

A call to action—Decreasing the involvement of mentally ill persons in the justice system

Steven Leifman, JD

Steven Leifman, JD, the [closing keynote speaker](#) at the 2012 CPNP Annual Meeting on May 2 in Tampa, will discuss the criminalization of mental illness and overview a Florida Supreme Court report outlining recommendations to decrease inappropriate and costly involvement of mentally ill persons in the justice system. How can you be part of the new and effective strategies that are being developed and employed to transform the mental health system? Visit the link to a directory of online resources Judge Leifman recommends regarding this pressing issue. As well, learn more from Judge Leifman in the CPNP video provided below along with the numerous other You Tube and NPR links featuring Judge Leifman.

- [Judge Leifman previews his keynote address at the CPNP Annual Meeting](#)
- [Leifman NPR Broadcast](#)
- [Other Leifman videos](#)

JUDGE LEIFMAN'S RECOMMENDED CRIMINAL JUSTICE/MENTAL HEALTH ONLINE RESOURCES

LAW ENFORCEMENT

Without adequate training and access to community-based mental health resources, law enforcement officers face tremendous obstacles in responding to people with mental illness. This section identifies resources for local law enforcement agencies looking to address mental health issues.

- [Improving Responses to People with Mental Illnesses – Tailoring Law Enforcement Initiatives to Individual Jurisdictions \(2010\)](#)
Explores the program design process, including detailed examples from several communities from across the country. It is meant to assist initiative leaders and agents of change who want to select or adapt program features from models that will be most effective in their communities. This project was coordinated by the Council of State Governments Justice Center with support from the Bureau of Justice Assistance, U.S. Department of Justice.
- [A Guide for Implementing Police-Based Diversion Programs for People with Mental Illness \(January 2004\)](#)
Summarizes what law enforcement agencies are

doing across the country to improve their responses to people with mental illness and explores how these agencies have overcome barriers to create and maintain effective programs by collaborating with the mental health community.

- [Consensus Project Report Recommendations \(June 2002\)](#)
Offers detailed recommendations, endorsed by leaders representing law enforcement and mental health systems across the country, to help policymakers and practitioners improve outcomes of law enforcement encounters with people with mental illness.
- [Improving Responses to People with Mental Illnesses – The Essential Elements of a Specialized Law Enforcement-Based Program \(2008\)](#)
Describes the 10 important program elements that jurisdictions should consider when planning, implementing or enhancing a specialized law enforcement–based response.
- [Improving Responses to People with Mental Illnesses – Strategies for Effective Law Enforcement Training \(2008\)](#)
Reviews common challenges to developing training for officers' interactions involving people with mental illnesses, and synthesizes the key lessons learned by jurisdictions that have implemented recruit or in-service programs. Discusses which individuals can best serve as trainers, how they can be identified, what preparation and support they require, what teaching techniques are most effective, and how planners can design training to improve outcomes from these encounters.
- [Law Enforcement/Mental Health Partnership Program](#)
Describes a Consensus Project national initiative to provide resources for law enforcement leaders and their community partners to develop and enhance law enforcement/mental health programs.
- [Law Enforcement Response to People with Mental Illnesses: A Guide to Research-Informed Policy and Practice \(2009\)](#)
The guide examines studies on law enforcement interactions with people with mental illnesses and

translates the findings to help policymakers and practitioners develop safe and effective interventions.

- [Navigating the Mental Health Maze – A Guide for Criminal Justice Personnel \(May 2005\)](#)

Provides a crash course for criminal justice professionals whose understanding of mental illness and the mental health system may be limited.

COURTS

People with mental illness appear repeatedly before judges and cycle in and out of jail for low-level crimes which are often the result of untreated mental illness. This section identifies resources for mental health courts or other court-based initiative targeting defendants with a mental illness.

- [Judges Leadership Initiative \(JLI\)](#)
The JLI's mission is to support and enhance the efforts of judges who have already taken leadership roles on criminal justice/mental health issues, and promote leadership among more judges to address the overrepresentation of people with mental illnesses in the criminal justice system. The JLI provides resources designed to help adult criminal court judges improve their courts' responses to people with mental illnesses and encourage systemic change in the criminal justice and mental health systems.
- [Judges' Guide to Mental Health Jargon – A Quick Reference for Justice System Practitioners](#)
A product of the Judges' Criminal Justice/Mental Health Leadership Initiative available for purchase, this is a resource for judges involved with criminal justice/mental health initiatives in their communities. It is a tabbed, quick reference guide to the mental health terms most often encountered in criminal justice settings.
- [Mental Health Court Culture – Leaving Your Hat at the Door \(November 2009\)](#)
Published by the National Center for State Courts, this resource introduces a model approach to communication among members of a mental health court team.
- [Transforming Florida's Mental Health System \(November 2007\)](#)
Final report of the Mental Health Subcommittee of the Supreme Court of Florida. Includes detailed planning, leadership, financing, and service development recommendations to improve Florida's public mental health system and prevent unnecessary justice system involvement.
- [A Guide to Collecting Mental Health Court Outcome Data \(May 2005\)](#)

Describes practical strategies for collecting data and evaluating the effectiveness of mental health courts. Written for mental health court practitioners and policymakers who want to measure the impact of court-based programs.

- [A Guide to Mental Health Court Design and Implementation \(May 2005\)](#)
Explains critical issues such as determining whether to establish a mental health court, defining the target population, ensuring confidentiality, sustaining the court, and other key considerations.
- [A Guide to the Role of Crime Victims in Mental Health Courts \(2008\)](#)
Details how the nontraditional operations of mental health courts contribute to limited victims' rights policies. The guide outlines how standard rights adhered to in these proceedings can be adapted for mental health court operations.
- [Improving Responses to People with Mental Illnesses – Essential Elements of a Mental Health Court \(2007\)](#)
Outlines 10 elements essential to mental health court design and implementation and provides background on why each element is important and how courts can adhere to it.
- [A Judges' Primer on Mental Illness, Addictive Disorders, Co-occurring Disorders, and Integrated Treatment](#)
A one-page reference, written for judges, on mental illness, addictive disorders, co-occurring disorders, and integrated treatment.
- [Justice, Treatment, and Cost – An Evaluation of the Fiscal Impact of Allegheny County Mental Health Court \(2007\)](#)
Special courts that sentence people with mental illnesses who are convicted of misdemeanors and low-level felonies to treatment instead of jail have the potential to save taxpayers money, according to a RAND Corporation study conducted for the Council of State Governments Justice Center.
- [Mental Health Courts – A Primer for Policymakers and Practitioners \(2008\)](#)
Presents an overview and history of mental health courts. It describes mental health courts' goals and processes, how they differ from drug courts, research findings about their effectiveness, and resources for jurisdictions interested in starting a program.
- **Mental Health Court Learning Sites:**
 - [Akron, Ohio Mental Health Court](#)
 - [Bonneville County, Idaho Mental Health Court](#)
 - [Bronx County, New York Mental Health Court](#)
 - [Dougherty Superior Court, Georgia](#)

- [Washoe County, Nevada Mental Health Court](#)
- [Navigating the Mental Health Maze – A Guide for Criminal Justice Personnel \(May 2005\)](#)
Provides a crash course for criminal justice professionals whose understanding of mental illness and the mental health system may be limited.
- [Mental Health Courts – A Guide to Research-Informed Policy and Practice \(2009\)](#)
Reviews the design and function of mental health courts, outcomes of mental health court participation, and questions and implications for policy and practice. This guide is intended to assist policymakers and practitioners in assessing the utility of mental health courts.
- [Problem-Solving Justice Toolkit](#)
Interactive resource providing guidance on the planning and implementation of problem-solving courts.

CORRECTIONS

The number of people with mental illness who are in prison or jail, or under probation or parole supervision, has increased dramatically in recent years. This section identifies resources for initiatives targeting people with mental illness upon their admission to jail or prison, while they are incarcerated, and after they are released to the community to the supervision of probation and/or parole.

- [Council of State Governments: Reentry Programs Database](#)
The Council's Justice Center has compiled descriptions of reentry programs and initiatives from across the country in a searchable database. These examples highlight promising efforts that may provide valuable ideas for policymakers to consider or build upon as they develop their own initiatives.
- [Reentry Housing Options: The Policymakers' Guide \(2010\)](#)
The policy guide provides practical steps that lawmakers and others can take to increase public safety through better access to affordable housing for individuals released to the community. It offers an overview of several commonly accessed housing options and also examines three distinct approaches to increasing the availability of these options: improving access, increasing housing stock and revitalizing neighborhoods.
- [Getting out with Nowhere to Go: The Case for Re-entry Supportive Housing \(October 2008\)](#)
This booklet contains information regarding the cycle of homelessness due to prisoner re-entry into communities without the needed supports. It details statistics on the rising cost, the issue of homelessness among this population, and makes the argument that a plan needs to be in place before an inmate's release. It also highlights innovations from New York, Chicago, Ohio and Los Angeles, and provides some promising outcomes around the country.
- [Transition from Jail to Community \(TJC\) Implementation Toolkit](#)
This web-based learning resource is designed to guide jurisdictions through implementation of the TJC model, in whole or in part. The Toolkit serves as a hands-on resource for users interested in jail reentry, whether in a criminal justice or community-based organization. Users can navigate the nine modules at their own pace. Toolkit modules incorporate examples from jurisdictions across the country, tools developed to facilitate implementation in the six current TJC learning sites, resource suggestions, and detailed content..
- **Psychiatric Services – Prevalence of Serious Mental Illness Among Jail Inmates (June 2009)**
Study that documents the high percentage of people with mental illnesses in jail. The study is reprinted with permission from Psychiatric Services.
 - <http://consensusproject.org/downloads/PsySJailMHStudy.pdf>
 - http://consensusproject.org/jc_publications/frequently-asked-questions-about-new-study-of-serious-mental-illness-in-jails/Psy_S_FAQ.pdf
 - http://consensusproject.org/jc_publications/council-of-state-governments-justice-center-releases-estimates-on-the-prevalence-of-adults-with-serious-mental-illnesses-in-jails/MH_Prevalence_Study_brief_final.pdf
- [Brief Jail Mental Health Screen \(2005\)](#)
The BJMHS assesses incoming detainees for the possibility of having a serious mental illness such as schizophrenia, bipolar disorder, or major depression.
- [Improving Responses to People with Mental Illnesses: The Essential Elements of Specialized Probation Initiatives \(2009\)](#)
Identifies 10 key components found in successful initiatives to improve outcomes for people with mental illnesses under probation supervision. This first-of-its-kind report provides specific recommendations to probation and mental health policymakers and practitioners for effectively responding to this population's complex treatment and service needs while improving public safety and health.

- [Prevalence of Serious Mental Illness among Jail Inmates \(June 2009\)](#)
Study completed by Policy Research Associates, Inc. and the Council of State Governments Justice Center published in the June 2009 issue of *Psychiatric Services*.
 - **Corrections/Mental Health Case Studies**
Offers detailed and frank discussion of the successes and setbacks that corrections and mental health leaders in Kansas and Orange County, Florida faced as they worked together to improve the response to people with mental illnesses transitioning from jail or prison to the community.
 - [Kansas Case Study \(January 2007\)](#)
 - [Orange County, Florida Case Study \(January 2007\)](#)
 - [Collaboration Assessment Tool](#)
Enables leaders in corrections or mental health organizations to assess their current level of collaboration and chart a course for improving collaboration in four categories: knowledge base, systems, services, and resources.
 - [Consensus Project Report Recommendations](#)
Offers detailed recommendations, endorsed by leaders representing jail, prison, community correction, and mental health systems across the country, to help policymakers and practitioners improve corrections-based responses to people with mental illness. (June 2002)
 - [Navigating the Mental Health Maze – A Guide for Criminal Justice Personnel \(May 2005\)](#)
Provides a crash course for criminal justice professionals whose understanding of mental illness and the mental health system may be limited.
 - [Improving Outcomes for People with Mental Illnesses under Community Corrections Supervision – A Guide to Research-Informed Policy and Practice \(2009\)](#)
This guide draws on three different literatures—research on community corrections supervision strategies, mental health treatment strategies, and integrated supervision and treatment strategies to assist corrections and mental health professionals in designing and implementing interventions that are informed by the latest evidence about what works, for whom, and under what circumstances.
 - **Bazon Center - Lifelines - Linking to Federal Benefits for People Exiting Corrections - Blueprint for Action (2009)**
 - <http://bazelon.org.gravitathehosting.com/LinkClick.aspx?fileticket=WO7nsSbLjuM%3d&tabid=104> (Volume 1)
 - <http://bazelon.org.gravitathehosting.com/LinkClick.aspx?fileticket=gDEkFXPOLvc%3d&tabid=104> (Volume 2)
 - <http://bazelon.org.gravitathehosting.com/LinkClick.aspx?fileticket=iTSu255POCo%3d&tabid=104> (Volume 3)
 - **Bazon Center - Creating New Options – Training for Corrections Administrators and Staff on Access to Federal Benefits for People with Mental Illnesses Leaving Jail or Prison (2007)**
This manual describes the needs of individuals with mental illnesses who are incarcerated in jail and prison and explains how correctional staff can help them access the federal benefits that can enable them to make a successful transition to the community.
 - <http://bazelon.org.gravitathehosting.com/LinkClick.aspx?fileticket=b7UagW8enCw%3d&tabid=104> (Manual)
 - <http://bazelon.org.gravitathehosting.com/LinkClick.aspx?fileticket=xnFYs5puoPg%3d&tabid=104> (PowerPoint)
 - [Bazon Center - Building Bridges - An Act to Reduce Recidivism by Improving Access to Benefits for Individuals with Psychiatric Disabilities upon Release from Incarceration \(2002\)](#)
Provides a template for developing legislation targeting access to entitlement benefits for individuals re-entering the community from correctional settings.
- ### MISCELLANEOUS TOPICS/ARTICLES
- [CSG Justice Center – Information Sharing in Criminal Justice-Mental Health Collaborations – Working with HIPAA and Other Privacy Laws \(2010\)](#)
This guide is intended to help criminal justice officials work with health professionals to better use both systems' information, when appropriate, to reduce criminal justice involvement among people with mental illnesses and provide better links to treatment.
 - [CSG Justice Center and NASMHPD – Responding to a High-Profile, Tragic Incident Involving a Person with a Serious Mental Illness – A Toolkit for State Mental Health Commissioners \(2010\)](#)
The toolkit provides information on practical communications and leadership; advice before, during and after an incident; briefings on key topics; and fact sheets; checklists and other resources—with a particular emphasis on what the research shows about the perceived link between mental illness and violence.

- [GAINS Center – Getting Inside the Black Box – Understanding How Jail Diversion Works \(August 2010\)](#)
- [National Association of Counties \(NACo\) - Crisis Care Services for Counties - Preventing Individuals with Mental Illnesses from Entering Local Corrections Systems \(June 2010\)](#)
- [Texas Task Force on Indigent Defense – Representing the Mentally Ill Offender \(April 2010\)](#)
- [SOAR \(SSI/SSDI, Outreach, Access and Recovery\)](#)
An approach to expedite access to entitlement benefits that was developed as a federal technical assistance initiative targeting individuals with mental illnesses who are homeless:
- [BMC Psychiatry – Involvement in the US criminal justice system and cost implications for persons treated for schizophrenia \(January 2010\)](#)
- [Ending an American Tragedy – Addressing the Needs of Justice-Involved People with Mental Illnesses and Co-Occurring Disorders \(September 2009\)](#)
- [Decriminalizing Mental Illness: Miami Dade County Tackles a Crisis at the Roots, National Council Magazine](#)
- [Future Trends in State Courts, 2009 – Eleventh Judicial Circuit Criminal Mental Health Project:](#)
- [Psychiatric Services – Prevalence of Serious Mental Illness Among Jail Inmates \(June 2009\)](#)
- [The Annapolis Coalition on the Behavioral Health Workforce – Action Plan for Behavioral Health Workforce Development \(2007\)](#)
- [The Advocacy Handbook \(2006\)](#)
- [Screening and Assessment of Co-Occurring Disorders in the Justice System \(2008\)](#)
- [Responding to the Needs of Justice-Involved Combat Veterans with Service-Related Trauma and Mental Health Conditions \(August 2008\)](#)
- [Mental Health Consumer Providers – A Guide for Clinical Staff \(2008\)](#)
- [Miami-Dade County Grand Jury Report – Mental Illness and the Criminal Justice System: A Recipe for Disaster/A Prescription for Improvement \(2004\)](#)
- [Miami-Dade County Grand Jury Report – Shifting the Focus On Treating Mental Illness: A Common “Cents” Approach \(2007\)](#)
- [Miami-Dade County Mayor’s Mental Health Task Force – Final Report \(February 2007\)](#)
- [Practical Advice on Jail Diversion: Ten Years of Learnings on Jail Diversion from the CMHS National GAINS Center \(2007\)](#)
- [Center for the Study of Traumatic Stress \(CSTS\) – Workgroup on Intervention with Combat Injured Families \(2009\)](#)

- [Principles for Caring for Combat Injured Families and their Children](#)
- [Moving Toward Evidence-based Housing Programs for Persons with Mental Illness in Contact with the Justice System \(May 2006, Updated May 2009\)](#)
- [Consensus Project Report Overview \(2002\)](#)
- [Overcoming Legal Impediments to Hiring Forensic Peer Specialists \(May 2008\)](#)
- [Peer Support within Criminal Justice Settings: The Role of Forensic Peer Specialists \(May 2008\)](#)
- [Children of Incarcerated Parents – An Action Plan for Federal Policymakers \(2009\)](#)
- [Practice Guidelines – Core Elements for Responding to Mental Health Crises \(2009\)](#)

ORGANIZATIONS

- Council of State Governments
 - Criminal Justice/Mental Health Consensus Project: consensusproject.org
 - Directory of programs: <http://consensusproject.org/programs>
 - Consensus Project Forums: <http://consensusproject.org/forums>
 - Justice Center: www.justicecenter.csg.org
 - Justice Reinvestment: www.justicereinvestment.org
 - Re-Entry Policy Council: www.reentrypolicy.org
 - National Reentry Resource Center: www.nationalreentryresourcecenter.org
- [Criminal Justice, Mental Health, and Substance Abuse Technical Assistance Center \(TA Center\) at the Louis de la Parte Florida Mental Health Institute \(FMHI\), University of South Florida](#)
- [Florida Department of Children and Families \(DCF\)](#)
- [Florida Partners in Crisis \(FLPIC\)](#)
- [Florida’s Children First \(FCF\)](#)
- [Mental Health America](#)
- [National Alliance on Mental Illness](#)
- [National GAINS Center /TAPA Center for Jail Diversion](#)
- Substance Abuse and Mental Health Services Administration (SAMHSA): www.samhsa.gov
 - [Center for Mental Health Services \(CMHS\)](#)
 - [Center for Substance Abuse Treatment \(CSAT\)](#)
 - [Center for Substance Abuse Prevention \(CSAP\)](#)
 - [National Registry of Evidence-based Programs and Practices \(NREPP\)](#)

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