



Bellingham Herald Op Ed - Submitted by Anne Deacon, LICSW, Whatcom County Human Services Manager

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Mental Health Court

Our community began its first ever Mental Health Court this past January. It is funded with local sales tax dollars and operates in our Whatcom County District Court as well as our Bellingham Municipal Court.

Just what is a Mental Health Court? In short, it is a “problem-solving” court focused on reducing arrests and incarceration of offenders with mental illness who experience frequent encounters with the criminal justice system. The program offers a comprehensive set of services designed to stabilize mental health and provide supports for a crime-free life.

Why do we need a Mental Health Court? The U.S. Department of Justice estimates that approximately 15% of jail offenders have a serious mental illness. Upon review of national data, we know that relative to “regular” offenders, those with serious mental illness tend to be arrested more often, experience longer stays in jail, and often require expensive medications and specialized jail housing while incarcerated. These extra jail costs are paid for by Whatcom County taxpayers.

There are other costs associated with incarcerating people with serious mental illness, that can't be monetized. Mental illness is a brain disorder that negatively impacts a person's thoughts, feelings, mood, and ability to relate with others. When left untreated, symptoms can impact families, neighborhoods, work performance or even the ability to work. These are not just economic burdens. Communities and the families living within them carry the social and emotional burdens. Criminalizing mental illness doesn't work. It adds to the overall burden. ***Mental health treatment works!*** But correctional facilities exist to incarcerate – not to provide the comprehensive care needed for recovery from mental illness.

We face a difficult challenge because mental illness is an equal opportunist. It can affect law-abiding citizens just as easily as career criminals. Some criminals who are dangerous should be incarcerated, even when they struggle with a mental illness. In these cases, our jail does its best to provide effective care for their symptoms. However, there are other offenders with mental illness who would be better served in treatment programs in the community. And, the community would be better served if these offenders received that treatment as opposed to expensive and ineffective incarceration.

Our Mental Health Court program targets those offenders who would be better served with treatment as opposed to incarceration. We identify offenders with serious mental illness who have numerous arrests and multiple jail stays. Once admitted to the program, the individual

becomes a “member” of the Mental Health Court. Membership comes with a team of professionals with broad expertise to aid and support the members in their program goals.

These supports include treatment, medications, connection to other services such as Substance Abuse treatment, transportation, and support services. Recovery support is critical for a member’s success and it includes safe and stable housing, transportation, education, and job readiness. Equally important, evidence-based programs are provided that specifically work to re-shape and change criminal habits and move people toward crime-free living.

Mental Health Court is expensive to operate, but the wide-ranging service offerings are exactly what it takes to turn members’ lives around. Our program only admits those individuals who are at high risk to re-offend – the investment must be worth it. Research has proven that for every dollar invested in a Mental Health Court, the community sees \$6.75 in benefits.

We have already begun to see the benefits of our program. Although we are still building to capacity, current members are experiencing longer periods of stability, a reduction in arrests and fewer jail stays than before they entered the program. No Mental Health Court can promise to eliminate criminal behavior or the disabling symptoms of mental illness. But the goal is to reduce these situations, and act as a diversion from the criminal justice system and recycling through the jail.

The Mental Health Court is a wonderful addition to our entire continuum of criminal justice diversion programs. But it isn’t the only method for reducing arrests, jail bookings, and jail stays. Indeed, Whatcom County has initiated an entire continuum of services to divert individuals from jail, and provide programs focused on stabilizing symptoms of mental illness and addiction.

The County follows a nationally recognized model for diverting people with mental illness from the criminal justice system. The “Sequential Intercept Model” is designed to provide timely and effective interventions at the first point of criminal justice contact. This contact may occur pre-arrest, while incarcerated in the jail, or post-release. The point is to begin an effective diversion intervention wherever we meet the individual.

Jail Diversion happens before, during, and after jail. If we first identify an offender with mental illness while they are in jail, then we intervene at that time. Our goal is to provide effective services so that when released, the offender is much less likely to re-commit a crime. This too is considered diversion – diversion from future jail stays. We have also implemented pre-arrest and post-jail release programs as part of our continuum of diversion programs.

The County has developed programs for our youth where risk for future criminal problems is high. And, we have added behavioral health services in our Juvenile Court and Detention in order to divert youthful offenders from an adult life of crime.

To guard against injury and arrests, we have provided training to our law enforcement agencies to help avert violent escalations with people who may be demonstrating acute symptoms of mental illness or addiction. We have developed programs with our behavioral health treatment agencies to ensure that people have access to treatment, even though they may not have Medicaid or insurance.

Our continuum of diversion programs also has expanded and enhanced our court programs. These include a specialized probation unit to work with probationers who are challenged with mental illness, a Drug Court for felony offenders, a Family Treatment Court for parents with serious addictions who are at risk of losing their children, as well as our newly formed Mental Health Court.

Finally, our continuum includes some recovery support services. One critical recovery component is safe and stable housing. A place to call home is the perfect launching point for continuing one's education and joining the work force. All housing assistance comes with case management services to ensure successful tenancy and a continued path toward mental wellness.

Whatcom County is spending approximately \$4 million with local tax dollars this year to support our continuum of diversion programs. Still on our bucket list is the expansion and enhancement of a Crisis Triage Facility that provides for pre-arrest diversion in a therapeutic environment. Discussion and planning is currently underway to accomplish this goal.

Whatcom County is committed to these diversion programs as well as future programs aimed at keeping people out of jail who are better served with treatment and support. Our new Mental Health Court is one more step in doing the right thing for our community, and certainly for the program members who improve their lives with the support of the team. It truly does take a village to raise a child. We have found that this is also true for offenders battling mental illness and addiction who have turned to crime. The Mental Health Court team is proud to be part of that village.

If you or a loved one think Mental Health Court may be an option, discuss it with your attorney or assigned counsel to start the referral process, and we will be happy to share the opportunities available for a better life.

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