

Question: Is there a specific program, which can be deployed statewide, with measurable, near uniform results?

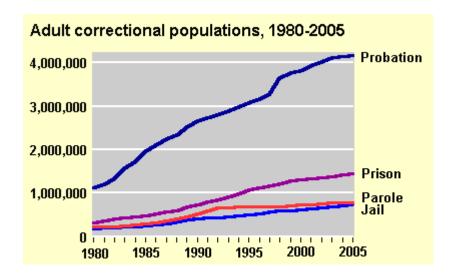
- Answer: Mental Health Courts
- What is a mental health court?
- Simply put, a defendant with mental illness, appearing before the court for a misdemeanor, would be referred to a special process emphasizing illness management and recovery rather than the current formula of jail.

Mental Health Courts & Natural Supports

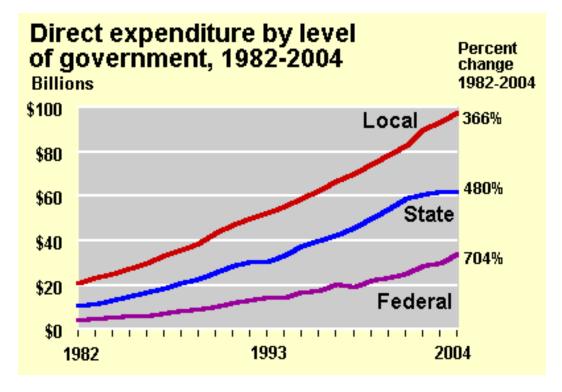
Prison or Recovery

Today

- 13.5 million Americans will cycle in and out of the 5000 US jail and correctional facilities this year.
- 67% of former prisoners will be re-arrested and 52% will be re-incarcerated.
- Total prison and secondary correctional populations in the U.S. Incarcerated (Prison/Jail) = approximately 2,250,000
 Probation = greater than 4 million
 Parole = less than 750,000

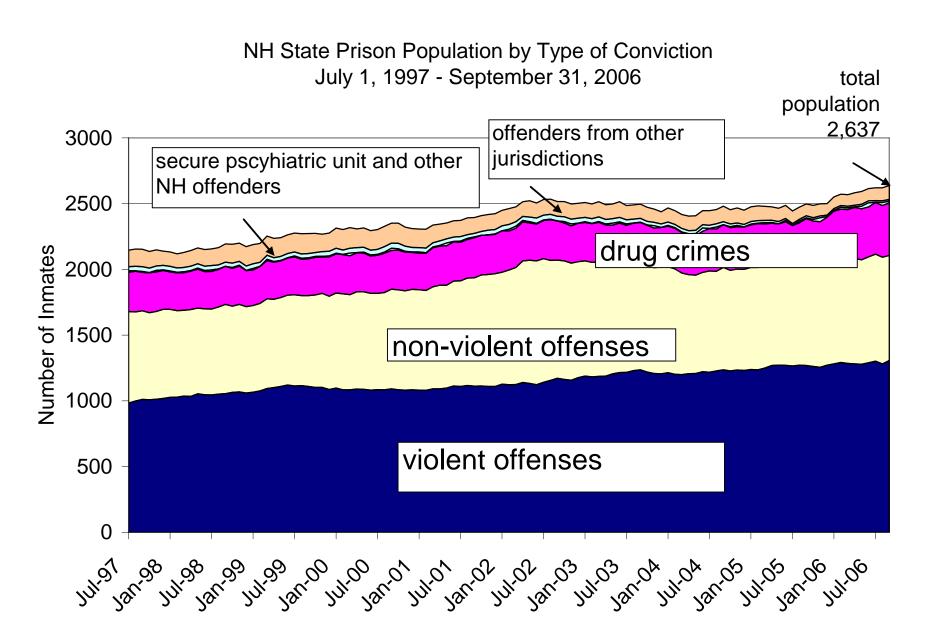


- Cost profile for prisoner confinement: total cost per national figures: \$100 billion annually and increasing.
- Approximate cost per individual: \$23K p/yr



NH at a glance

- The New Hampshire Department of Corrections' operating budget rose from \$5 million in FY 1981 to more than \$70 million in FY 2006. Virtually all of the inflation-adjusted increase can be accounted for by one driving force: incarceration and sentencing policies that have increased the size of the state's prison population from 337 in 1981 to 2,650 today.
- Particular cost drivers within the Department of Corrections' budget have included building and staffing three new prisons since 1981 to accommodate more prisoners for longer sentences.
- The department and the Legislature have recently made significant investments in staff to supervise those on probation and parole, bringing spending for state and county jails and prisons to more than \$100 million plus
- In 30 years, after adjusting for inflation, NH state correction expenditures rose by 912%.....
- 3 new state prisons have opened with flexible expansion capacity.



"There are three times as many men and women with mental illness in U.S. prisons as in mental health hospitals."

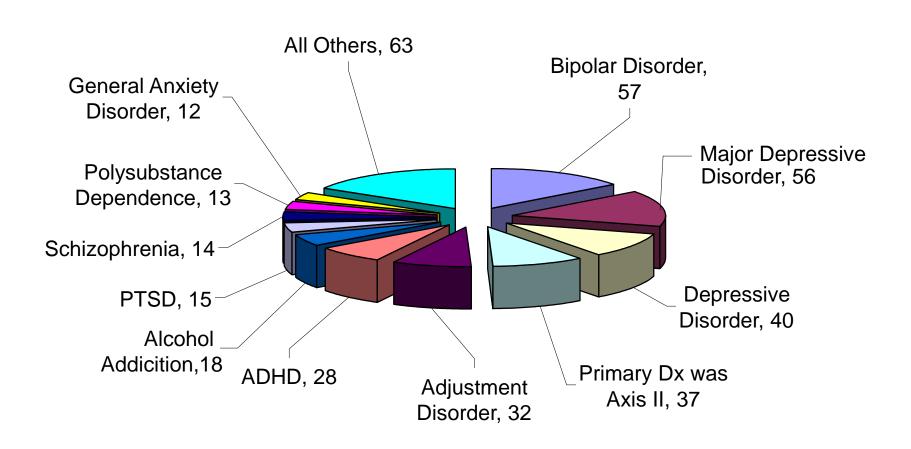
Human Rights Watch 2003

Using the data from national sources, roughly 16% of all inmates suffer some type of mental illness, which puts the New Hampshire figure at about 413 inmates.

"People who suffer from mental illness need mental health interventions, not punishment for behavior that may be motivated by delusions and hallucinations."

HRW 2003

Axis I Diagnosis in Prison Population (2006) Non PSU Inmates



So, the situation is clear, individuals afflicted with (untreated/unsupported) mental illness are landing in the judicial system in staggering numbers with a final destination of local jail or county prison. The resulting strain on judicial systems nationwide is collapsing any meaningful recovery under the weight of overcrowding and underfunding.....creative measures are required, but justice must still be served.

Question is, what to do?

But first, let's try to answer what we mean by justice.

History of "Justice"

1140 (Old French) "the exercise of authority in vindication of right by assigning reward or punishment," and stemmed from righteousness & equity," It had widespread senses, including "uprightness, equity, vindication of right, court of justice, judge." The word began to be used in Eng. c.1200 as a title for a judicial officer. Meaning "the administration of law" is from 1303.

jus-tice:

The administering of *deserved* punishment or reward

The upholding of what is just, especially *fair treatment* and due reward in accordance with honor, standards, or law

The *quality* of being just; fairness

Conformity to moral rightness in action or attitude; righteousness

Justice (cont.)

The quality of being just; righteousness, equitableness, or moral rightness: to uphold the justice of a cause

The *moral principle* determining just conduct

Do Justice:

to act or treat justly or fairly

to acquit in accordance with one's *abilities or potentialities*

Who decides the meaning of:

Deserved...Fair treatment... Quality...
Conformity...Equitableness...
Moral rightness... Moral principle...Abilities
or potentialities

What is our responsibility as a community to those with any challenge?

What can we do as Leadership graduates?

Justice: is rendering to every one that which is his due. It has been distinguished from equity in this respect, that while justice means merely the doing what positive law demands, equity means the doing of what is fair and right in every separate case.

Advocacy Suggestions

- Lobby the MH Planning and Advisory Council to support: continuing mental health courts throughout the state using a portion of the annual \$1.5 million federal block grant for innovative solutions in mental health care.
- Lobby state jail superintendents to support such courts, especially the positive fiscal impacts on incarceration budgeting.

 Develop a working relationship with NH homeless shelters. Poverty and homelessness are oftentimes companions for the mentally ill, and as such, shelters can accommodate a disproportionate number of MI individuals. NH community mental health centers are not required to provide services within a shelter, we think that has room to change. We will work with appropriate legislators to draft umbrella legislation requiring it. In addition, we will ask the Bureau of Behavioral Health to voluntarily incorporate this as a condition of CMHC state approval.

- Work with all regional CMHC's to use the best possible proven-blueprint to educate and train statewide law enforcement re: the mental health court process/participation.
- Contact regional CMHC's CEO's and board chair's and seek their support for the recommended changes to their MOUs and extending the mental health courts.