

County of San Diego: 2018 CSAC Challenge Awards Executive Summary

Timely Treatment of Justice-Involved Mentally Ill

OVERVIEW: The Defense Transition Unit employs licensed clinicians to assess the mental health treatment needs of criminally accused clients and transports them directly to services.

CHALLENGE: A tremendous number of people facing criminal charges are living with mental illness. The criminal behavior of which they are accused is a product of their struggles with mental health management rather than outright criminal thinking. Frequently homeless and with no family support, these clients have struggled to access mental health services when released from custody. Because they often do not receive treatment, comply with medication needs, or maintain insight concerning their illness, they frequently return to custody to face new charges or probation violations at significant cost to the taxpayer. County jails, together with emergency rooms and crisis houses, become de facto treatment providers. The court system has long recognized this problem, but with insufficient time after sentencing to adequately assess client needs, the system often has no choice but to release these clients. As the advocate for the best interests of these clients, the Public Defender recognized that it is well positioned to fill this gap by assessing and linking clients to services during the early stages of the court process.

INNOVATIVE SOLUTION: Two premises underlie the work of the Defense Transition Unit: 1) It is critical to use the early weeks/months in custody to arrange an appropriate treatment plan; and 2) Whenever possible, a client should be taken directly from jail to treatment without returning to 'the street.' Attorneys recognizing a client's mental health needs now send a simple electronic "Action Request" to the DTU within the first days of representation. A clinician is assigned to evaluate the client within five working days. The DTU can access the County's Behavioral Health database, permitting immediate review of the client's diagnosis, medication and treatment history. The licensed and experienced clinicians are skilled at interpreting these records, integrating that information with the client interview, and communicating with treatment programs. As a result, our attorneys provide professional, reliable treatment plans to the court at the earliest stages of a criminal case. Once a judge agrees to impose the customized treatment plan as a condition of release, the client is transported, without further time in the jail, directly to a program already familiar with the client's needs. As a result, the client's benefits and medications are uninterrupted and, where available, housing is provided on the day of release. This innovative solution is enhancing mental health care while reducing time in county jail.

ORIGINALITY: To our knowledge, no other county has a Public Defender systematically assessing all incarcerated adult clients who an attorney identifies to have mental health needs. Our assessments are significant because they originate from licensed professionals, are supported by Behavioral Health records, and are accomplished very early in criminal proceedings.

COST EFFECTIVENESS: Jail inmates are housed at a taxpayer cost of \$141/day. A sampling of frequently incarcerated mentally ill clients at the highest level of treatment reveals an average of 159 days spent in custody each year, costing \$22,419. The Defense Transition Unit has placed 36 such high-level clients in community treatment since work began Oct. 14, 2016. Presuming at least half (18) remain in treatment [actual retention is much higher]; this amounts to first-year jail savings of \$403,502 for these 18 clients alone. Note, however, that the DTU assesses a volume far exceeding this high-level population. In fact, the DTU has processed well over 1,000 referrals since inception. Of a sample of individuals from December 2016 to January 2017, 83 percent (or 33 of 40) were successfully placed into treatment. These connections to treatment result in savings beyond the county jail, as they reduce police intervention, hospitalization, court costs and, of course, injury to future crime victims. These savings have been accomplished with a total \$182,000 devoted to the salary and benefits of our two clinicians, alongside nominal department improvements to support the DTU.

RESULTS: Early assessment and connection to treatment is bringing tremendous results. Judges have come to rely on Defense Transition Unit expertise, granting 'releasable to treatment' orders without the need for continuances or more formal psychiatric evaluations. The treatment community is able to confer with knowledgeable clinicians, leaving attorneys to focus on legal defenses. Individual clients are establishing a treatment 'baseline' where none previously existed. Having assessed the majority of mentally ill probationers in our justice system, the DTU is able to provide the county with statistics demonstrating areas of treatment need. Most importantly, the quality of life for our clients and the community will improve as treatment reduces revolving-door recidivism.

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