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Mental Health Courts A to Z

National Association of Drug
Court Professionals Conference

May 28, 2020

Speakers

- Judge Mike Montero
 - Sixth Judicial District Court, Humboldt County, Nevada
- Hallie Fader-Towe, JD
 - Program Director, CSG Justice Center
- Ethan Kelly, MSW
 - Senior Policy Analyst, CSG Justice Center



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The Council of State Governments Justice Center

We are a national nonprofit, nonpartisan organization that combines the power of a membership association, representing state officials in all three branches of government, with policy and research expertise to develop strategies that increase public safety and strengthen communities.

How We Work

- We bring people together
- We drive the criminal justice field forward with original research
- We build momentum for policy change
- We provide expert assistance

Our Goals

Break the cycle of incarceration

We assist those working inside and outside of government to reduce both crime and incarceration among youth and adults in contact with the justice system.

Improve health, opportunity, and equity

We work across systems to develop collaborative approaches to improve behavioral health, expand economic mobility, and advance racial equity for people and communities affected by the justice system.

Expand what works to improve safety

We help leaders understand what works to improve public safety and what does not, and assist them to develop strategies, adopt new approaches and align resources accordingly.



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**Justice and Mental Health
Collaboration Program**



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Justice and Mental Health Collaboration Program

JMHCP supports innovative cross-system collaboration for individuals with mental illnesses or co-occurring mental health and substance use disorders who come into contact with the justice system.

531 Awardees across the Nation



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System of Diversion to a System of Care



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<https://csgjusticecenter.org/publications/behavioral-health-diversion-interventions-moving-from-individual-programs-to-a-systems-wide-strategy/>

<https://csgjusticecenter.org/nrc/collaborative-comprehensive-case-plans/>

Learning Objectives

- Review the Essential Elements of a mental health court
- Discuss criteria for identifying the target population
- Apply justice-informed best practices in mental health diversion



Overview

- Essential Elements of Mental Health Courts
- Target Population
- Effective Responses to Behavior Issues
- Questions and Answers



Sixth Judicial District Court, Humboldt County, Nevada

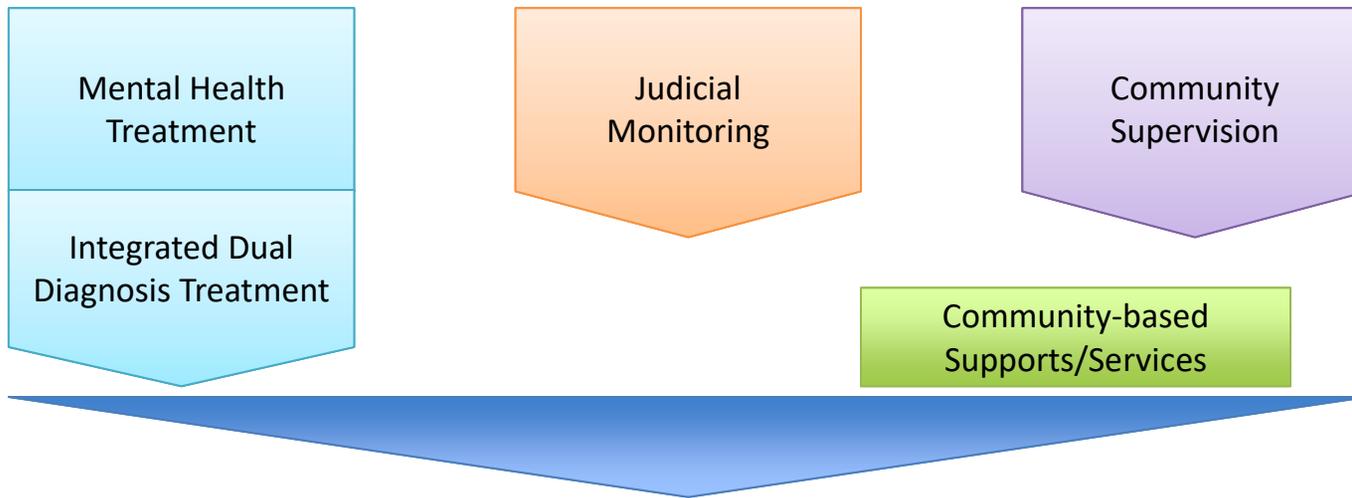
Mission: To support lasting rehabilitation as an alternative to incarceration and lead positive community change through treatment, education, and collaboration.

Jail Bookings: Jail data indicates 57% of bookings may have involved a person with mental health or co-occurring needs.

Diversion: None of the bookings with an indication of mental health needs were referred for an evaluation and 2% were diverted.



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Mental Health Courts

Research Base for Drug Courts and Mental Health Courts

MHCs “Research Quilt”

DCs “Research Quilt”

VS.



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Do Mental Health Courts and other Court-Based Diversion Work?

How do we make it work best?

It Can!

- ✓ **Reduce** jail days on current case
- ✓ **Reduce** court costs
- *Reduce state hospital admissions?*
- ✓ **Increase** treatment engagement
- **Reduce:**
 - ✓ Missed court dates
 - ✓ Recidivism (arrest, booking, conviction)
 - ✓ *Homelessness (post-program?)*
- **Save** overall system money

It Cannot Eliminate:

- **New crime**
- **New violent crime**
- **Mental illness**
- **Homelessness**

But it may reduce them



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Essential Elements of a Mental Health Court

- ▶ Planning & Administration
- ▶ Target Population
- ▶ Timely Participant Identification and Linkage to Services
- ▶ Terms of Participation
- ▶ Informed Choice
- ▶ Treatment Supports and Services
- ▶ Confidentiality
- ▶ Court Team
- ▶ Monitoring Adherence to Court Requirements
- ▶ Sustainability



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“If you’ve seen one mental health court. . .”

How can you implement a mental health court in your jurisdiction?

- ▶ ***Developing a Mental Health Court: An Interdisciplinary Curriculum*** is a free multimedia curriculum for individuals and teams seeking to start, maintain, or just learn about mental health courts or other criminal justice/mental health collaborations.
- ▶ ***A Guide to Mental Health Court Design and Implementation*** outlines the design decisions for each of the Essential Element
- ▶ New court teams may also wish to consult **their state offices of court administration, specialty court coordinators, or Supreme Courts** to determine whether there are **emerging standards** for mental health courts at the state or local levels



What Does the Curriculum Cover?

- Two introductory presentations to:
- Facilitate collaboration
 - Provide cross-training opportunities

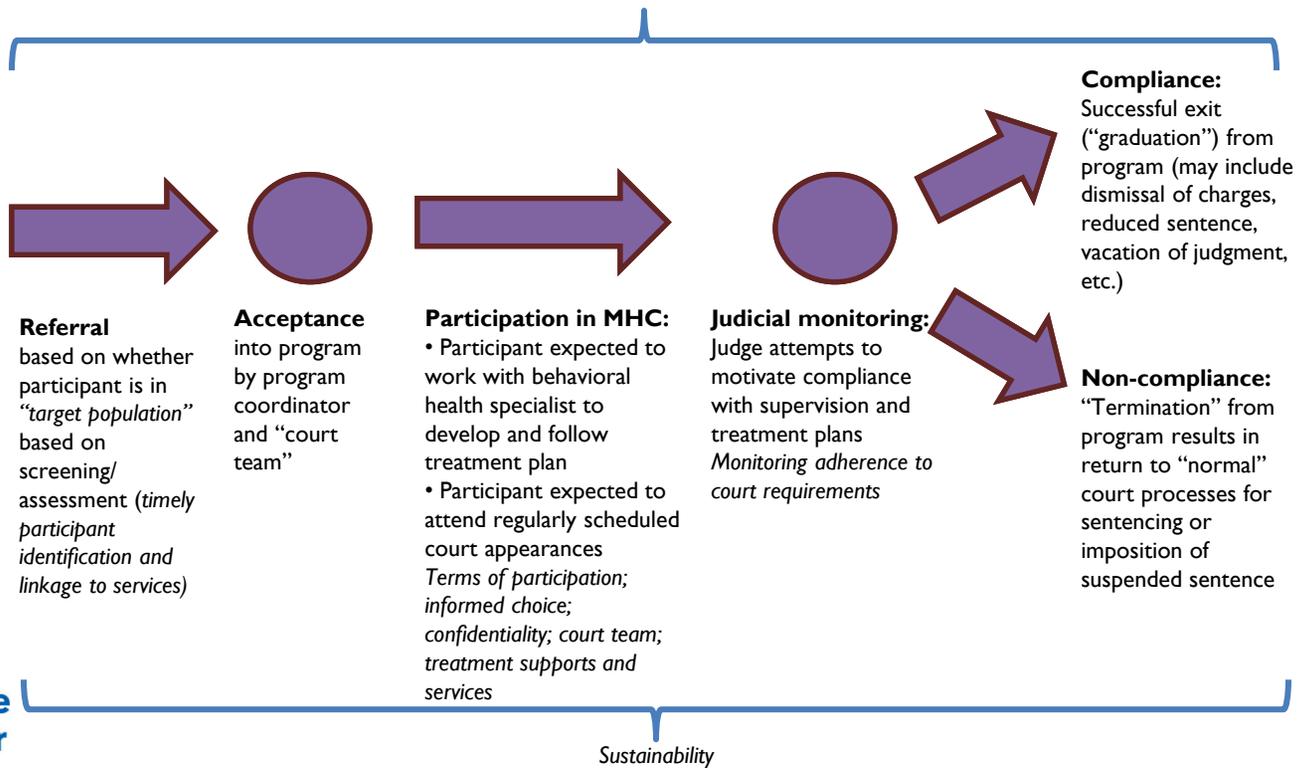
Eight core modules covering key concepts related to program planning, design, and sustainability, including how the “Essential Elements” of mental health courts operate in practice.



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How do the Elements work in practice?

Planning and Administration



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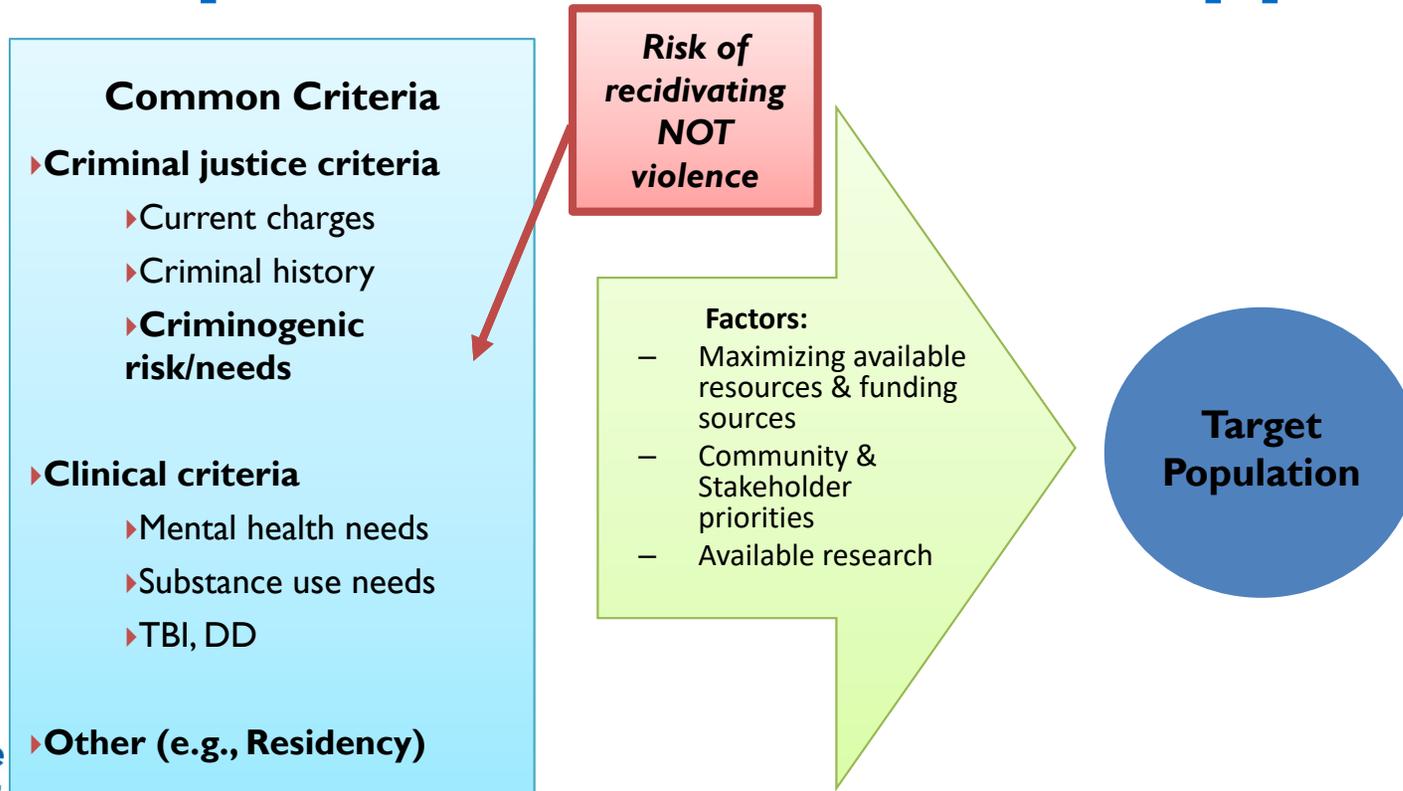
Sustainability

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Target Population: Structured Approach



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Risk-Need-Responsivity (RNR) Model as a Guide to Best Practices

Principle		Impact on Practice
R isk Principle	Match the intensity of individual's intervention to their risk of reoffending (<i>WHO to target</i>)	Focus resources on high RISK cases
N eeds Principle	Target criminogenic needs, such as antisocial behavior, substance abuse, antisocial attitudes, and criminogenic peers (<i>WHAT to target</i>)	Target criminogenic NEEDS , such as antisocial behavior, substance abuse, and antisocial attitudes
R esponsivity Principle	Tailor the intervention to the learning style, motivation, culture, demographics, and abilities of the offender (<i>HOW to best target</i>)	Address the issues that affect RESPONSIVITY (e.g., mental disorders)



Risk-Need-Responsivity (RNR) Model as a Guide to Best Practices

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Eligibility

- Often a systems/policy issue
- What is the **target population** for the MHC
 - It may be MI and not High Risk

Treatment/Supervision

- Appointment frequency
- Residential structure
- Court hearing frequency



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Peer – Forensic Peer Specialists, Peer Support, Self-help Programs
 Substance Use – Integrated Dual Diagnosis Treatment
 Antisocial Behaviors/Attitudes – CBT, DBT



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Responsivity: Tailoring Treatment

- General
 - Responsive to learning styles
- Specific
 - Responsive to socio-biological personality factors
- Systemic
 - Community Resources



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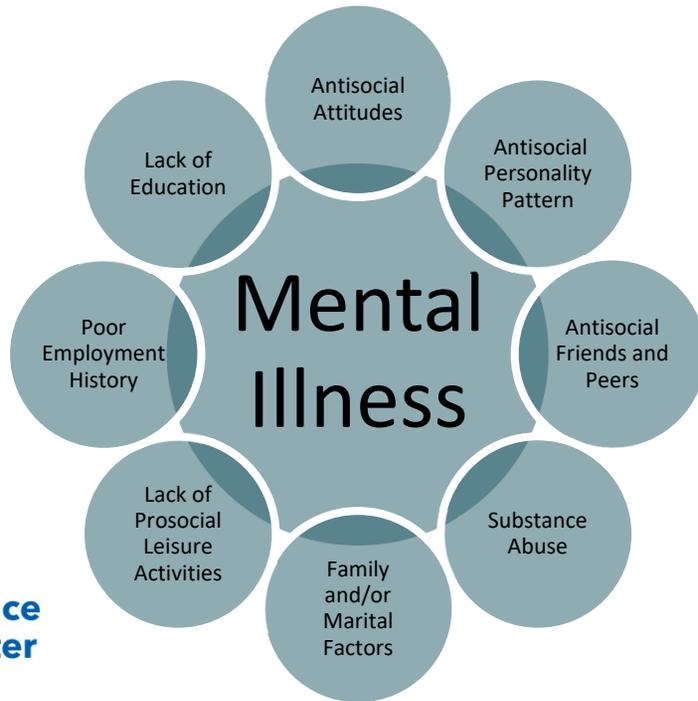
Specific Responsivity Factors: Necessary but not sufficient

- SMI
- Trauma
- Housing Instability
- Economic Uncertainty
- Learning Disability
- Medical Needs
- Gender
- Culture
- Other



Responsivity Principle

Responsivity: general and specific factors that will impact the effectiveness of treatment.



Use methods which are effective for justice involved individuals

Adapt treatment to individual limits (length of service, intensity)

Consider those factors that may serve as barriers to program or supervision compliance (language barrier, illiteracy, etc.)



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RNR In Practice: 3 Questions

- What is your role?
 - Judge, Attorney, ATI Program, Community Provider
- What is the decision point?
 - Eligibility, Supervision, Treatment, Sanction/Reward
- What is the relevant principle?



Protective Factors

- Any characteristic that reduces the risk of offending
 - More than the absence of a risk factor
- 4 reasons to integrate into risk assessment:
 1. Balanced view of offender
 2. Fosters hope
 3. Therapeutic alliance
 4. Increased motivation

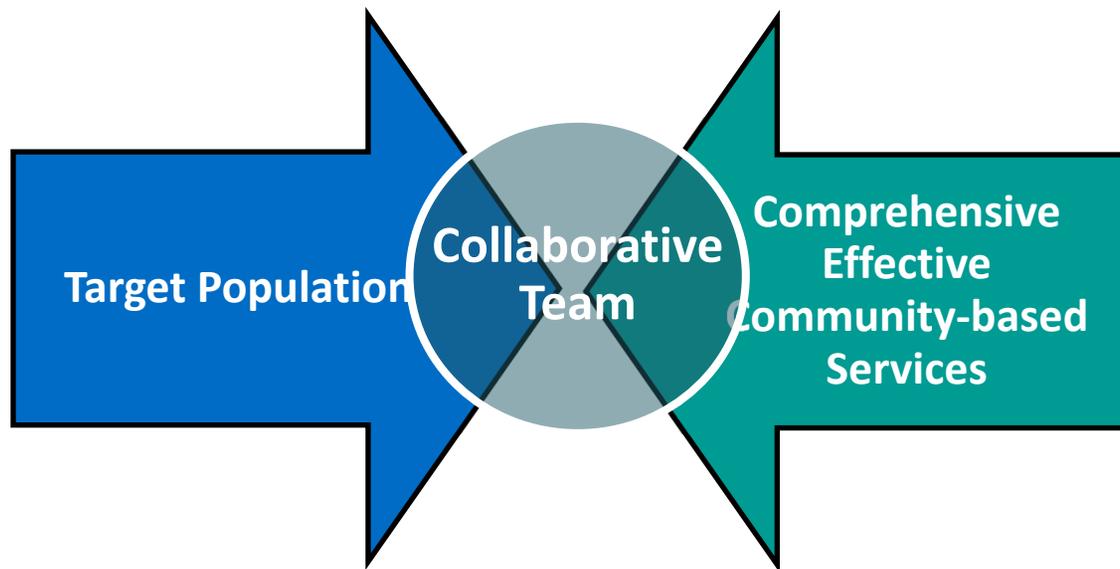


What is likely to result in true individual change?

What is likely to result in true individual change?

- Meet people where they are
- Consider “Responsivity” factors
- Think about how to increase motivation
- Treat people with dignity and respect
- Model the highest values of our justice system (Procedural justice)

Critical Components



Resources and Tools



New! FAQs on Jail- and Court-Based Diversion

For More Information and Resources: The Stepping Up Resources Toolkit

Project Coordinator's Handbook

Online County Self-Assessment

Series of Briefs

stepuptogether.org/toolkit

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Questions and Answers



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Thank You!

Join our distribution list to receive updates and announcements:

www.csgjusticecenter.org/subscribe

For more information please contact Ethan Kelly at ekelly@csg.org

The presentation was developed by members of The Council of State Governments Justice Center staff. The statements made reflect the views of the authors, and should not be considered the official position of The Council of State Governments Justice Center, the members of The Council of State Governments, or the funding agency supporting the work.

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