

Understanding Mental Health Courts

Activities Guide



BJA
Bureau of Justice Assistance
U.S. Department of Justice

JUSTICE ★ CENTER
THE COUNCIL OF STATE GOVERNMENTS

Understanding Mental Health Courts

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Understanding Mental Health Courts

These activities are designed to help you make an informed decision about whether starting a mental health court would benefit your community and think about other potential program models with similar goals. The decision to begin a mental health court is one you will make with stakeholders and key community partners.

The activities, which include questions and worksheets, should be completed by the people who will serve on your mental health court team, including its primary champion(s) who will be involved in planning. You will complete some activities on your own and others as a group.

Each activity is explained in the sidebar on the right-hand side of the page. The sidebar can also be used for notes as you complete the guide. If you are reading this document online, you can link to the resources for each activity below the activity description.

Module 1



Activity 1: Systems Mapping

As you'll recall from the online Presentation, mental health courts are one of many types of programs and policy changes that cities, counties, and states have pursued to address the overrepresentation of people with mental illnesses in the criminal justice system. In this activity, you will conduct basic system mapping to examine how people with mental illnesses in your community proceed through the criminal justice system.

You will use two distinct process flow documents to help you conduct this systems mapping: 1) the *Flowchart of Select Events Experienced by a Person with Mental Illness in the Criminal Justice System* developed by the Justice Center's Criminal Justice/Mental Health Consensus Project, and 2) the *Sequential Intercept Model*, developed by Munetz & Griffin and adapted by SAMHSA's GAINS Center for Behavioral Health and Justice Transformation. First, you will look at these process flow documents and discuss your current understanding of how individuals with mental illnesses move through your community's criminal justice system. Next, you will use worksheets with sample process flows to list what you know about partnerships that exist between the criminal justice system and the behavioral health system in your community. You will also use these worksheets to list your questions about how individuals with mental illnesses proceed through the system. Once you have completed the worksheets, you will discuss how your system mapping can help you determine how a mental health court would fit into your current system.

The chart on the next page outlines steps to complete the activity, the actions required, and how long each step will take.








Activity 1 is designed to help you conduct basic systems mapping in your community. You will conduct a step-by-step examination of how people with mental illnesses generally proceed through the criminal justice system in your area.

Outputs

- A basic map of how individuals with mental illnesses flow through the criminal justice system in your community
- A list of interventions that currently exist in your community to connect individuals within the criminal justice system with appropriate behavioral health treatment

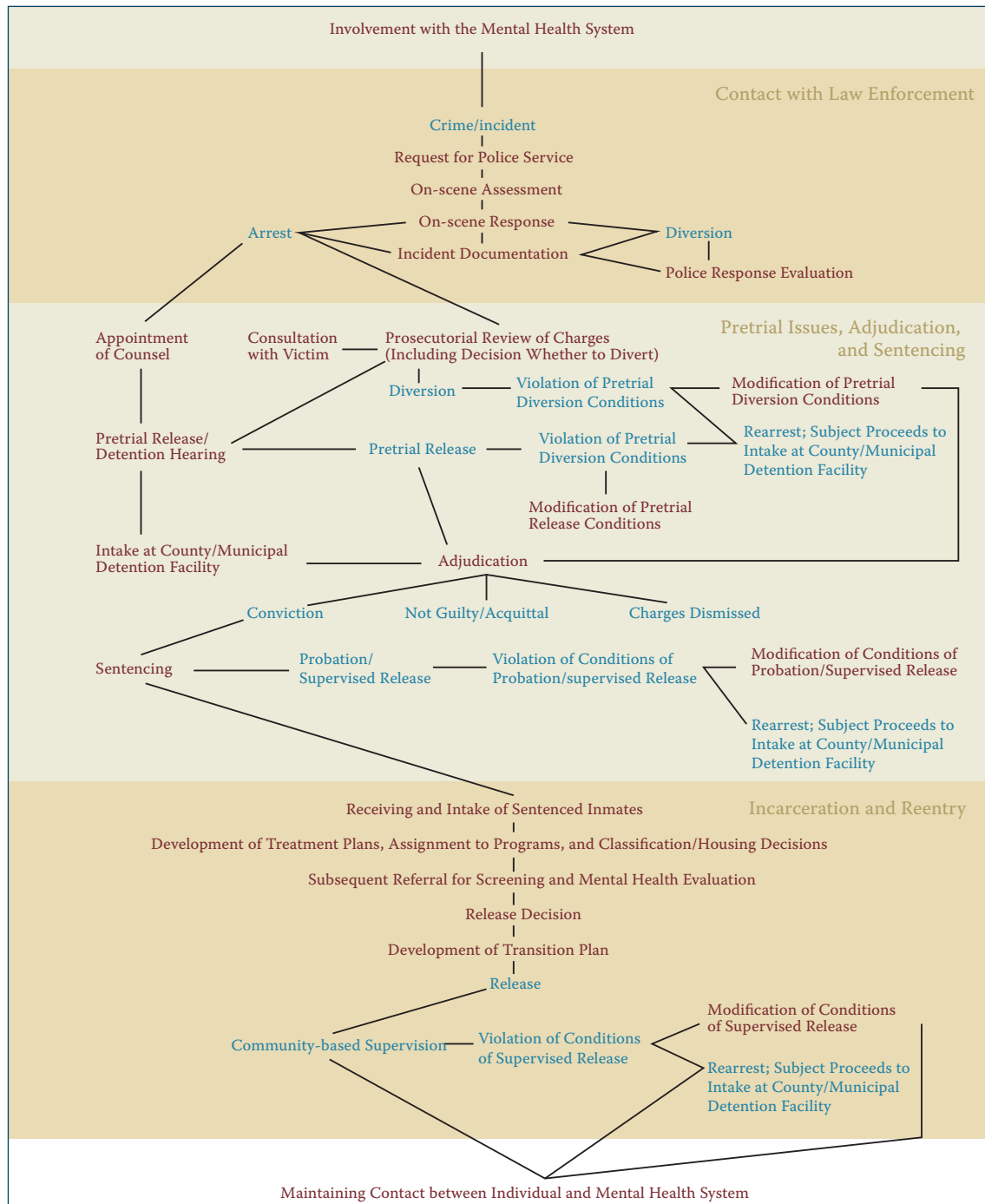
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Notes:

Steps	Action	Complete as	Completion Time (in minutes)
a. Review: Flowchart of Select Events	Read and Discuss		10
b. Worksheet: Flowchart of Select Events	Respond		15
c. Review: Sequential Intercept Model	Read and Discuss		10
d. Worksheet: Sequential Intercept Model	Respond		15
e. Questions: System mapping findings	Discuss		15
			65
 Complete as a team  Complete on your own			

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- a. As a group, study the *Flowchart of Select Events Experienced by a Person with Mental Illness in the Criminal Justice System* and discuss how the sequence outlined there compares to how an individual with a mental illness might proceed through the criminal justice system in your jurisdiction. Members of your team will have expertise in different stages of this sequence; together you should be able to develop a relatively complete picture of the different options for individuals with mental illnesses who are arrested in your community.



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- b. As a group, complete the worksheet below on the *Flowchart of Select Events Experienced by a Person with Mental Illness in the Criminal Justice System*. Write down any questions you have about how individuals with mental illnesses flow through your criminal justice system and indicate where your jurisdiction's process flow is different from the one presented in the worksheet.

Flowchart of Select Events in _____ County Criminal Justice System

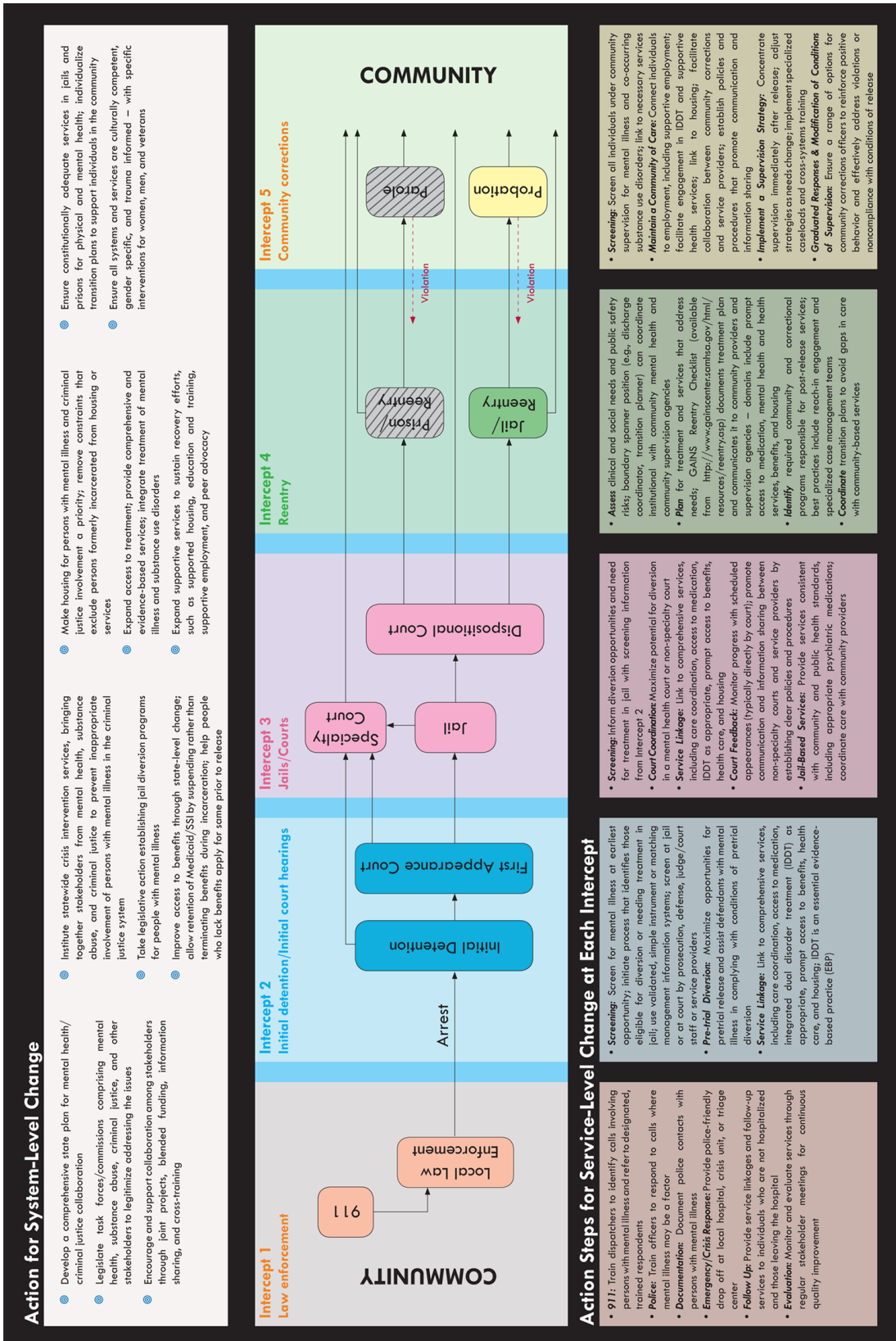
- Review the chart provided on the previous page and work together to draw a similar chart for your jurisdiction.

Contact with Law Enforcement

Adjudication Process

Incarceration and Reentry

c. As a group, review the SAMHSA's GAINS Center for Behavioral Health and Justice Transformation's adaptation of the *Sequential Intercept Model* developed by Griffin and Munetz and discuss actions your community has taken for system-level and service-level changes at each intercept. Consider whether there are programs or processes in place in your community to connect individuals with behavioral health services and other supports. Write down any partnerships you know of in your community between the criminal justice system and the behavioral health system at each intercept. Indicate where you have questions about whether or not partnerships exist. A full-page version of the Sequential Intercept Model is available for download in the Activities Guide section of this module.



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d. As a group, complete the worksheet below on the *Sequential Intercept Model*.

Examine this flow and look for ways to intercept persons with mental illnesses and often co-occurring disorders to ensure

- ▶ Prompt access to treatment
- ▶ Opportunities for diversion

Examples of Intercept 1 Interventions:

- Crisis Intervention Teams (CIT)
- Other specialized police-based responses and trainings
- Collaboration with emergency medical services and/or other emergency services

List others:

1. _____
2. _____
3. _____

Examples of Intercept 2 Interventions:

- Identification, screening, and assessment
- Pretrial diversion/diversion into specialty court programs
- Connection to community supports

List others:

1. _____
2. _____
3. _____

Examples of Intercept 3 Interventions:

- Mental health/co-occurring courts (or specialized dockets)
- Post-disposition discharge planning in jails
- Provision of mental health services to individuals in jails

List others:

1. _____
2. _____
3. _____

Examples of Intercept 4 Interventions:

- Discharge planning (while incarcerated)
- Continuity of medication/treatment from prison into the community
- Collaboration with community mental health systems and community corrections

List others:

1. _____
2. _____
3. _____

Examples of Intercept 5 Interventions:

- Specialized probation caseloads
- Risk assessment and corresponding treatment
- Collaboration with DOC/county jails and courts and community mental health system

List others:

1. _____
2. _____
3. _____

Adapted by the Council of State Governments Justice Center from Dr. Henry Steadman's July 16, 2009, presentation *Planning & Implementing Effective Interventions*, available at: <http://consensusproject.org/bja-ta-training-event-july-2009/agenda-july-16-2009>.

e. Now that you have generated 1) a list of programs that exist at different intercept points, and 2) questions about how individuals flow through the system, discuss your findings and the following questions as a group.

Notes:

1. Who in your community can help you answer your questions? How might you engage those individuals in your program planning process?
2. Looking at your version of the *Sequential Intercept Model* worksheet:
 - a. Where has your community created effective linkages between the criminal justice system and the behavioral health system (or substance abuse system and mental health system)?
 - b. Where are there gaps that could be bridged through collaboration?
 - c. Do you picture a mental health court in your community at Intercept 2 or Intercept 3? (The difference between pre-adjudication and post-adjudication programs will be discussed in greater detail in *Module 5: Designing Policies and Procedures for Program Participation*).
 - d. Do interventions at any of the other intercepts seem appropriate for your community? What are the arguments for and against focusing on one of these intercepts first over the others?
3. Looking at your version of the *Flowchart of Select Events Experienced by a Person with Mental Illness in the Criminal Justice System*:
 - a. Where in this chain of events do you see opportunities to improve the system for individuals with mental illnesses?
 - b. What are the arguments for and against proceeding with the different opportunities that you have identified, including starting a mental health court?

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Activity 2: Meet the Bonneville County (ID) Mental Health Court Team

Throughout this curriculum, you will encounter a real mental health court team from Bonneville County (ID), whose mental health court program has been operating since 2002. Team members were interviewed about their roles and enlisted to film scenarios showing how a mental health court works. All of the video segments that you will see are of the team giving mock portrayals of actual activities that they undertake in their roles, and all program participants discussed are hypothetical. Each of the video segments represents typical interactions among team members and between team members and clients.

While the Bonneville County Mental Health Court team illustrates some best practices that may be useful to you as you plan your own program, you may also use this case study to think about what you might do differently from this team in order to meet the needs of your community and stakeholders.

In this activity, first you will read about the Bonneville County Mental Health Court team and some of their practices. Next, you will be introduced to the members of the team and hear them talk about what they do. Finally, you will discuss with your group your initial impressions about how a mental health court team might function in your jurisdiction. The chart below outlines steps to complete the activity, the actions required, and how long each step will take.

Steps	Action	Complete as	Completion Time (in minutes)
a. Overview: Description of Bonneville County team	Read		5
b. Video: Meet the team	View		20
c. Questions: Examining the mental health court team	Discuss		20
			45
Complete on your own Complete as a team			

Activity 2 is designed to introduce you to a real mental health court team. Throughout this curriculum, you will encounter this team engaging in mental health court team activities.

Outputs

- An understanding of which professions are represented on a mental health court team and how these professionals interact on the team

a. On your own, read the brief description of the Bonneville County Mental Health Court team below.

Notes:

The Bonneville County Mental Health Court team is a felony and misdemeanor post-adjudication court. Participants in mental health court have been sentenced, and those convicted of felonies are looking at prison time if they do not participate in the mental health court program. The court targets individuals with a medium to high risk of recidivism (i.e., medium to high criminogenic risk). These are often individuals with serious charges and lengthy criminal records. Participants generally have an Axis I mental illness, such as bipolar disorder, schizoaffective disorder, or schizophrenia.

The community has a misdemeanor diversion program and offers Crisis Intervention Training for police. Consequently, many individuals with mental illnesses who are charged with misdemeanors are diverted before reaching mental health court. Nevertheless, approximately 35 individuals charged with either felonies or misdemeanors are under the court's supervision on any given day.

All participants in mental health court are assigned to an Assertive Community Treatment (ACT) team. ACT is an evidence-based, intensive, and highly integrated approach to community mental health service delivery. Responses to participants in mental health court are highly individualized and, in instances where reincarceration is used as a sanction, there is collaboration between the jail and mental health court team to ensure that mental health court participants continue to receive prescribed medications while in jail. Eligibility for participation in the mental health court program is based on the candidate's need for an ACT team and for court-mandated supervision, primarily because s/he has criminogenic risk factors that increase the likelihood of reoffending.

The mental health court team includes:

- a judge
- a court coordinator
- two probation officers (one for felonies and one for misdemeanors)
- a vocational rehabilitation specialist
- a graduate of the mental health court who serves as a peer specialist
- a representative from the local chapter of the National Alliance on Mental Illness (NAMI)
- a defense attorney

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- a prosecuting attorney
- a child support specialist
- a jail clinician
- a representative from an inpatient substance abuse and mental health treatment facility
- ACT team representatives
- a court clerk

Of these, the judge, court coordinator, probation officers, ACT team liaison, peer specialist, and vocational rehabilitation specialist are most involved in the program's day-to-day activities.

b. As a group, view and then discuss the Bonneville County (ID) Mental Health Court team interviews. To access the videos, follow the links below.

Video Links:

Video 1: Judge Joel Tingey (judge)

Video 2: Penny Shaul (prosecutor)

Video 3: Eric Olson (court coordinator)

Video 4: Aimee Austin & Paul Meigio (community supervision officers)

Video 5: Richard (participant)

Video 6: Janneil Eggleston (treatment provider)

Video 7: John Thomas (defense attorney)

Video 8: Steele Gould (peer specialist)

Video 9: Amy Empey (vocational rehabilitation specialist)

Notes:

c. As a group, discuss the following questions.





1. What do you think about this description of a mental health court program? Did it surprise you at all?
2. What do you think about who is included on the mental health court team?
3. Do you have any concerns about bringing this particular group of professionals together? What are the advantages?
4. What did you learn about a mental health court from hearing these people discuss what they do? What, if anything, was surprising to you?
5. How do these interviews affect your interest in starting a mental health court in your jurisdiction? How do they affect your interest in serving on a mental health court team yourself?

Notes:



Activity 3: Should Our Community Plan a Mental Health Court?

This activity is designed to help you take a step back and think about the rationale and justification for establishing a mental health court in your jurisdiction. While the decision is one you will ultimately make with stakeholders and key community partners, this activity will help you begin a discussion about why you might begin a mental health court and, conversely, why you might choose to explore another type of intervention. The chart below outlines steps to complete the activity, the actions required, and how long each step will take.

Steps	Action	Complete as	Completion Time (in minutes)
a. Questions: Weighing the alternatives	Discuss		20
b. Questions: Deciding to proceed	Respond		20
			40
<div>  Complete on your own  Complete as a team </div>			

a. As a group, discuss the following questions.

1. Why are you interested in planning a mental health court?
2. What is the specific need in your community that you seek to address?
3. What would the benefits be to stakeholders in your community if you started a mental health court? Which of these benefits are likely to appeal to key leaders in the mental health and criminal justice systems in your community? Which are not?
4. Who is enthusiastic about starting a mental health court, and who is not?

Activity 3 is designed to help you have a conversation with your primary champions and people who would participate on a mental health court team about whether or not you would like to plan a mental health court in your community.

Outputs

- A preliminary list of reasons for and against starting a mental health court in your jurisdiction

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5. Does the size of the population likely to be served by the mental health court justify the time of the stakeholders and team members in planning? Issues to consider in answering this question are:
 - a. Based on the jail population and the target population you are focusing on, how many individuals would be in your target population?
 - b. If national research estimates that about 17% of jail bookings are individuals with serious mental illness, approximately how many individuals with mental illnesses are booked in your county's jail each month?
 - c. How many people are currently under probation supervision (or pre-trial diversion) who would likely qualify for a mental health court? Would it be realistic to reassign these cases as a specialized mental health caseload?
6. What are the limitations or drawbacks of a mental health court approach mentioned in the presentation? Can you think of other limitations?
7. What are the benefits of a mental health court approach that were noted in the presentation or in the activities so far?
8. How can you plan to achieve these benefits while minimizing the drawbacks you identified?
9. In the *Sequential Intercept Model* worksheet and the *Flow Chart of Select Events* worksheet, what (if any) alternative intercept points or different system approaches did you identify? What are the pros and cons of pursuing one of these different approaches as opposed to starting a mental health court?

Notes:

b. Based on these considerations, does the group want to proceed with planning a mental health court at this time?

☐ YES ☐ NO

Comments: _____

Notes: