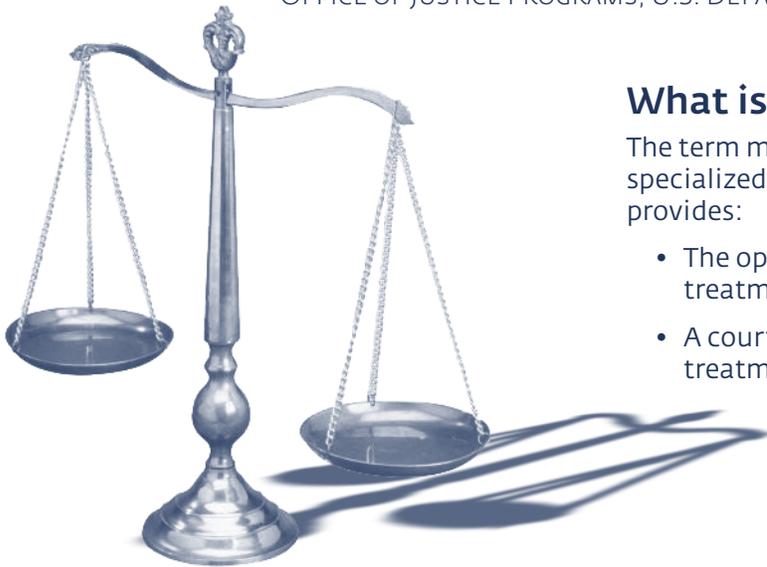


# Mental Health Courts Program

*"Mental Health Courts increase availability and access to a wide range of services for offenders with mental illness, enabling them to stop cycling through the justice system to become fully participating members of the community once again."*

**DOMINGO S. HERRAIZ**, DIRECTOR, BUREAU OF JUSTICE ASSISTANCE,  
OFFICE OF JUSTICE PROGRAMS, U.S. DEPARTMENT OF JUSTICE



## What is a Mental Health Court?

The term mental health court is most often used to refer to a specialized docket for defendants with mental illnesses that provides:

- The opportunity to participate in court-supervised treatment;
- A court team composed of a judge, court personnel, and treatment providers, which defines terms of participation;
- Continued status assessments with individualized sanctions and incentives; and
- Resolution of case upon successful completion of mandated treatment plan.

## Research on Mental Health Courts

Mental health courts are an extremely recent phenomenon. While they appear to be a promising strategy to reduce the involvement of people with mental illness in the criminal justice system, very little research is available on their effectiveness in general, or how different community variables affect outcomes for the courts' participants. Some research does point to the relative success of some individual mental health courts, such as the one in Broward County, Florida, in which defendants were twice as likely to receive services for their mental illness and were no more likely to commit a new crime, despite spending 75 percent fewer days in jail compared to comparable defendants.\* More research is currently underway, including a comparative study of multiple mental health courts, sponsored jointly by the National Institute of Justice and the MacArthur Foundation.

## Program Overview

The Office of Justice Programs (OJP) was created to support state and local governments improve the criminal justice system and increase safety to neighborhoods, workplaces and schools. As part of that effort, the Bureau of Justice Assistance (BJA) provides leadership, funding, training, and technical assistance to states, local governments, and other justice and prevention agencies.

BJA is the administrator of the Mental Health Courts Grant Program (MHCP) created by "America's Law Enforcement and Mental Health Project" (Public Law 106-515). The program funds initiatives that include:

- Continued judicial supervision, and
- Coordinated delivery of health and social support services

BJA coordinates this initiative with the Jail Diversion Targeted Capacity Expansion Grant Program, an initiative of the Substance Abuse and Mental Health Services Administration (SAMHSA).

\*Boothroyd, R., Poythress, N., McGaha, A., and Petrila, J. (2003). The Broward Mental Health Court: Process, outcomes and service utilization. *International Journal of Law and Psychiatry*, 26, 55-71.

## BJA Mental Health Court Grantees

There are currently more than 90 mental health courts in operation, which vary widely in their organization and status. The 37 courts funded by BJA represent, as of September 2004, about a third of all existing mental health courts.

- 12 of the grantee courts are located within a jurisdiction with less than 150,000; 27 are located in jurisdictions with more than 150,000
- The number of participants in each grantee court ranges from 15 to 800
- 15 of the grantee courts require guilty pleas of all court participants, 4 courts defer the prosecution pending the completion of the treatment plan, and the 18 other courts rely on a combination of these two approaches depending on the level of the offense charged.
- The 8 newest grantee courts began operating on or after December 2003, the 7 oldest grantee courts began operating before April 2002.

## Technical Assistance

BJA has designated the Council of State Governments (CSG), coordinator of the Criminal Justice / Mental Health Consensus Project, as the technical assistance provider for the Mental Health Courts Program. In this capacity, CSG provides a wide range of services to grantees and non-grantees including:

- **On-site and off-site individual technical assistance** – CSG uses a network of expert consultants and practitioners to provide technical assistance on-site, via telephone, over the internet, and through the distribution of written materials.
- **Conference** – CSG coordinated a two-day conference among the grantee sites on January 22–23, 2004. The conference's goal was to help grantees share common strategies and obstacles and benefit from expert presentations.
- **Policy Briefs** – CSG, in collaboration with expert consultants, is developing three policy briefs to be published in December 2004. These briefs address data collection and program evaluation; use of mental health services, and evidence based practices; and development and sustainability of a mental health court.
- **Web site** – CSG has developed a Web site for mental health courts, with information on new programs and links to other relevant sites. <http://consensusproject.org/mhcourts/>

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## BJA Mental Health Courts Program Grant Recipients

Allegheny County, PA • Athens County, OH • Bonneville County, ID • Boone County, MO • Brooklyn, NY • Bronx, NY • Broward County, FL • Buffalo, NY • Cheshire County, NH • Chittenden County, VT • Clackamas County, OR • Eighth Judicial District, NV • Franklin County, OH • Hennepin County, MN • Jackson County, MO • Jefferson County, KY • King County, WA • Lane County, OR • Los Angeles County, CA • Mahoning County, OH • Maricopa County, AZ • Marlboro County, SC • Missoula County, MT • Muscogee County, GA • Oklahoma County, OK • Orange County, CA • Orange County, NC • Orleans Parish, LA • Richland County, SC • Santa Clara County, CA • St. Louis County, MO • Statewide, DE • Tarrant County, TX • Washoe County, NV • Multi-County, WV • Yamhill County, OR • Yavapai-Apache Nation, AZ

## For More Information about Mental Health Courts and Technical Assistance

>> **Please visit BJA's Web site at:**



<http://www.ojp.usdoj.gov/BJA/grant/mentalhealth.html>

**or contact:**

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