



Decriminalizing Mental Illness

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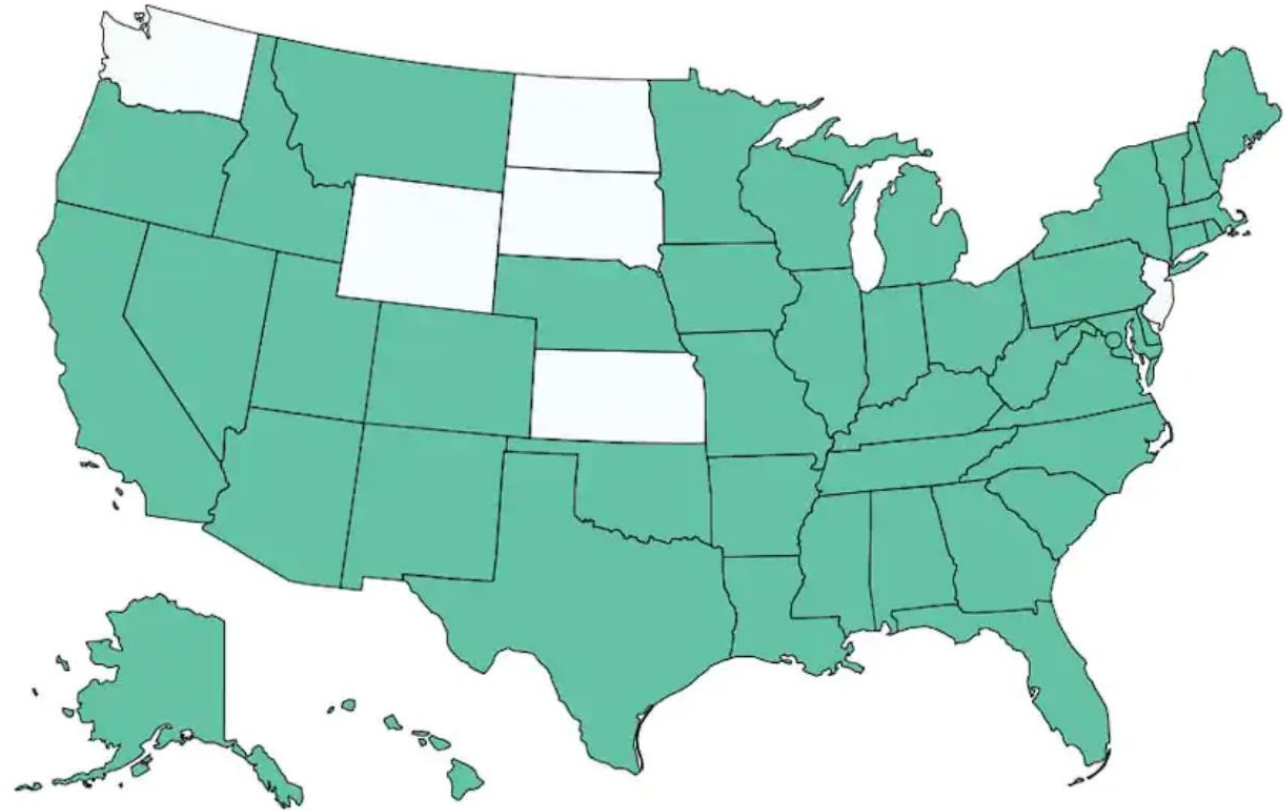
How many people are locked up in the U.S.?

- The U.S. locks up more people per capita than any other nation¹
 - 698 per 100,000 residents
- 2.3 million people are held within the American criminal justice system¹
 - 1,291,000 in state prisons
 - 631,000 in local jails
 - 226,000 in federal prisons & jails
- **Jail Churn:** Every year, over 600,000 people enter prison gates, but people go to jail 10.6 million times each year¹
- Nationwide, it is estimated that 1.7 million people with serious mental illnesses are booked into jails annually.

1. Sawyer, W. & Wagner, P. Prison Policy Initiative. Accessed on 7/14/2021 at <https://www.prisonpolicy.org/reports/pie2020.html>
2. Leifman, S. Eleventh Judicial Circuit Criminal Mental Health Project. 2020.

More Individuals with Mental Health Disorders are in Jail than in Hospitals

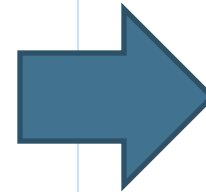
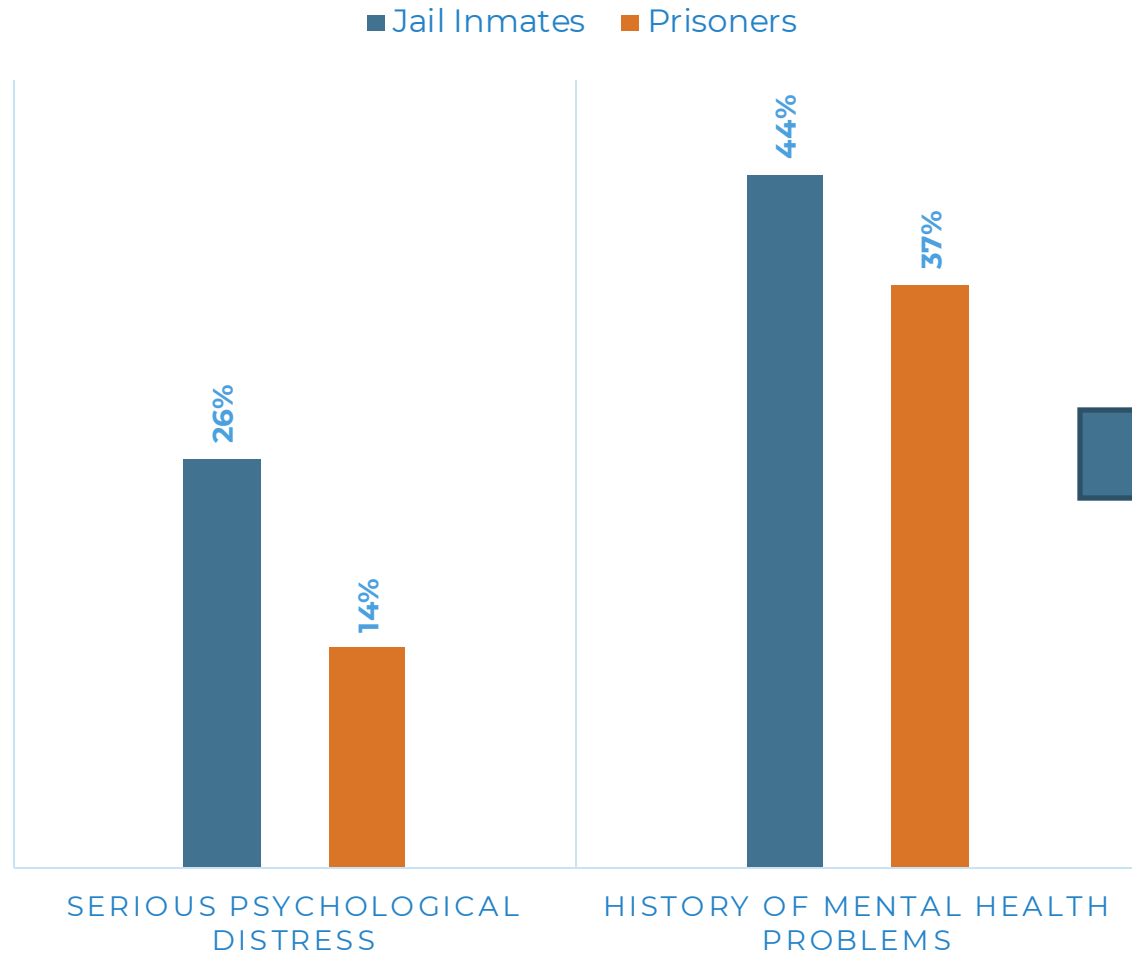
In 44 states and the District of Columbia, at least one prison or jail holds more individuals with serious mental illness than the largest psychiatric hospital operated by the state. The only exceptions are Kansas, New Jersey, North Dakota, South Dakota, Washington and Wyoming.



WASHINGTONPOST.COM/WONKBLOG

SOURCE: Treatment Advocacy Center, 2014

Many Prisoners and Jail Inmates Suffer from Poor Mental Health



History of a mental health problem	Prisoners	Jail inmates
Major depressive disorder	24.2%	30.6%
Bipolar disorder	17.5	24.9
Schizophrenia/other psychotic disorder	8.7	11.7
Post-traumatic stress disorder	12.5	15.9
Anxiety disorder	11.7	18.4
Personality disorder	13.0	13.5

1. Bronson, J. & Berzofsky, M. The Bureau of Justice Statistics, 2017, 1-7.

Indicators of Mental Health Problems Reported by Prisoners & Jail Inmates

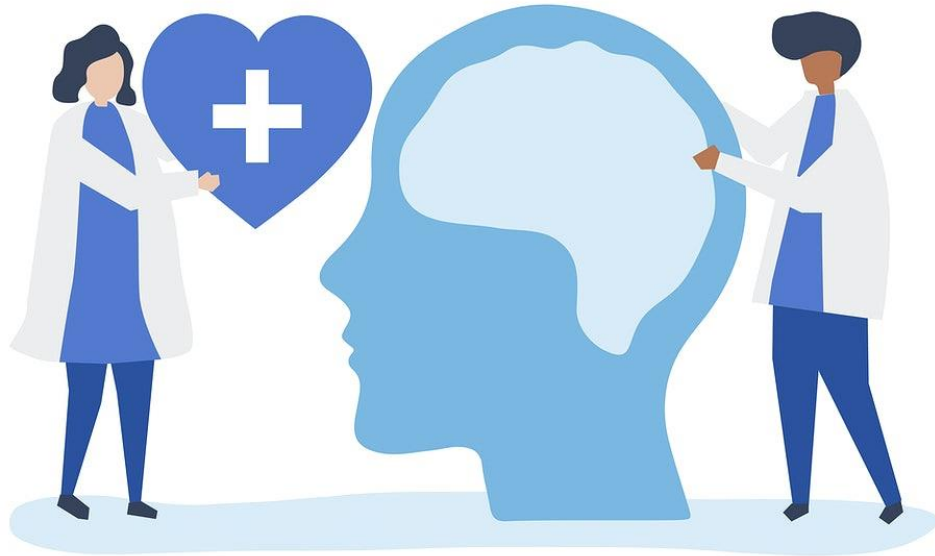


- **Sex:^a**
 - Females [prison (20%) or jail (32%)] vs. Males [prison (14%) or jail (26%)]
- **Race:^a**
 - White [prison (17.3%) or jail (31%)] vs. Black [prison (12.5%) or jail (22.3%)] or Hispanic [prison (11.5%) or jail (23.2%)]
- **Education:^b**
 - College degree [prison (40.7%) or jail (49.8%)] vs. high school graduates [prison (32.1%) or jail (38.8%)]
- **Age:^a**
 - Prisoners ages 18 to 64 (15%) vs. age 65 or older (10%)
- **Marital status:^a**
 - Prisoners with other marital status (15-18%) vs. married (12%)
- **Lifetime number of arrests:^b**
 - More than one arrest [prison (32-48.9%) or jail (36.7-55.9%)] vs. one arrest [prison (27%) or jail (30.8%)]
- **Total time in a correctional facility prior to current facility:^a**
 - Prisoners who spent 5 years or more previously

a, met threshold for serious psychological distress; b, have a history of mental health problems

1. Bronson, J. & Berzofsky, M. The Bureau of Justice Statistics, 2017, 1-7.

Mental Health Problems Often Go Untreated in Prisons and Jails



- Prisoners (54%) who had a mental health indicator were more likely than jail inmates (35%) to have received mental treatment since admission
 - 46% (prison) and 30% (jail) received prescription medication
 - 42% (prison) and 18% (jail) received counseling or therapy
 - 34% (prison) and 13% (jail) received prescription medication and counseling or therapy
- **Only about 1/3 of prisoners and inmates with a mental health indicator were currently receiving treatment**

1. Bronson, J. & Berzofsky, M. The Bureau of Justice Statistics, 2017, 1-7.

Mental Health Disorders in Inmates can Lead to Negative Outcomes

- Inmates with a mental health disorder:¹
 - Remain in jail longer than other inmates
 - Present behavioral management problems that may result in their isolation
 - Are at higher risk for being assaulted and injured
 - Have difficulty following jail/prison rules
 - Are at higher risk of returning to incarceration
- Inmates with a mental health disorder are more likely to complete suicide²



1. Treatment Advocacy Center. Serious Mental Illness Prevalence in Jails and Prisons. Available at: <https://www.treatmentadvocacycenter.org/evidence-and-research/learn-more-about/369/>.
2. United States Department of Justice Office of Justice Programs Mortality in State Prisons, 2001-2014. Available at: <https://www.bjs.gov/content/pub/pdf/msp0114st.pdf>.

Between 2013 and 2014 the number of suicides in state prisons increased by 30% (from 192 to 249 deaths)

Jail Diversion Services for Individuals with Mental Health Disorders

Mental Health Courts

Special jurisdiction courts that limit punishment and instead focus on problem-solving strategies and linkage to community treatment

Specialty Probation Caseloads

Probation agencies work with people with mental health disorders to address service needs and avoid re-arrest

Assisted Outpatient Treatment

Identify individuals with histories of repeated admissions to mental health treatment services in the criminal justice and acute care treatment systems that may benefit from court ordered outpatient

Community Based Competency Restoration

Offers restoration services in settings other than state hospitals

Forensic Assertive Community Treatment (FACT)

Extension of ACT model that combines treatment, rehabilitation, and support services in conjunction with probation services to prevent future arrests and

SSI/SSDI, Outreach, Access and Recovery (SOAR)

Provides technical assistance to help states and communities increase access to SSI/SSDI for adults with disabilities who are

ACT, Assertive community treatment; SSI, supplemental security income; SSDI, social security disability insurance.

1. Mauch, D. et al. Model Jail Diversion and Reentry services programs updated literature and resource review, 2019. Accessed on 7/14/2021 at: https://www.mamh.org/assets/files/Updated-Literature-and-Resource-Review_November-2019_vfinal.pdf

The Miami Model – Eleventh Judicial Circuit Criminal Mental Health Project (CMHP)

Pre-booking Jail-Diversion Programs

- Follows Crisis Intervention Team model, in which individuals with mental health disorders are diverted to crisis units to receive treatment¹
- Law-enforcement officers undergo 40 hours of training in recognizing signs of mental illness in distressed persons and deescalating potentially violent situations¹
 - Over 7600 officers in Miami-Dade’s 36 municipalities and in county public schools have been trained²

1. Iglehart, TK. The New England Journal of Medicine. 2016; 374: 78.
2. Leifman, S. Eleventh Judicial Circuit Criminal Mental Health Project. 2020.

Post-booking Jail-Diversion Programs

- Identify people in acute psychiatric distress who’ve been booked in the county jail¹
- After screening them for eligibility, the Judge can approve transfer from jail to a crisis unit¹
 - All participants are assessed for criminogenic risk factors and treatment needs using evidence-based tools
- Once participants return to the community, case managers continue to monitor them and their treatment providers for 1 year¹
- Jail In-Reach Team: Enhanced transition and re-entry supports, as well as linkages to and monitoring of evidence-based treatment and support services in the community²

The Role of Recovery Peer Specialists

- Recovery Peer Specialists are individuals diagnosed with mental health disorders who work as members of the jail diversion team
 - Assist jail diversion program participants with community re-entry and engagement in continuing treatment and services
 - Work with participants, caregivers, family members, and other sources of support to minimize barriers to treatment engagement, and to model and facilitate the development of adaptive coping skills and behaviors
 - Serve as consultants and faculty to the CMHP's Crisis Intervention Team



1.

Leifman, S. Eleventh Judicial Circuit Criminal Mental Health Project. 2020.

Success of the Criminal Mental Health Project (CMHP)

Pre-Booking Jail-Diversion Outcomes:¹

- From 2010-2019, police have responded to about 105,268 mental health crisis calls
 - Resulted in 66,556 diversions to crisis units and only 198 arrests
 - Average daily census in county jail system has dropped from 7200 to 4400 (39% reduction)
 - One jail facility has been closed at a cost-savings to taxpayers of \$12 million per year
 - 109,704 fewer inmate jail days (300 years) annually and a cost avoidance of over \$29 million per year

Post-Booking Jail-Diversion Outcomes:

- Over the past decade, the CMHP has facilitated about 5000 diversions of defendants with mental health disorders from the county jail into community-based treatment and support services¹
- Annual recidivism rate has been about 20% among participants who committed a misdemeanor, as compared with roughly 75% among defendants not in the program²
- Participants charged with minor felonies have 75% fewer jail bookings and jail days after enrollment in the program than they had beforehand, and their recidivism rate is much lower than that of their counterparts outside the program²

CMHP, criminal mental health project

1. Leifman, S. Eleventh Judicial Circuit Criminal Mental Health Project. 2020.

2. Iglehart, J. K. *The New England Journal of Medicine*, 2016; 374: 78.

Future Plans: Miami Center for Mental Health and Recovery

- Will create a comprehensive and coordinated system of care for individuals with serious mental illnesses who are frequent and costly recidivist to the criminal justice system, acute care medical and mental health treatment systems, and chronic homelessness
- By housing a comprehensive array of services and supports in one location, and providing re-entry assistance upon discharge, many of the barriers



National Resources

- **National Center for State Centers**
 - <https://www.ncsc.org/behavioralhealth>
- **National Alliance on Mental Illness (NAMI)**
 - <https://www.nami.org/Home>
- **Substance Abuse and Mental Health Administration (SAMHSA)**
 - <https://www.samhsa.gov/>
- **National Center for State Courts Chief Justices/ State Court Administrators Mental Health Initiative:**
 - <https://www.ncsc.org/behavioralhealth>
- **Bureau of Justice Assistance**
 - <https://bja.ojp.gov/>
- **Council State Government Justice**
 - <https://www.csg.org/>
- **CIT International**
 - <https://www.citinternational.org/>
- **Stepping Up: A National Initiative to Reduce the Number of People with Mental Illnesses in Jails**
 - <https://stepuptogether.org/>

Conclusions



U.S. correctional institutions, local courts, and police officers frequently encounter people with untreated or undertreated mental health disorders

Once incarcerated, individuals with mental illness tend to stay longer in jail and upon release are at a higher risk of returning to incarceration than those without mental illness

Many communities have developed strategies to redirect people with mental illnesses away from the criminal justice system

- The Miami Model – Eleventh Judicial Circuit Criminal Mental Health Project (CMHP) is a gold

These approaches reduce inappropriate arrests and incarcerations, recidivism rates, and costs

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