Congress of the United States
House of Representatives
Washington, DC 20515

January 25, 2012

The Honorable Eric Holder
Attorney General
United States Department of Justice
950 Pennsylvania Avenue NW
Washington, DC 20530

The Honorable Jacob Lew
Director
The Office of Management and Budget
725 17th Street NW
Washington, DC 20503

Dear Attorney General Holder and Director Lew:

We write to you to convey the strong congressional support present for inclusion of the Mentally Ill Offender Treatment and Crime Reduction Act (MIOTCRA) in the President's FY 2013 budget. Large numbers of people with serious mental illnesses and co-occurring substance use disorders get caught up in the criminal justice system, often with tragic results for these individuals, their families, and the communities in which they live. Jurisdictions across the nation are looking for help to address the inefficient use of law enforcement, court, and corrections resources; failures to link people in need to effective treatment; and concerns about public safety.

As you know, the President's FY 2012 budget proposed the consolidation of the MIOTCRA program into a single problem-solving courts initiative, which has not been adopted. Report language in the Senate FY 2011 and FY 2012 CJS appropriations bill explicitly rejected the proposal to consolidate MIOTCRA with the Drug Court Program and made a clear distinction between problem-solving courts and MIOTCRA. While a problem-solving courts initiative may have its own merits, this policy change would exclude many of the key elements of MIOTCRA. Consequently, we oppose this proposed policy shift and ask that it not be included in the FY 2013 Presidential Budget Request. Court-based programs constitute less than 40 percent of the funded initiatives in MIOTCRA. Other uses of critical MIOTCRA program dollars improve public safety by providing cross-training of criminal justice and mental health personnel, training of local law enforcement officers, diversion and alternative prosecution programs, corrections and transitional services as well as a wide range of responses to juveniles.

The law enforcement, training and treatment components of the MIOTCRA program are important elements in better addressing the needs of people with mental illnesses who come into contact with the criminal justice system. These practices have proven effective in reducing recidivism, enhancing public safety, and freeing up criminal justice resources for traditional crime fighting purposes. We hope that you will consider the importance of law enforcement and the many other non-judicial interventions that would be lost under the FY12 proposal.

PRINTED ON RECYCLED PAPER

The MIOTCRA program is a vitally important resource to the entire criminal justice field as it identifies, treats and supervises people with mental illnesses otherwise cycling in and out of the justice system at significant expense to local and state governments. In fact, both the House and Senate have expressed their support for the MIOTCRA program through the continuous funding of the program during FY 2006 – 2011.

Furthermore, MIOTCRA continues to receive strong, bipartisan support in both chambers of Congress. This was evident when it overwhelmingly passed in 2004. In 2008, Congress reauthorized the program for an additional five years. The reauthorization bill expanded training for law enforcement, the development of law enforcement receiving centers as alternatives to jail booking and the availability of these law enforcement dollars to public safety departments on college campuses.

Accordingly, we ask that you include funding for the MIOTCRA program in the 2013 budget without the consolidation proposal referenced above. We look forward to working with you on this important issue.

Sincerely,

Robert C. "Bobby" Scott
Member of Congress

Richard B. Nugent
Member of Congress

Raúl M. Grijalva
Member of Congress

Michael G. Grimm
Member of Congress

Gwen Moore
Member of Congress

Corrine Brown
Member of Congress

Jerrold Nadler
Member of Congress

Pete Stark
Member of Congress

Bob Filner
Member of Congress

Barbara Lee
Member of Congress

Danny K. Davis
Member of Congress

Edolphus Towns
Member of Congress

André Carson
Member of Congress

David G. Reichert
Member of Congress

John Lewis
Member of Congress

Russ Carnahan
Member of Congress

Brad Miller
Member of Congress

Zoe Lofgren
Member of Congress

Gregorio Kilili Camacho Sablan
Delegate

James P. Moran
Member of Congress

Charles B. Rangel
Member of Congress

Henry C. "Hank" Johnson, Jr.
Member of Congress

Gene Green
Member of Congress

Grace F. Napolitano
Member of Congress

John Conyers, Jr.
Member of Congress

James R. Langevin
Member of Congress

Larry Kissell
Member of Congress

Bennie G. Thompson
Member of Congress

Eleanor Holmes Norton
Delegate

Madeleine Z. Bordallo
Delegate

Diana DeGette
Member of Congress

Melvin L. Watt
Member of Congress

Janice D. Schakowsky
Member of Congress

Mike Quigley
Member of Congress

Sheila Jackson Lee
Member of Congress

Bobby Rush
Member of Congress

Carolyn Maloney
Member of Congress

Chris Van Hollen
Member of Congress