

Akron Mental Health Court: Comparison of Incarcerations and Hospitalizations for Successful and Unsuccessful Participants in the First Cohort (The Stormer Report)

**Jennifer L.S. Teller, Ph.D.¹
Christian Ritter, Ph.D.
Marnie Salupo Rodriguez, M.A.
Department of Sociology
Kent State University
Kent, Ohio 44242**

**Mark R. Munetz, M.D.
County of Summit Alcohol, Drug Addiction,
and Mental Health Services Board and
Northeastern Universities College of Medicine**

**Karen M. Gil, Ph.D.
Northeastern Universities College of Medicine**

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Since the inception of the Akron Municipal Mental Health Court (MHC) program in January 2001 through the end of January 2004, there have been 472 people who came to the attention of the court to determine eligibility for the program. One person was referred twice. Of those identified as potential MHC clients, 228 people were determined to be eligible and accepted the program.² As of the end of January 2004, there were eighty-eight active MHC cases, ninety-seven terminated from MHC, forty who successfully completed the program (graduates), and four who died while a participant in the MHC program.

A first step in evaluating the program was to assess bed days for incarcerations and hospitalizations. We collected four types of data on each individual: 1) Summit County jail, 2) State prison, 3) State psychiatric hospital, and 4) general hospital. Each included both the number of incarcerations or hospitalizations and the number of days per year. For the purposes of the following discussion, the actual day of entry into the program is not accounted for, only the year of entry. Therefore, bed days in 2001 prior to entry and those used after entry are not differentiated.

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²The remainder of the people were either eligible and declined (50) or ineligible (196). Ineligibility was determined either by the charge or by the person's diagnosis.

Since the first people graduated in January 2003, there has not been enough time to determine with any certainty the long-term effects of MHC. However, the following discussion of the behaviors of two groups offers some initial evidence of the effects of the program. The two groups are those who successfully graduated from the program and those who did not. Each person started the program in 2001. The discussion of the graduates is followed by a discussion of those who started the program at the same time but did not successfully complete (the terminates). Last, the two groups are compared.

The Graduates

Description of Sample

For the first year of the program, 165 people were referred to MHC. Fifty-seven (thirty-five percent) were determined to be ineligible and 107 people (sixty-five percent) were eligible. Nineteen of the people who were eligible for MHC declined (eighteen percent) and eighty-eight accepted (eighty-two percent). As of January 31, 2004, forty of the eighty-eight participants (forty-five percent) who entered the program during 2001 graduated.³

The graduates entered the program between 1/2/2001 and 12/18/2001. Table 1 displays the demographic data. Eighty percent of the graduates are male. Fifty-eight percent are black and the others are white. Seventy-one percent are single, twenty-one percent are married, and the rest are divorced. Twenty-four have at least a high school education (two have completed the GED). Four have an eighth grade education and ten have some high school education. The average age at MHC graduation is about thirty-seven years old, with a range of twenty to fifty-nine years of age at graduation. The average number of days the graduates spent in the program was 734 days (slightly more than two years), with a range of 602 to 1079 days.

Data

Table 2 lists the utilization of beds by type. In 2000, one year prior to the inception of the MHC program, three-quarters of the sample did not have any incarcerations in the Summit County jail. Three people had one incarceration, five had two incarcerations, and one person had three. Two people were not in the jail system records. The nine people who were incarcerated had sixteen incarcerations for a total of 464 days, ranging from one to 180. There was one person who was incarcerated in a state prison for a total of 168 days. Five were hospitalized in one of the state psychiatric facilities for a total of 106 days. Six people were hospitalized in other hospitals for eleven hospitalizations for 66 days.

During the first year of the program in 2001, nine of the current forty graduates did not have any incarcerations. Two people were not in the Summit County Jail system, which might indicate that they had not been arrested. The remainder were in the system as this was the method most were identified as in need of the program. Fifteen people were incarcerated one time, nine twice, four three times, and one person four times for a total of 683 days, ranging from three to seventy-four days, for a total of forty-nine separate incarcerations. One person was incarcerated in the state prison for a total of seventy-two days. Four people were hospitalized in one of the state

³ One has since graduated (March 2004) and one is deceased.

psychiatric facilities for a total of forty-four days. Eight people were hospitalized in a general facility for sixteen hospitalizations totaling 101 days.

In 2002, there were ten people with a total of fourteen incarcerations and 165 days. Seven were incarcerated once, two were incarcerated twice, and one person was incarcerated three times. The range of days was from three to thirty-six. One person was incarcerated by the state for a total of forty-nine days. One person was hospitalized in a state psychiatric facility for nineteen days. General hospitalizations involved four people, 11 hospitalizations, and 81 days.

In 2003, thirty-five people were not incarcerated and two were not in the system. The other three were incarcerated once, twice, or five times for a total of eight incarcerations and thirty-four days. No one was incarcerated by the state. One person was hospitalized in a state facility for nineteen days. General hospitalizations involved four people, 5 hospitalizations, and 54 days.

Discussion

In the year prior to MHC's inception (2000), relatively few of the current MHC graduates were incarcerated in the Summit County Jail. Specifically, only nine of the forty graduates were incarcerated, with most (five) of these being incarcerated twice, fewer (three) being incarcerated once and one person being incarcerated three times. The sixteen incarcerations in 2000 resulted in 464 total days in the jail. During 2001, the number of current MHC graduates who were incarcerated increased from 9 to 29. This increase is to be expected since being arrested and incarcerated was the primary method used to identify those in need of the MHC program. Of the twenty-nine who were incarcerated in 2001, the vast majority (fifteen) were incarcerated only once, with fewer (nine) incarcerated twice, three times (four) or four times (one). These forty-nine incarcerations resulted in 683 total days in the jail. By the second year of MHC (2002), the graduates' rate of incarceration decreased with only ten of them going to jail. Of these ten, most (seven) were incarcerated once, with fewer being incarcerated twice (two), and one being incarcerated three times. These fourteen incarcerations resulted in 165 total days in the jail. During their final year in MHC, only three of the current graduates were incarcerated totaling eight incarcerations and thirty-four total days in Summit County Jail.

Being in the MHC program does not protect participants from incurring new charges. Additionally, one of the methods to sanction during MHC is to sanction with jail time. During their tenure in MHC, seven people incurred new charges (one person incurred two), nine were sanctioned with jail, and three were placed under house incarceration.

The State prison rates for MHC graduates tend to be more stable throughout the study period of 2000 to 2003. In each of the first three years, only one current MHC graduate was incarcerated in a State prison, and in the final year (2003), no MHC graduates were incarcerated in a State prison. Although the number of State prison incarcerations remained stable, the number of days incarcerated decreased over the four-year period (168 in 2000, 72 in 2001, 49 in 2002, 0 in 2003).

The number of state psychiatric hospitalizations slightly decreases over the study period, but are consistently few. Specifically, prior to the MHC program (2000) five of the current MHC

graduates were hospitalized once for 106 bed days. In 2001, four of the current MHC graduates were hospitalized for a total of forty-four bed days. During each of the last two years of the study, only one individual was hospitalized, each for nineteen bed days. However, the 2003 data though is still being finalized and may be adjusted

The number of days of general hospitalizations, some of which were to the psychiatric areas of local hospitals, peaks during the first year of MHC. During 2001, there are slightly more people who are hospitalized for a larger number of incidents. After that time, the number of people, incidents, and days decrease.

The year prior to the inception of MHC, the graduates had the most number of days in state prisons and the most number and days of hospitalizations. During the first year in MHC, the graduates had more bed days in Summit County Jail and in general hospitals than they did during the second year of MHC.

Figure 1 graphically depicts the data. The sum of the total bed days is shown in Figure 2. Note that there is a moderate increase in 2001, with sharp declines in 2002 and in 2003. This indicates that the number of days where the MHC graduates were in jail, prison, or the hospital declined.

For the successful participants during the four-year period of the study, no bed days were found for three people. Twenty-three people used one type of bed, primarily the county jail. Eight used two types and six used three bed days type. None of the participants used all four types.

The Terminates

Description of Sample

The forty-seven people who were eventually terminated from the program entered the program 1/17/01 through 12/18/01. Seventy percent are male. Sixty-six percent are black and the others are white. Seventy percent are single, eleven percent married, and the rest are either divorced (thirteen percent) or widowed (six percent). Twenty have at least a high school education (none completed the GED). One completed sixth grade, two have an eighth grade education and twenty-four have some high school education. The average age at termination is a little over 37 years old, with a range of age from 19 to 56 years at termination.

The average number of days from acceptance to official termination was 437 days, median 406, with a range of fifty-four to 1,076 days. The total number of days in the program for the sample of 47 is 20,559. However, due to the nature of MHC, the terminates generally fall into two major groups: those who incur new charges that may preclude their continuing participation and those who do not comply with the court requirements, including reporting to their case manager or appearing in court when required. The latter group is likely to have a bench warrant issued for contempt of court. It is only after they are located that MHC participants can be terminated from the program. Therefore, to untangle the effects of non-compliance while the participants are being found, and to discern the amount of time of active participation, the average number of days from acceptance to issuance of first warrant or incurring new charges was examined. If

someone was terminated without either new charges or a warrant, the date of termination was used in the analysis. The number of days from acceptance to first warrant was 240 days, median 125, with the range 6 to 782. The total days in the program numbered 11,261. Year first warrant or incurrance of new charges affected twenty-six in 2001, fourteen in 2002, and seven in 2003. Terminations occurred ten times in 2001, eighteen times for each 2002 and 2003, and one time in 2004. Demographic data are displayed in Table 3.

Data

Bed day utilization data are displayed in Table 4. In 2000, one year prior to the inception of the MHC program, forty-nine percent of the sample did not have any incarcerations in the Summit County jail. Twenty-one percent had one incarceration, twenty-one percent had two incarcerations, two people had three, and two had four incarcerations. The twenty-four people who were incarcerated had forty-four incarcerations for a total of 906 days, ranging from one to 224 days. There were four people who were incarcerated in a state prison for a total of 737 days, range 109 through 238 days. Five people were hospitalized, three of them once and two twice, and the range of days spent hospitalized was from 10 to 83, total 205 days. Eight people were general hospitalized 12 times for a total of 82 days.

During their first year in the program in 2001, three people did not have any incarcerations. The others were incarcerated 102 times for 2,438 jail days. One person was incarcerated six times, one five times, six people four times, ten people three times, eleven people twice, and fifteen people once. The range of days incarcerated in the county jail was from three to 210. Three people were incarcerated in the state prison for a total of 219 days, one for forty-nine days, one for sixty-one days, and the last for 109 days. Five people were hospitalized eight times for a total of 249 days, ranging from twenty-one to eighty-four days. Fifteen people experienced general hospitalizations, 25 times, for 1 to 35 days, total 181 days.

In 2002, there were thirty-two people with a total of seventy-two incarcerations and 1,643 days. Thirteen were incarcerated once, seven were incarcerated twice, four were incarcerated three times, seven for four times, and one person was incarcerated five times. The range of days was from two to 179. Four were incarcerated ten times by the state for a total of 1,748 days. Five people were hospitalized in a state facility five times for 301 days. Nine were in general hospitals ten times for a total of forty-five days.

In 2003, twenty-six people were incarcerated forty-eight times for 1,480 days, ranging from two to 170 days. Four were incarcerated by the state for 916 total days (two were incarcerated for 365 days). State hospitalizations affected two people for thirty-nine days total. General hospitalizations affected five people six times for sixty days.

Discussion

In the year prior to MHC's inception (2000), fifty-one percent of those who entered MHC and were terminated were incarcerated in the Summit County Jail. With the onset of MHC, jail incarcerations increased to ninety-four percent. This increase is to be expected since being arrested and incarcerated is the primary method used to identify those in need of the MHC program. By the second year of MHC (2002), the terminates' rate of incarceration decreased to

sixty-eight percent. During what would have been their final year in MHC if they had not been terminated, fifty-five percent were incarcerated in Summit County Jail.

The State prison rates for MHC terminates fluctuated throughout the study period of 2000 to 2003. In two years (2000 and 2003), four people were incarcerated in a State prison. In 2001, three were in a state facility. However, in 2002, ten were incarcerated in a State prison. The number of days incarcerated in State Prison dipped in 2001 when the participants were accepted into the program.

Relatively few people were admitted to a state hospital during the study period. The bed days steadily increased from 2000 through 2003 and then decreased dramatically in 2003. Specifically, prior to the MHC program (2000) five of the terminates were hospitalized for 205 bed days. In 2001, five were hospitalized for 249 bed days. In 2002, five were hospitalized for 301 days. Only two were hospitalized for thirty-nine days in 2003.⁴

The number of days of general hospitalizations, some of which were to the psychiatric areas of local hospitals, peaks in 2001. After that time, the number of people, incidents, and days decrease.

Figure 3 graphically depicts the data. The sum of the total bed days is shown in Figure 4. Note that there is a moderate increase in 2001, with sharp declines in 2002 and in 2003. This indicates that the number of days where the MHC terminates were in jail, prison, or the hospital declined.

Comparison of Successful and Non-Successful 2001 Mental Health Court Participants

The graduates are slightly more likely to be male, white, single and have a higher education level than those who were terminated. Additionally, the graduates decreased their number of incarcerations and hospitalizations throughout the program, indicating that they were reaping the benefits of the program. Those terminated from the program significantly increased their use of bed days during the study period and at the end were still using more bed days than before program entry. There is one caveat to this finding. As they were no longer required as a term of probation to remain in the county, we are unsure that all bed day use for the terminates is captured. However, this would lead to a conservative estimate of beds used, with the number of bed days for (at least) 2003 underestimated.

Additionally, the graduates used fewer bed days in the year prior to MHC in comparison to those who were eventually terminated. Use of bed days peaked for the graduates their first year in the program and then dramatically decreased. In contrast, the terminates' bed day use peaked in the year after entering the program and declined slightly the following years, though still at a level higher than 2000.

Table 5 presents the average number of bed days used by the successful (graduates) and non-successful (terminates) participants who were accepted into Mental Health Court in 2001 and who were never hospitalized during the study period. Twenty-six of the terminates and twenty-

⁴ However, the state hospitalizations data for 2003 may still be adjusted.

four of the graduates were never hospitalized during the study period. In 2000, the terminates averaged 44.462 days of incarceration per person and the graduates 19.708. During 2001, the terminates averaged 41.423 and the graduates averaged 22.625 days. During 2002 and 2003, the terminates 83.538 and 43.115, respectively. For the same period of time, the graduates averaged a little bit more than five days per person and one-half day, respectively. Recall that for the terminates, we are not confident that we are able to track all bed day use the more remote from the date of termination. Nonetheless, in comparison to the terminates, the graduates averaged significantly fewer days than the terminates as shown in Figure 5.

These figures indicate that the graduates were incarcerated significantly less than the terminates throughout the study period and the gap widened over time. The closest the graduates approached the terminates in average number of days of incarceration was in 2001, the year of entry to MHC, where they used about fifty-five percent of the standardized bed days used by the terminates. One explanation is that the initial intervention of MHC dampened incarcerations until the terminates either incurred new charges or violated the terms of MHC. Figure 6 is the graph of these data.

Mental Health Courts, loosely patterned after Drug Courts, have become a method for communities to address the criminalization of the mentally ill, to stop the revolving door of the criminal justice system, and to provide services to those with mental illness. However, there have been few systematic studies of the effects of these types of diversion programs and questions remain concerning the effectiveness of mental health courts. Some questions remain: Does the system of sanctions and rewards affect and alter behaviors so that participants are removed from the criminal justice system? Is the intensive post-arrest diversion program an effective use of limited resources? Are individuals helped and the community served? These results, though preliminary, indicate that mental health courts may be an effective use of limited resources.

Table 1: Mental Health Court Graduates, Demographic Information (n=40)

Average Age at Graduation	36.6
Percentage Black	57.5
Percentage Female	20.0
Percentage Single	68.4
Average Level of Education	11.6
Average Number of Program Days	734.1

Table 2: MHC Grads, Bed Day Utilization

<i>Graduates (n = 40)</i>	Number of People Affected	Number of Incidents	Number of Days
Summit County Jail (33) ^a			
2000	9	16	464
2001	29	49	683
2002	10	14	165
2003	3	8	34
State Prison (2)			
2000	1	1	168
2001	1	1	72
2002	1	1	49
2003	0	0	0
State Psychiatric Hospitalizations (9)			
2000	5	5	106
2001	4	4	44
2002	1	1	19
2003	1	1	19
General Hospitalizations (13)			
2000	6	11	66
2001	8	16	101
2002	4	11	81
2003	4	5	54

^a Numbers in parentheses indicate the total number of MHC graduates who used the bed days over the 2000-2003 study period.

Table 3: Terminated from Mental Health Court, Demographic Information (n=47)

Average Age at Termination	36.3
Percentage Black	66.0
Percentage Female	29.8
Percentage Single	70.2
Average Level of Education	11.1
Average Number of Program Days	437.4
Average Number of Program Days Until First Warrant/Incurring new charges	239.6

Table 4: Terminated from MHC, Bed Day Utilization

<i>2001 Accepted Date Terminates (n = 47)</i>	Number of People Affected	Number of Incidents	Number of Days
Summit County Jail (47)^a			
2000	24	44	906
2001	44	102	2438
2002	32	72	1643
2003	26	48	1480
State Prison (13)			
2000	4	4	737
2001	3	3	219
2002	9	10	1748
2003	4	4	916
State Psychiatric Hospitalizations (9)			
2000	5	7	205
2001	5	8	249
2002	5	5	301
2003	2	2	39
General Hospitalizations (20)			
2000	8	12	82
2001	16	25	181
2002	9	10	45
2003	5	6	60

^a Numbers in parentheses indicate the total number of terminates who used the bed days over the 2000-2003 study period.

Table 5: Average Incarcerations per Person per Year by Group

	Terminates	Graduates
2000	44.462	19.708
2001	41.423	22.625
2002	83.538	5.292
2003	43.115	.542

Figure 1: Bed Days for Hospitalizations and Incarcerations per Year
MHC Graduates (n = 40)

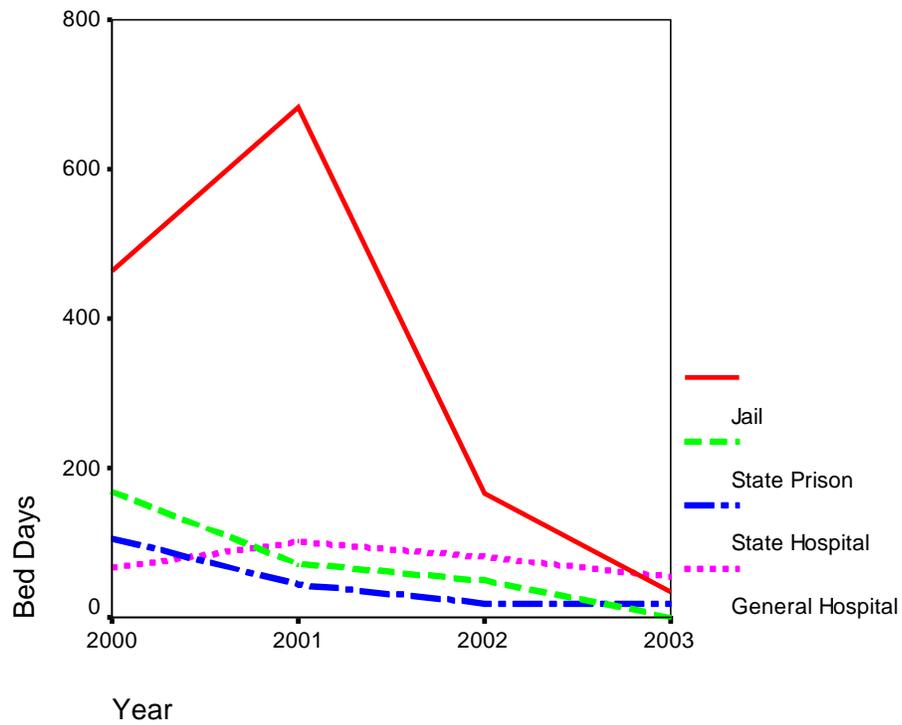


Figure 2: Total Bed Days for Hospitalizations and Incarcerations per Year
MHC Graduates (n = 40)

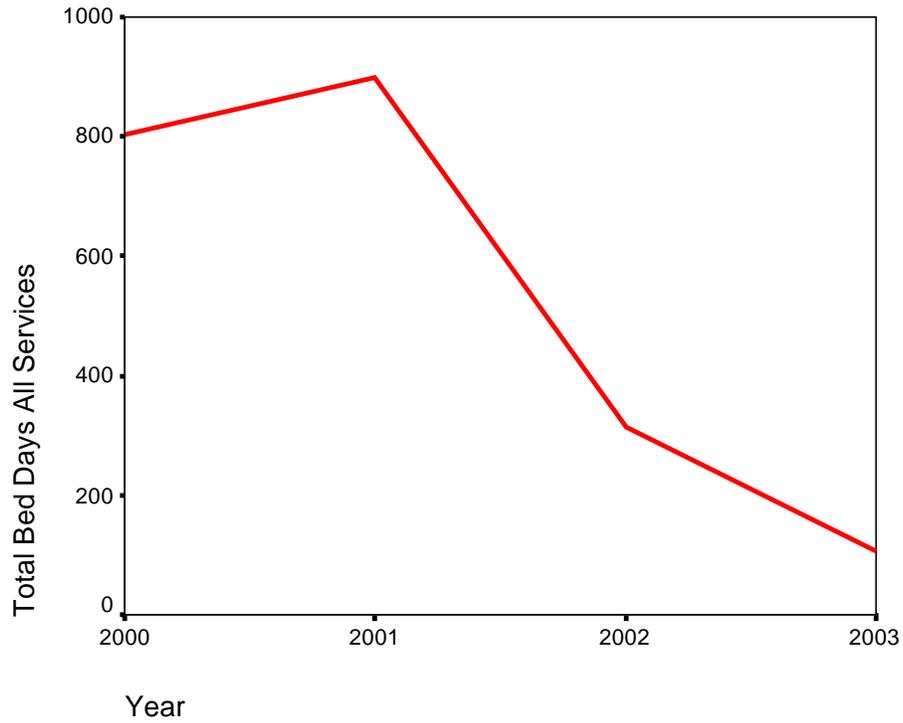


Figure 3: Bed Days for Hospitalizations and Incarcerations per Year
2001 Terminates (n = 47)

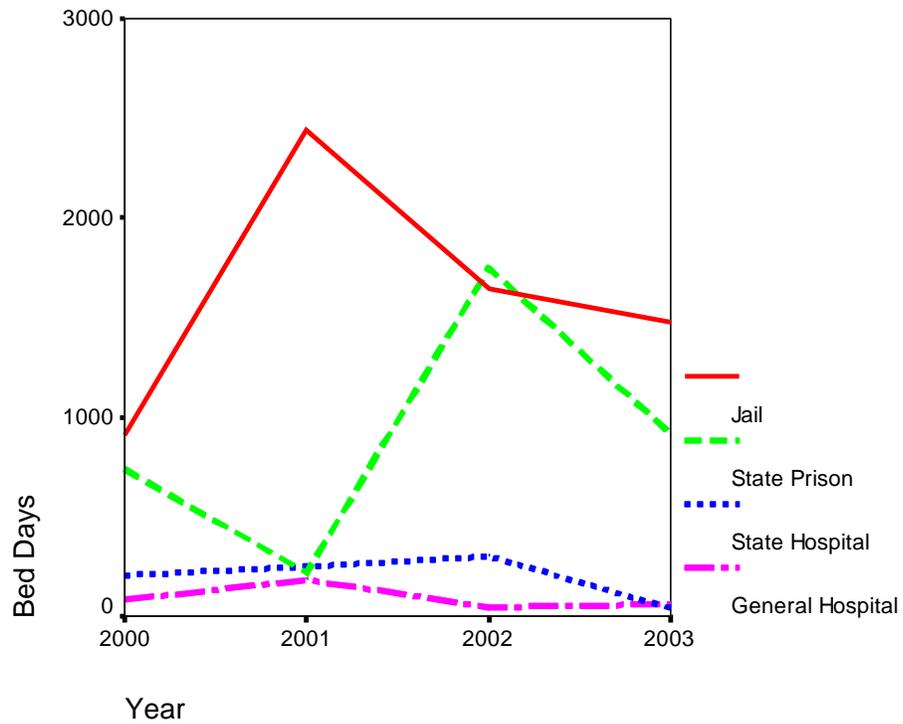


Figure 4: Total Bed Days for Hospitalizations and Incarcerations per Year
2001 Terminates (n = 47)

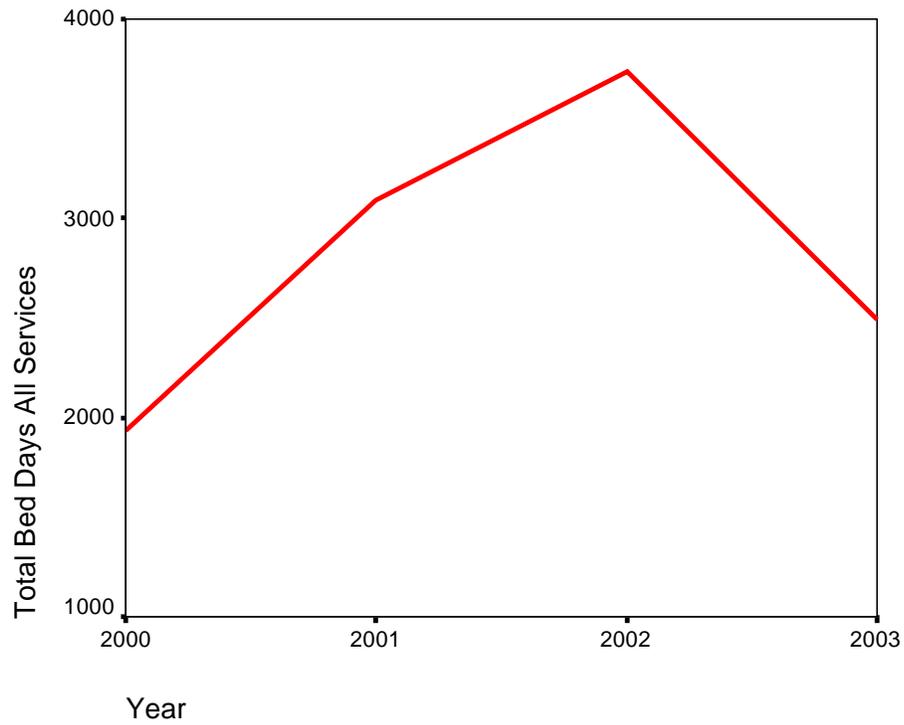


Figure 5: Average Incarcerations over Time for MHC Participants
(Minus those who were ever hospitalized)

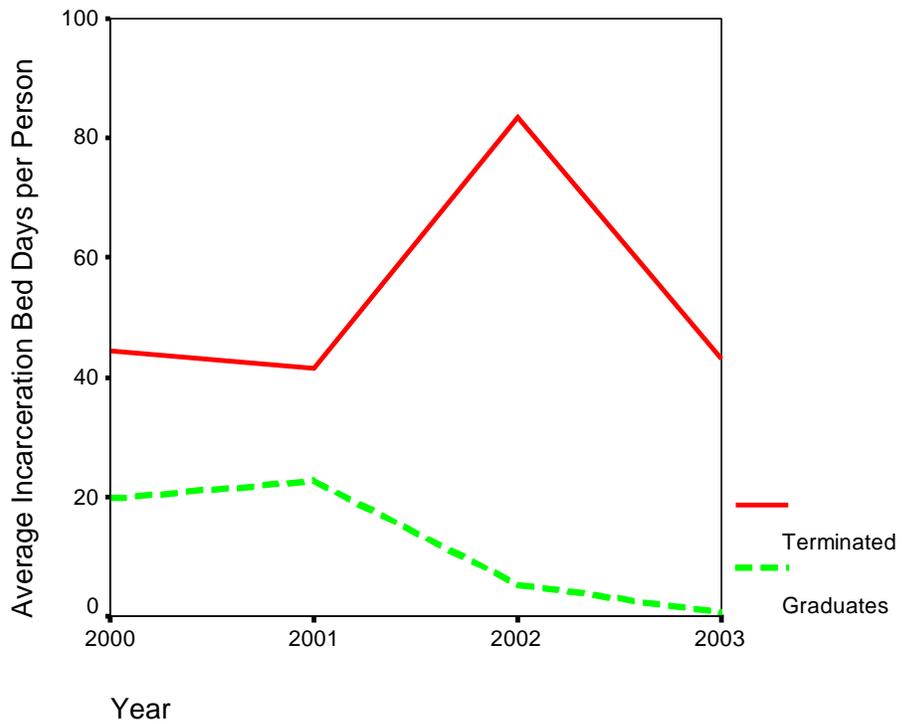


Figure 6: Comparison of Graduates to Terminates of Average Incarceration Days over Time

