

## **55<sup>th</sup> District Court Mental Health Court**

In Ingham County, publicly-funded mental health services are provided by the Community Mental Health Authority of Clinton, Eaton and Ingham Counties (CMHA/CEI), a regional program serving three contiguous counties. According to CMHA/CEI, there were 3,844 adults with diagnoses of severe and persistent mental illness receiving their services in FY2012. Using the Kessler Prevalence methodology, CMHA/CEI calculates that we have 5,454 seriously mentally ill adults in our region, noting the implication that only approximately three-fifths of the population with qualifying mental illnesses were served last year. CMHA/CEI further indicates 346 inmates in the Ingham County Jail received mental health intervention last year alone, estimating 72% were previous consumers.

Unfortunately, funding for these services isn't widely available in our service area. The Expenditure Pattern Comparison on Adults with Mental Illness, a report recently prepared by CMHA/CEI to illustrate mental health spending patterns among similar urban communities, documents that the Saginaw County CMH service area includes 141,029 adults and spends \$149.30 per adult in the region. Meanwhile, the Community Mental Health Authority of Clinton, Eaton and Ingham Counties services an adult population of 339,833 and spends only \$88.62 per adult.

These citizens with severe and persistent mental illness are routinely caught between the criminal justice system and the mental health system in Ingham County. Both systems strive to reduce recidivism. However, they each operate within their own culture with their own policies and language. Both criminal justice and mental health officials identify continued recidivism by this population as a costly (both in human and financial terms) community problem. The goal of the Ingham County Mental Health Court is to stop this revolving door and curb repeat offenses by this population, coordinating the efforts of the 55<sup>th</sup> District Court with CMHA/CEI to maximize both systems' limited resources.

Judge Thomas P. Boyd presides over the 55<sup>th</sup> District Court Mental Health Court. The program targets individuals charged with misdemeanor and/or felony offenses in Ingham County with diagnoses of Axis I Mood or Thought Disorders or Axis II Developmental Disabilities, who are severely and persistently mentally ill and are not violent offenders as defined by Public Act 274 of 2013. Our program may also accept participants who do not meet the target population but demonstrate a need for the program, if the presiding judge of the mental health court finds participation to be in the interest of justice.

Our goal is for MHC to be a welcoming environment, reaching as many individuals in need as possible. Therefore, we do not restrict the identification process to specific mechanisms and accept any referral for screening. These may include, but are not limited to, police, jail staff, prosecutors, defense counsel, probation officers, judges, and even family members. Although Public Act 274 of 2013 requires that official program admission occurs post-adjudication, it does allow for potential participants to receive services prior to admission. Therefore, we encourage early identification of potential participants and immediately begin appropriate services, as this approach is most consistent with the third essential element of a Mental Health Court ("Participants are identified, referred, and accepted into mental health courts, and then linked to community-based service providers as quickly as possible.").

Pre-screening for legal criteria is typically conducted by the arraigning official. Upon review of LEIN data and other records, the magistrate or judge verifies that the potential participant meets the

first four factors in our eligibility criteria and imposes Mental Health Court bond conditions if appropriate.

The Mental Health Court bond conditions require potential participants to meet with a MHC team member within 72 hours. At that meeting, the MHC probation officer continues the legal screening process, reviews the bond conditions with the potential participant and makes referrals to supportive services if necessary. The case is then forwarded to CMHA-CEI for clinical eligibility determination, a full bio-psycho-social assessment to be provided by the MHC therapist within ten days. The MHC staff continues to monitor the potential participant's compliance with bond conditions by meeting with him/her prior to each subsequent court date and/or scheduled report dates, and notify other team members of the determination of eligibility, bond violations, or other concerns. If eligible, participants begin receiving services as they await adjudication of their case.

Traditional probation focuses almost exclusively on the prospect of sanctions (additional fines, community service and/or incarceration). The 55th District Court Mental Health Court holds that a different philosophy should be employed when considering sanctions and incentives for the mentally ill defendant. We rely heavily on positive reinforcement via the use of incentives and strive to avoid the negative reinforcement of sanctions.

Interactions with MHC team members are supportive, rather than confrontational and punitive. We acknowledge progress at every opportunity with praise from the bench. Symbolic and celebratory incentive items are offered when participants make significant accomplishments as recognized by the MHC team. The probation officer and client services specialist have the discretion throughout program participation to reward individually-defined signs of success including, but not limited to, documentation of sustained sobriety, positive life choices, or particularly significant journaling efforts. For these incentives, we use priority docket position, the opportunity to present or perform during a review hearing, curfew and/or other privilege extension, off-site or individual meetings, motivational cards signed by all team members, keepsake collector coins, inspirational wall hangings, water bottles, coffee cups, bus passes, gift cards (gas, restaurants, iTunes, etc), and items of individual interests (paint brushes/paints for an artistic participant, puzzles or soduku books, etc).

We also offer some of the above incentives to participants who have not achieved a goal but are struggling with transportation or organizational issues. The ability to assist these participants is a multifaceted incentive, as he/she receives not only the tangible reward of the item, but also the intangible reward of recognizing that the MHC staff cares about their well-being and is providing assistance outside the legal realm.

Sanctions include increased or alternative appearance requirements, earlier curfews, privilege revocation, additional substance abuse testing, homework assignments (written reports, mixed media projects, or vocal presentations, etc, depending on the participant's abilities), community service work assignments, and jail. We utilize sanctions, particularly jail, only when necessary to maintain program integrity, or if a participant is a danger to self or others.

For additional eligibility information, please contact Mental Health Court Probation Officer Alan Spencer at (517) 244-8037 or [aspencer@ingham.org](mailto:aspencer@ingham.org).