

Working with Clients with Mental Illness and Intellectual Disabilities

A Workshop for Public Defenders and Assigned Counsel

Ohio Department of Transportation
June 23, 2017



This project funded by the Ohio Department of Mental Health & Addiction Services

WORKSHOP CO-SPONSORS:

- Ohio Department of Mental Health and Addiction Services
- *Stepping Up Initiative* – The Ohio Project
- Ohio Disability Rights Law and Policy Center, Inc.
- Cuyahoga County Ohio, Common Pleas Court
- David H. Brown, Attorney at Law
- Northeast Ohio Medical University, CJ CCoE
- Ohio Public Defender Office
- Maricopa County, AZ, Office of the Legal Advocate

WORKSHOP PLANNING TEAM:

- David H. Brown LLC
- Haley Durig, CJ CCoE
- Dorian Hall, OPDO
- Kristen Henry, DRO
- Peter Morey, MD, Esq
- Meghan E. Patton, CCCP
- Ruth H. Simera, CJ CCoE
- Julie Spohn, OhioMHAS

ACKNOWLEDGMENTS:

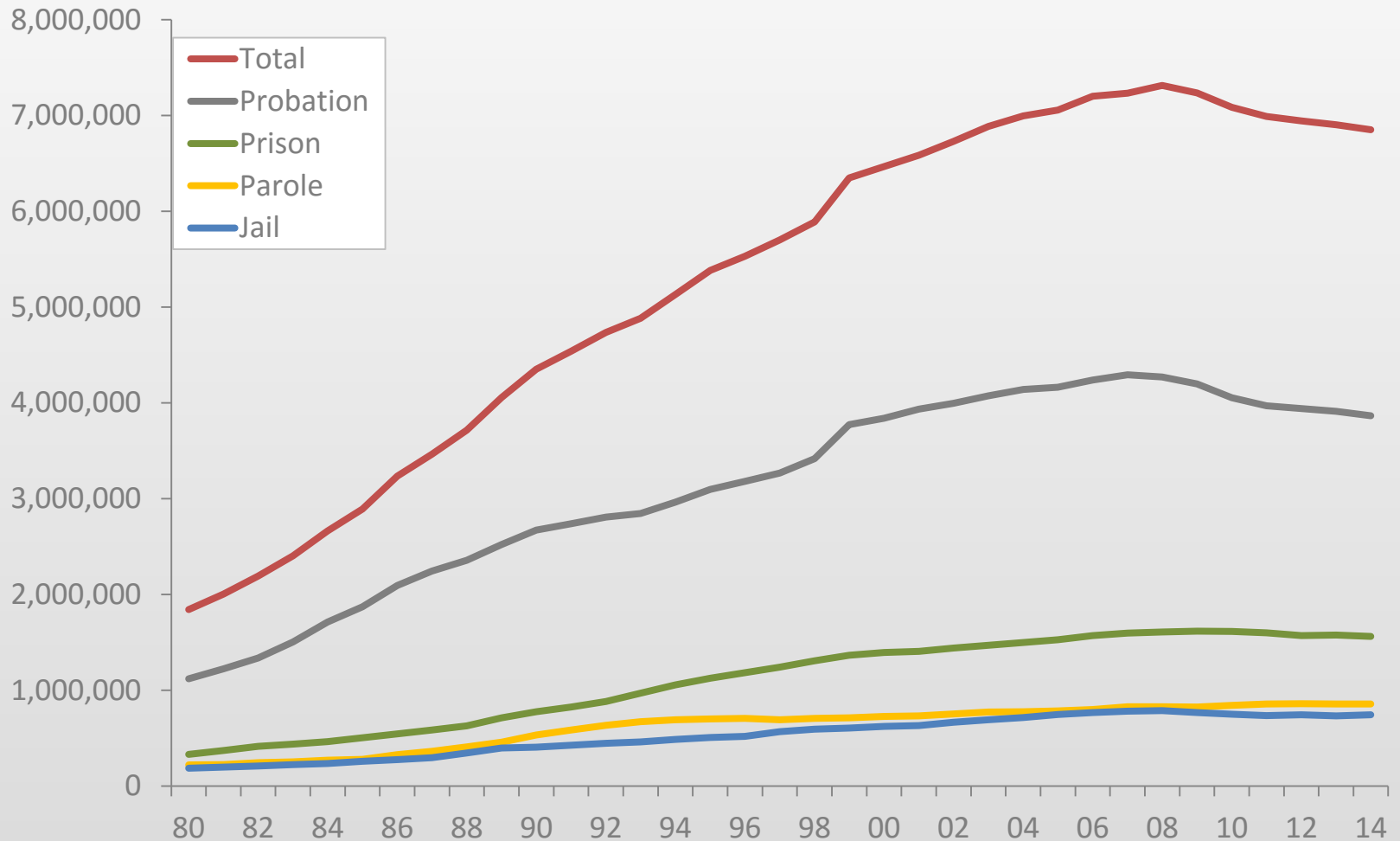
- Ohio Department of Mental Health and Addiction Services
- Office of Criminal Justice Services
- Ohio Attorney General's Office
- Fred Osher, M.D. and the Council of State Governments Justice Center
- Policy Research Associates
- Bureau of Justice Assistance, DOJ
- Margaret Clark Morgan Foundation
- Retired Justice Stratton & *Stepping Up* Ohio
- NAMI Ohio

CJ CCOE MISSION AND GOALS:

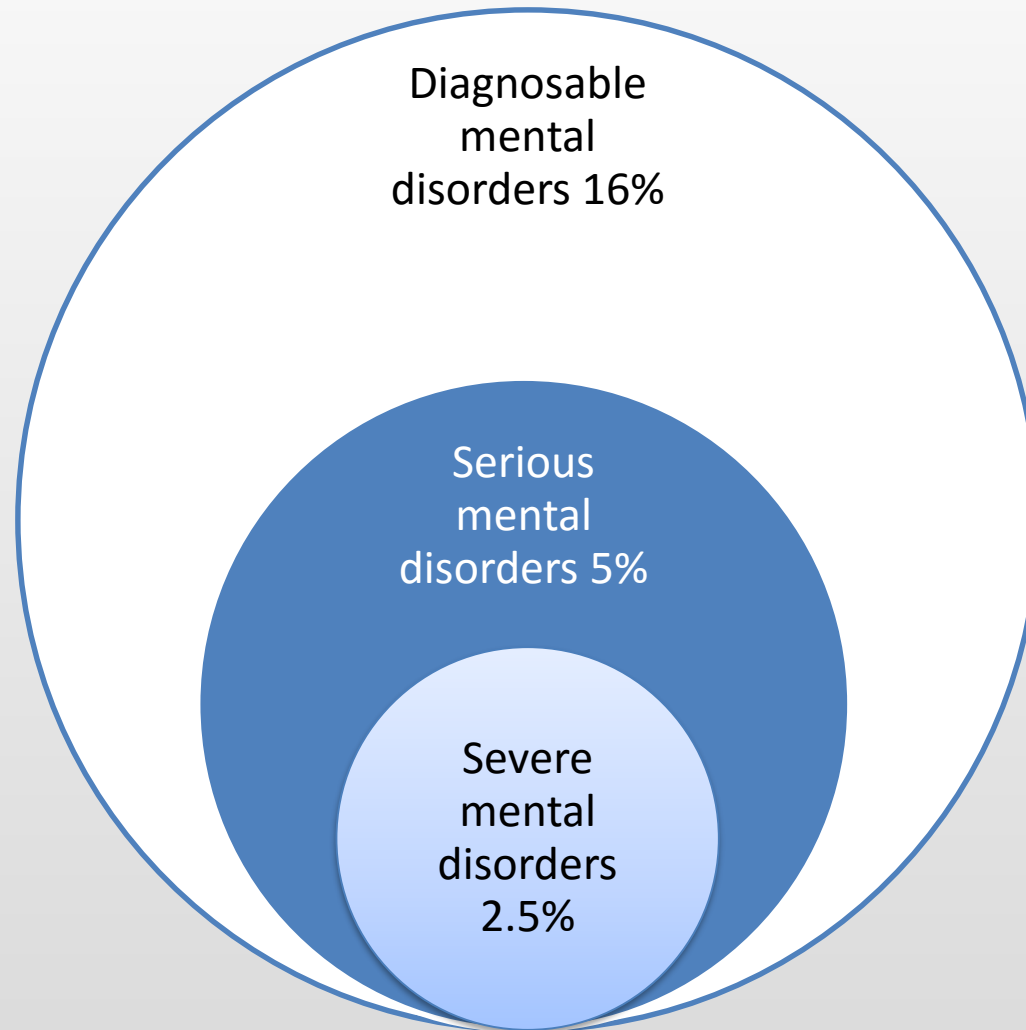
- Established in May 2001 through Summit ADM via funding from OhioMHAS
- Promote alternatives to divert people with mental illness from jail/justice system and keep them in treatment
- Encourage collaborative relationships and promote cross-system sharing between mental health and criminal justice systems
- Promote utilization of Best Practices
- Develop education and training materials

ADULT CORRECTIONAL POPULATION

1980 – 2014 (BUREAU OF JUSTICE STATISTICS)



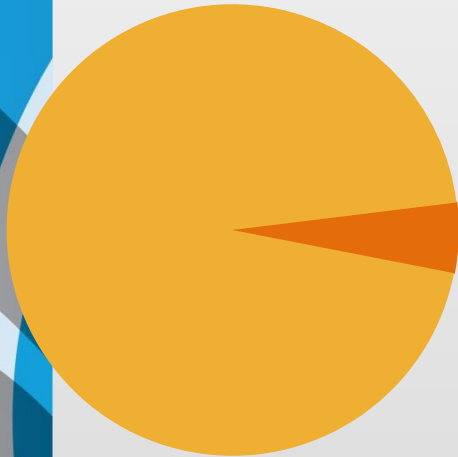
NOT ALL MENTAL ILLNESSES ARE ALIKE: MENTAL ILLNESS IN THE GENERAL POPULATION



MENTAL ILLNESSES: OVERREPRESENTED IN JAILS AND PRISONS

General Population

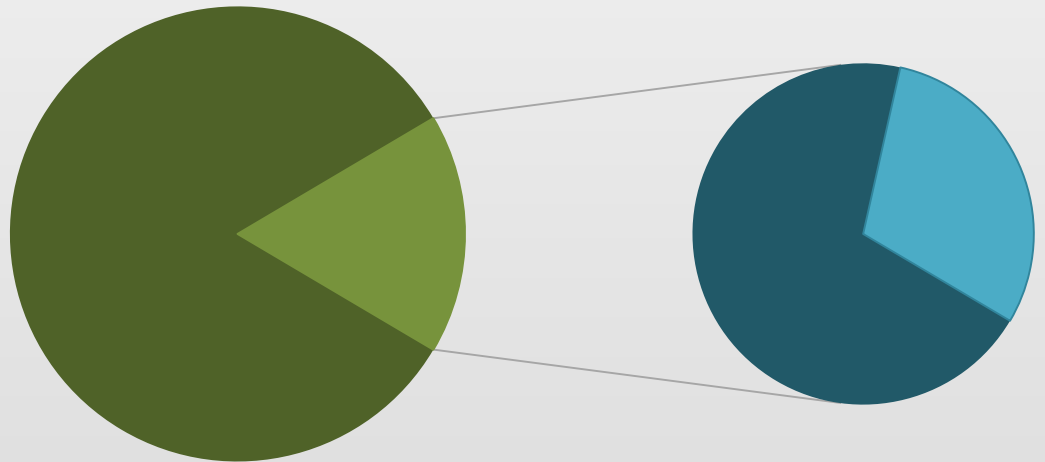
5% Serious Mental Illness



Correctional Population

17% Serious Mental Illness

72% Co-Occurring Substance Use Disorder



OVER-REPRESENTATION OF PEOPLE WITH MENTAL ILLNESS: THE OHIO STORY

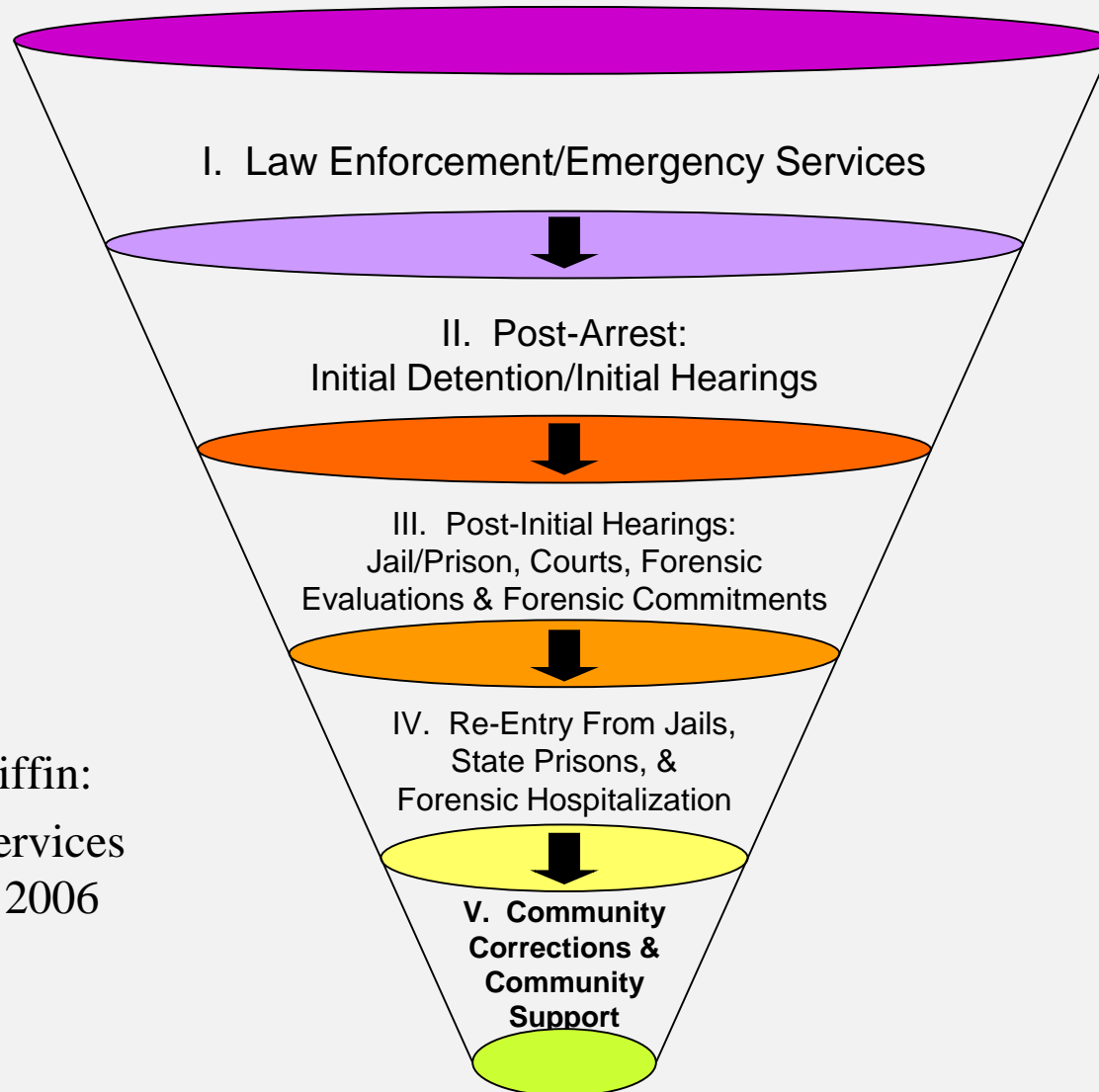
- In Ohio prisons
 - Total inmates = 50,174 (June 2017)
 - Estimated 20% mental health caseload: 9% classified SMI; percentage typically double for female population MI
 - 7 times rate of substance abuse as the general population (13,856 DRC inmates involved in Recovery Services CY15)
- Ohio Department of Mental Health and Addiction Services completed 1652 community linkage packets for persons identified as SPMI in calendar year 2015.
 - Average 3/4 substance abuse and 1/2 trauma history
- In Ohio psychiatric hospitals
 - 1,039 individuals (6/19/17)
 - As of June 2016, 69% are “forensic patients”

A SYSTEMATIC APPROACH TO THE CRIMINALIZATION PROBLEM

- There is no single solution to the problem we are calling “criminalization of people with mental illness”
 - People move through the criminal justice system in predictable ways
 - The problem must be attacked from multiple levels
 - The Sequential Intercept Model

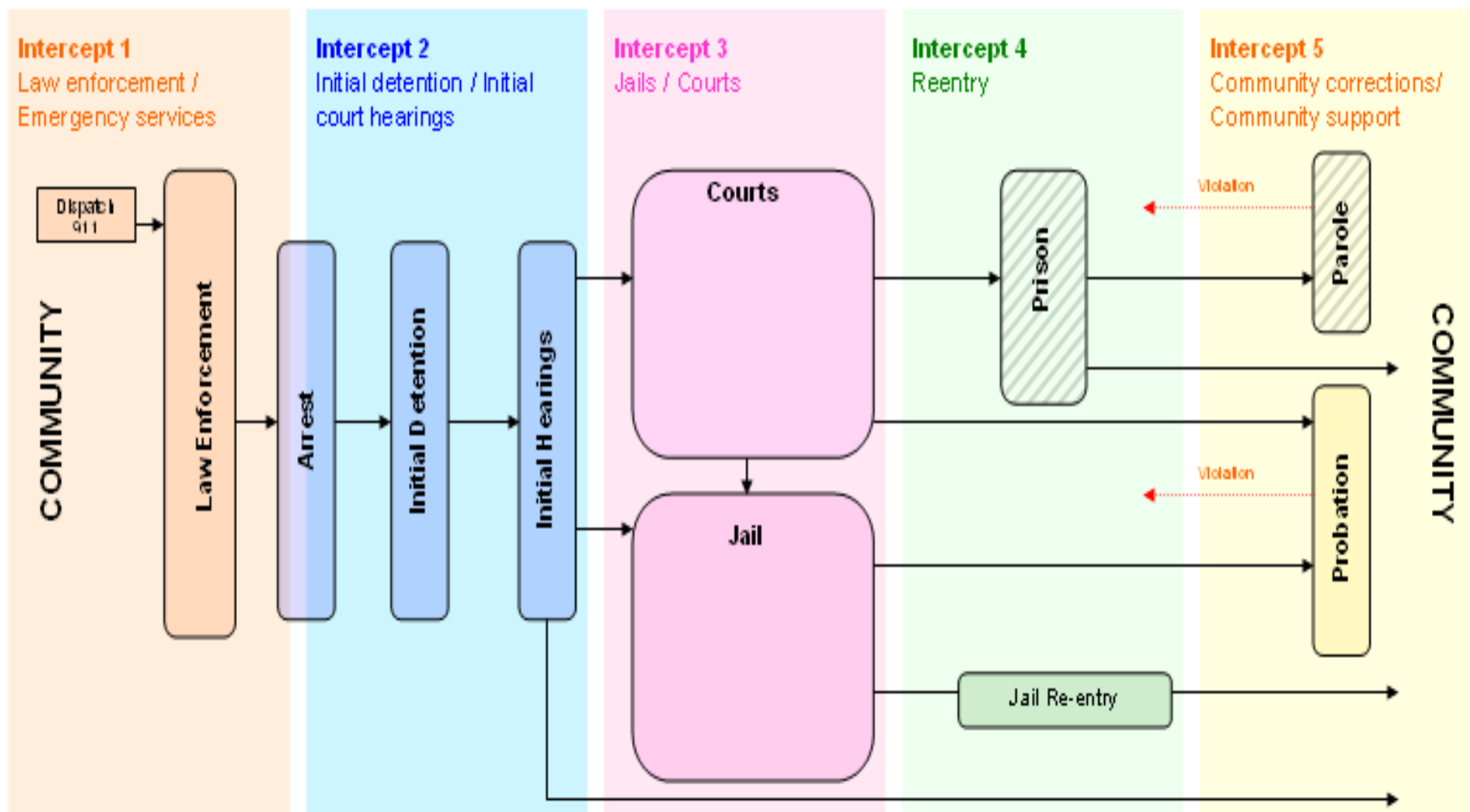
SEQUENTIAL INTERCEPTS

Best Clinical Practices: The Ultimate Intercept



Munetz & Griffin:
Psychiatric Services
57: 544–549, 2006

Sequential Intercepts for Change: Criminal Justice - Mental Health Partnerships





Promoting Wellness and Recovery

John R. Kasich, Governor
Tracy J. Plouck, Director

Working with Clients with Mental Illness and Intellectual Disabilities

June 23, 2017

Tracy J. Plouck, Director

Today's agenda

- Mental Illness and Intellectual Disabilities
Joy Stankowski, M.D., Northcoast Behavioral Healthcare
- Ethics of Working with Clients with Diminished Capacity
Kristen Henry, Esq., Disability Rights Ohio
- Legal and Competency Issues, Concerns, and Updates
Stephen Noffsinger, M.D., UH Cleveland Medical Center
- Effective Communication Styles
Megan Testa, M.D., UH Medical Center
Kathryn Zielinski and Tina Moreno, Cuyahoga County Board of Developmental Disabilities

What is Stepping Up?

The National Association of Counties (NACo), the Council of State Governments (CSG) Justice Center, and the American Psychiatric Foundation (APF) are leading an unprecedented national initiative to help advance counties' efforts to reduce the number of adults with mental illnesses and co-occurring substance use disorders in jails.

- 375 counties have passed resolutions nationally

Partners

To build on the foundation of innovative and evidence-based practices already being implemented across the country, and to bring these efforts to scale, NACo, the CSG Justice Center, and APF are working with partner organizations:

- Sheriffs
- Judges
- Community corrections professionals and treatment providers
- Consumers
- Advocates

Ohio's Efforts in this Arena

- Constructive dialogue between OBSSA, OhioMHAS, ADAMH boards and others resulted in funding for jail-based mental health & addiction services and supports
 - \$1.5 million/year in FYs 14/15
 - \$3.0 million/year in FYs 16/17
- Medicaid expansion can help post-release; enrollment activities are critically important
- Stepping Up Ohio advisory team has been formed

Stepping Up
Ohio
counties: 31
have joined,
representing
61% of Ohio's
population
(over 7 million
people)



Technical Assistance

Approaches (and examples):

- Statewide information available (by topic) to help all counties with planning and implementation
- Targeted assistance to individual counties
- Policy/operational infrastructure improvements: state-led with county assistance

Ohio's Stepping Up website

- Tool kits
- Assessment materials
- Community examples (Ohio & beyond)
- Upcoming training, grant opportunities
- Links to resources and publications related to mental illness and the criminal justice system
- Access today's presentations under "Events and Opportunities" and then "Upcoming Opportunities"

Stepping Up Ohio website:

<http://mha.ohio.gov/SteppingUp>

[Ohio.gov](#) | [State Agencies](#) | [Online Services](#)



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THE STEPPINGUP INITIATIVE

Ohio Stepping Up Initiative to Reduce Jail Incarceration

Stepping Up is a national initiative targeted at reducing the number of people with mental illnesses in jails. Without change, large numbers of people with mental illnesses (many with co-occurring substance use disorders) will continue to cycle through the criminal justice system, often resulting in missed opportunities to link them to treatment, tragic outcomes, inefficient use of funding, and failure to improve public safety.

The Ohio Department of Mental Health and Addiction Services (OhioMHAS) is collaborating with other leading organizations and local experts to support the common goal. The Stepping Up initiative engages a diverse group of organizations, including those representing sheriffs, jail administrators, judges, community corrections professionals, treatment providers, people with mental illnesses and their families, mental health and substance use program directors, and other stakeholders. Through its **Community Innovations** grants, which began in 2014, OhioMHAS took action to help counties reduce the number of criminal offenders with untreated mental illness and/or substance use disorders who continually cycle through county jails.

Contact Us

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614-752-9303

Participating Counties



[Stepping Up Spotlight: Franklin County](#)

Stepping Up Ohio

For more information: <http://stepuptogether.org/>



NEWS & UPDATES

THE PROBLEM

THE PEOPLE

WHAT YOU CAN DO

Take Action Now

APF American Psychiatric
Foundation
Research, Education, Impact



JUSTICE CENTER
The Council on State Governments
Collaborative Approach to Public Safety

Share:



Stepping Up: A National Initiative to Reduce the Number of People with Mental Illnesses in Jails

Take Action Now



Next Steps

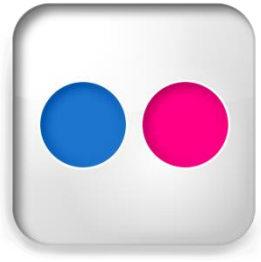
- Outreach to more Ohio counties
- Technical assistance will be offered by OhioMHAS and other partnering organizations
- For those that pass resolutions, an on-site assessment will be conducted to understand the types of TA that would be most helpful
 - Data collection, financing, best practices, etc.

OhioMHAS coordinator

- Julie Spohn from OhioMHAS is our lead regarding technical assistance for specific communities
 - Julie.Spohn@mha.ohio.gov
 - (614) 752-9303

More information

Find us on:



<http://www.mha.ohio.gov/>

Join our OhioMHAS e-news listserv for all of the latest updates!



Closing Remarks

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ROLE OF DEFENSE COUNSEL IN STEPPING UP

- Effective, informed counsel
- Knowing local cross-systems goals and expectations for serving this population
- Early Access to counsel can improve outcomes
- Open dialog with prosecutors

TECHNICAL ASSISTANCE – CJ CCOE & OHIOMAS

- Trainers and Consultants
- Websites
- Email distribution lists
- Lending Library
- Local, State and National Resources
- Guidance on Best Practices and Evidence-based Practices
- Peer networking



Ohio Criminal Justice Coordinating Center of Excellence

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