

THE LAW OFFICES OF
THE SHELBY COUNTY PUBLIC DEFENDER

September 23, 2016

E. Douglas Varney, Commissioner
Tennessee Department of Mental Health & Substance Abuse Services
Andrew Jackson Building – 6th Floor
500 Deadrick Street
Nashville, TN 37243

Re: Crisis in admissions to state hospitals from the Shelby County Jail

Dear Commissioner Varney:

I am shocked to learn of the extraordinary delays endured by individuals detained in the Shelby County Jail who have been court ordered for admission to Western Mental Health Institute in Bolivar, Tennessee, for treatment due to serious mental illness.

As of this moment, there are ten people in the Shelby County Jail awaiting involuntary judicial hospitalization after a state court judge determined they require treatment and care in an inpatient setting. Together they have been waiting a total of 795 days, which creates unnecessary risk of harm and is extraordinarily costly to Shelby County taxpayers. Only one person has been admitted to the state hospital system from the Shelby County Jail since July 21, 2016. He waited 162 days.

The present precarious situation places unfair burdens on jail personnel who bear the responsibility to provide care and ensure safety. In addition each person awaiting admission has also been found to lack adequate mental competence to proceed with the adjudication of charges against them. As a result, not a single person on your waiting list can exercise the right to have a trial, or otherwise resolve the charges he or she is facing.

I know you agree it is unconscionable for individuals who suffer from serious mental illness to languish for so long after a judge has determined that hospitalization is required. Over the course of more than twenty-five years of my legal practice there have been times when the state claimed it lacked suitable accommodations, but I have never seen delays like those we are experiencing in Shelby County. I am seeking immediate corrective action. Thank you for your attention to these concerns. My office stands ready to assist in any way.

Sincerely,



Stephen Bush
Shelby County Public Defender