, ESQ. – PUBLIC MEMBER

PAUL O’CONNELL, M.S., M.P.A. – PAROLE, COMMUNITY SUPERVISION, OR PROBATION MEMBER

GWEN A. LEVITT, D.O. – PSYCHIATRIST MEMBER

STAFF

JAIME SHAPIRO – EXECUTIVE DIRECTOR

EXECUTIVE SUMMARY

This report is intended to give stakeholders a picture of Board actions, conditional release decisions, crimes committed by and mental illnesses of the people who are committed to the Psychiatric Security Review Board's (hereinafter referred to as the PSRB or Board) jurisdiction by the Arizona Superior Court.

NOTABLE EVENTS

Sunset Review

The PSRB is scheduled to sunset on July 1, 2020, meaning the Joint Legislative Audit Committee (JLAC) is examining the purpose and functions of the PSRB in order to determine whether continuation, revision, consolidation, or termination is warranted. During 2018, the PSRB underwent a performance audit completed by the Auditor General's Office and the full report was issued in December of 2018. On September 13, 2019, the Auditor General issued a follow-up report which shows that five recommendations are in process, and one is not yet applicable. The Auditor General's current and future publications related to the PSRB's audit can be found [on their website](#).

In response to the audit findings, the Board adopted policies that defined key terms, clarified its expectations as to the level of detail of mental health report content, and established under which circumstances it wants the Arizona State Hospital (ASH) to submit a comprehensive risk assessment. Additionally, the Board's Chairman is working with legislators and stakeholders to amend the statutes that govern the PSRB.

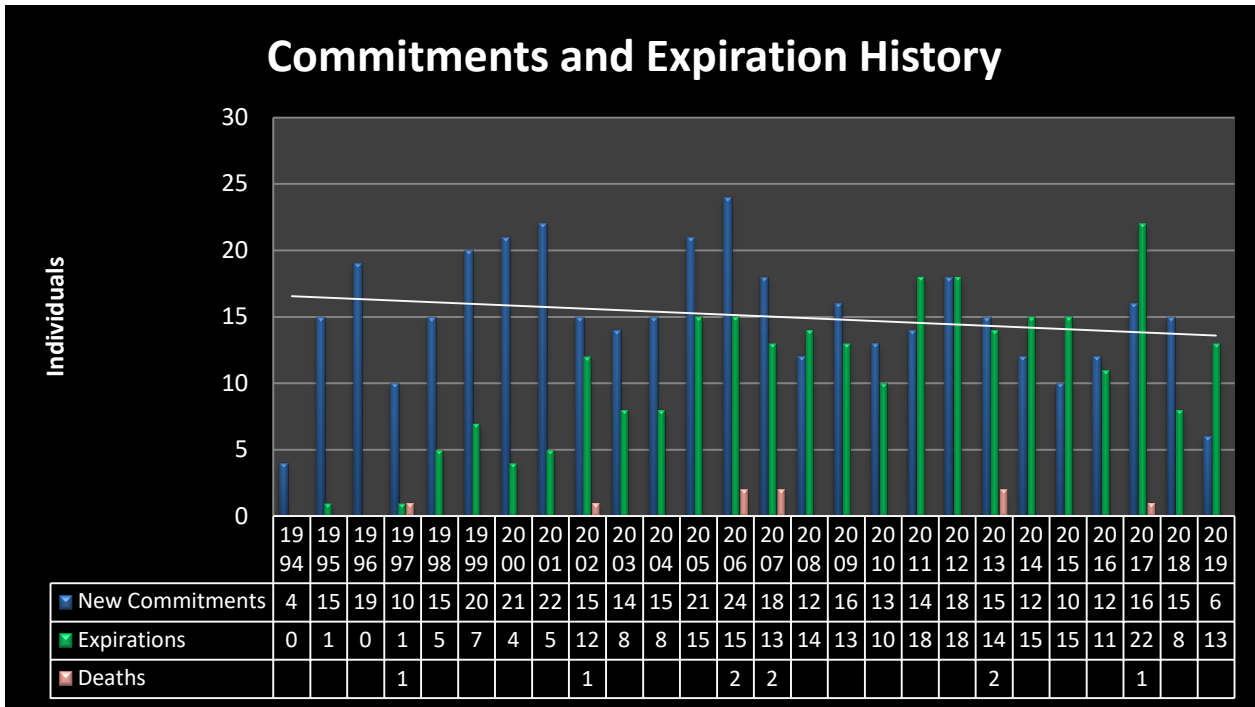
In November of 2019, the performance auditors and the Board's Chairman addressed the Senate Committee of Reference. The Committee voted unanimously to recommend that the full Senate continues the PSRB for another eight years.

The Migration of Arizona's Post-Insanity Defense Procedures to a Modified GBMI Model

Researchers published [an article](#) in the Journal of the American Academy of Psychiatry and the Law in April 2019 examining the evolution of Arizona's insanity defense over the last 30 years. A [letter to the editor](#) was published online in December 2019, containing a minor correction.

GUILTY EXCEPT INSANE COMMITMENTS AND EXPIRATIONS HISTORY

Total: 392¹

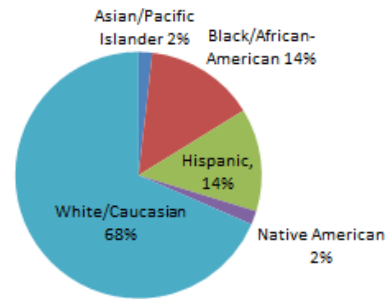


INDIVIDUALS UNDER THE PSRB’S JURISDICTION IN 2019

- As of December 31, 2019, the Board had jurisdiction over 114 people:
 - 84% male and 15% female. Currently, no one under the Board’s jurisdiction identifies with a non-binary gender;
 - 98 individuals confined in ASH;
 - 17 individuals in the community;
 - One individual in the Arizona Department of Corrections;
 - The average age is 44 years, ranging from 20 to 76.
- Six individuals were committed to the PSRB’s jurisdiction in 2019:
 - Two from both Yavapai and Coconino Counties;
 - One from both Maricopa and Pima Counties.
- Thirteen individuals’ terms expired in 2019:
 - Six individuals were ordered to undergo an evaluation for civil commitment;
 - Seven individuals’ terms expired with no further action.

¹ Discovery of historical information regarding individuals previously counted and reported as committed to the PSRB revealed that three individuals’ sentences were amended to remove PSRB jurisdiction and were therefore permanently omitted from this data set.

Racial Data	
White/Caucasian	68%
Hispanic	14%
Black/African American	14%
Asian/Pacific Islander	2%
Native American	2%



DIAGNOSTIC INFORMATION

Primary diagnoses were taken from the last report submitted to the PSRB by the patient’s attending practitioner. In some cases, the patient has yet to appear before the PSRB and thus, diagnoses were based on a report by an evaluator or health records prior to Guilty Except Insane (GEI) adjudication. Of the 114 individuals under the Board’s jurisdiction this year, 78 carry secondary substance abuse diagnoses.

DIAGNOSIS	ACTUAL	PERCENTAGE
Schizoaffective Disorder	44	38.26%
Schizophrenia	34	29.57%
Bipolar Disorder	18	15.65%
Delusional Disorder	5	4.35%
Depressive Disorder	4	3.48%
Psychotic Disorder, NOS	2	1.74%
Neurocognitive Disorder	2	1.74%
Alcohol Use Disorder	1	.87%
PTSD	1	.87%
ADHD	1	.87%
Impulse Control Disorder	1	.87%
Total	114	100%

CONDITIONAL RELEASE

Conditional Release to ASH

The PSRB permits individuals who qualify to take temporary leave of the secure grounds of ASH with gradually reduced supervision in three phases. The granting of such conditional release privileges is based on progress in treatment. Phase one consists of off-grounds passes supervised by ASH staff; phase two consists of off-grounds passes monitored by pass supervisors who are vetted by ASH and approved by the PSRB; and phase three consists of self-monitored off-grounds passes. Individuals are actively monitored by Global Positioning Satellite (GPS) ankle monitors when off secure grounds.

The conditional release treatment plans are devised by ASH’s multi-disciplinary treatment team, the patient, outpatient and community treatment providers, and the Board, which grants final approval. Whenever possible others are involved in conditional release treatment planning, such as the patients’ family members and friends, who take an active role in the treatment of the person.

Conditional Release to the Community

Individuals who qualify are discharged from ASH and are monitored in the community under a conditional release treatment plan devised by ASH, in conjunction with the outpatient service providers, and approved by the PSRB. The PSRB, the Arizona Health Care Cost Containment System (AHCCCS), the Managed Health Care Plan (formerly known as the Regional Behavioral Health Authority/RBHA), and community behavioral health service providers are responsible for monitoring the patient’s adherence to the requirements imposed by the Board. Such requirements include the frequency of psychiatric appointments, residential monitoring requirements, medication observation, case management services, drug and alcohol testing, therapies, and substance abuse treatment participation. Detailed monthly reports are submitted by community treatment providers and are reviewed by the PSRB.

As of December 31, 2019, 33 of 114 people were on conditional release status (ASH and Community), which is 29%.

Total Number Of Individuals On Conditional Release to ASH	
Phase 1	6
Phase 2	7
Phase 3	3
Total	16

Type of Residential Monitoring for Conditional Release to the Community	
Group Home – 24-hour supervision	3
Group Home – 16-hour supervision	0
Group Home – 12-hour supervision	1
Group Home – 8-hour supervision	1
Independent Living w/ Family	3
Independent Living	9
Total	17

HEARINGS

- The PSRB conducted fourteen meetings in 2019 consisting of twelve regularly scheduled meetings and two special meetings.
- The PSRB conducted a total of 102 statutory hearings.

BOARD ACTIONS IN 2019

- Three individuals were granted conditional release to ASH.
- Seven individuals in ASH were granted a higher phase of conditional release.
- Three individuals were granted conditional release to the community in 2019:

- For two of the three individuals, it took an average of 2488 days, or 6.8 years, from admission to discharge.²
- Three individuals' conditional release to ASH was revoked based on the following findings:
 - Two were for deterioration of mental health and violation of one or more terms of conditional release;
 - One was for violation of one or more terms of conditional release.
- Two individuals were returned to ASH for evaluation and were re-released to the community, which took an average of 76 days from re-admission to discharge.
- The PSRB voted to amend the terms of conditional release for individuals in the community nine times. Such amendments can include an address change or reduction in frequency of other requirements.
- The Board transferred zero individuals to the Arizona Department of Corrections.
- The PSRB voted to deny conditional release 19 times.
- The PSRB approved five out-of-state travel requests.

PRIMARY OFFENSES AND SENTENCING DATA

There are 27 people that are sentenced to Life under the PSRB³. The data in the below table is evaluated for non-life sentences.

Primary Offense	Person(s)	Average Sentence Duration (in years)	Max Sentence Duration	Minimum Sentence Duration
Homicide	54	22.3	63	2.5
Aggravated Assault	34	15.1	127	2.5
Attempted Homicide	12	17	43.5	5
Burglary/Robbery	6	9.6	10.5	5
Attempted Arson	2	7.5	7.5	7.5
Attempted Aggravated Assault	2	6	6	6
Arson	1	6	10.5	1.5
Kidnapping	1	10.5	10.5	10.5
Molestation	1	17	17	17
Reckless Endangerment	1	2.25	2.25	2.25

² One of the three individuals had not yet discharged from ASH as of December 31, 2019.

³ Historically, 30 people have been sentenced to Life under the PSRB; three have since passed away.

PRIMARY OFFENSES AND CURRENT COMMITMENTS PER COUNTY

Apache - 4	Homicide	3
	Molestation	1
Cochise - 3	Homicide	1
	Reckless Endangerment	1
	Aggravated Assault	1
Coconino - 4	Homicide	2
	Attempted Homicide	1
	Aggravated Assault	1
Gila - 5	Aggravated Assault	2
	Attempted Aggravated Assault	1
	Attempted Homicide	1
	Burglary/Robbery	1
Graham - 1	Homicide	1
La Paz - 1	Homicide	1
Maricopa - 28	Homicide	16
	Aggravated Assault	6
	Attempted Homicide	5
	Arson	1

Mohave - 1	Aggravated Assault	1
Navajo - 3	Homicide	2
	Attempted Homicide	1
Pima - 33	Homicide	17
	Aggravated Assault	11
	Burglary/Robbery	4
	Attempted Aggravated Assault	1
Pinal - 9	Aggravated Assault	4
	Homicide	4
	Attempted Arson	1
Yavapai - 9	Aggravated Assault	7
	Homicide	4
	Attempted Homicide	3
	Burglary/Robbery	1
	Kidnapping	1
	Attempted Arson	1
Yuma - 6	Homicide	3
	Aggravated Assault	2
	Attempted Homicide	1

Felony Class	
Class 1	42.6%
Class 2	28.7%
Class 3	20.0%
Class 4	7.0%
Class 5	.9%
Class 6	.9%