

# JUDGES'

## CRIMINAL JUSTICE/MENTAL HEALTH LEADERSHIP INITIATIVE

### A National Problem

Increasing numbers of people with mental illness are coming into contact with the criminal justice system, and the impact of this trend on people's lives, public safety, the administration of the criminal justice system, and public expenditures is difficult to overstate. Nearly every major city has had a front-page news story about an incident involving a police officer and a person with mental illness resulting in the serious injury—or death—of one or both these individuals. Jails, which have suicide rates far higher than in the general community, are now the largest *de facto* mental health hospitals in the country. People with mental illness released from prison or jail are especially likely to be re-arrested and re-incarcerated.

### A Judicial Response

Judges, with their unique ability to convene stakeholders and promote alternatives to traditional processing, have been important catalysts in many communities for improving the response to people with mental illness who become involved in the criminal justice system. The power of judges to convene key players in a community is explained well by one judge:

*“When I was a public defender trying to address this problem, I called a meeting of all the key stakeholders, and no one came. When I became a judge I called the same meeting. Everyone was five minutes early.”*

But it is not just the ability to convene stakeholders that puts judges in a unique leadership position. Judges also determine how individual cases proceed, and whether alternatives to incarceration should be considered. In addition, judges, with the mandate of the court, have the ability to hold accountable other criminal justice agencies, and even non-criminal justice agencies such as mental health and substance abuse providers.

In order to harness the potential for judicial leadership, the Council of State Governments (CSG) Criminal Justice/Mental Health Consensus Project, the Technical Assistance and Policy Analysis (TAPA) Center for Jail Diversion, and an advisory board of the nation's foremost judicial leaders on criminal justice/mental health issues

developed the Judges' Criminal Justice/Mental Health Leadership Initiative (JLI).

### JLI Activities and Resources

JLI activities and resources are open to any judge interested in improving the response to people with mental illness in the criminal justice system. There is no requirement to “join” and there are no fees associated with participation in the JLI.

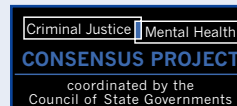
**Meetings** — Two dozen judges attended a special planning meeting at the GAINS 2004 national conference in Las Vegas; the concept of the JLI emerged from this discussion. Nearly 100 judges attended a full-day meeting held at a BJA-sponsored national conference on mental health issues and court systems in Los Angeles, June 2005. A JLI-sponsored judges-only meeting will be held in conjunction with the National GAINS Conference in Boston in April 2006.

**Advisory Board** — The JLI advisory board, co-chaired by Justice Evelyn Lundberg-Stratton Associate Justice, Supreme Court of Ohio and Judge Steven Leifman, Associate Administrative Judge, Miami Dade County, Florida prioritizes recommendations that arise from the JLI's national meetings.

**Newsletter** — The JLI publishes a newsletter approximately every quarter; it is disseminated to over 200 judges.

### The Mission of the JLI

- **To support and enhance** the efforts of judges who have already taken leadership roles on criminal justice / mental health issues in their communities;
- **To promote leadership** among more judges to spearhead initiatives that will improve the response to people with mental illness in the criminal justice system.



**Web Site** — The JLI Web site will contain targeted content for judges regarding programs, funding, research, and training opportunities. The Web site will be launched in April 2006. The site will be accessible at: <http://consensusproject.org/JLI>

### State Chief Justices as Champions of Statewide

**Initiatives** — A priority for the JLI is to engage state supreme court chief justices, and to assist them in becoming leaders of statewide initiatives addressing criminal justice/mental health issues. To this end, representatives of the JLI made a presentation at the 2006 winter meeting of the Conference of Chief Justices, whose members subsequently approved a resolution regarding this issue. JLI leaders and their staff are now developing a plan to identify and assist approximately six states, where the chief justice will establish statewide teams addressing these issues.

## Meet the JLI

### Co-Chairs

**Hon. Evelyn Lundberg-Stratton, Associate Justice, Supreme Court of Ohio** — Justice Stratton is nationally recognized as a judicial leader on the issue of people with mental illness involved in the court system. In 2001, she formed the Supreme Court of Ohio Advisory Committee on Mentally Ill in the Courts, a task force comprising representatives from the Ohio Department of Mental Health, the Ohio Department of Alcohol and Drug Addiction Services, judges, law enforcement officials, and other key partners from around the state.

**Hon. Steven Leifman, Associate Administrative Judge, Miami Dade County, Florida** — Judge Leifman chairs the Mental Health Committee for the Eleventh Judicial Circuit of Florida and was responsible for creating the Eleventh Judicial Circuit Criminal Mental Health Project. This highly successful program diverts non-violent misdemeanor defendants with mental illnesses to appropriate mental health facilities. The Project was awarded the 2001 Council of State Governments Innovations Award and a SAMSHA Jail Diversion Expansion Grant.

**Funding.** To conduct the activities described above, the JLI receives funding support from the following sources:

- JEHT Foundation;
- U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance; and
- U.S. Department of Health and Human Services, Substance Abuse and Mental Health Services Administration (SAMHSA), Center for Mental Health Services.

### Coordinators

**Council of State Governments** — The Council of State Governments (CSG) Criminal Justice/Mental Health Consensus Project, technical assistance provider for BJA's Mental Health Courts Program, is a national effort to help state legislators, judges, executive branch officials, and criminal justice/mental health professionals improve the response to people with mental illness involved with the criminal justice system.

- For more information on the Consensus Project and the MHCP please visit: <http://consensusproject.org/mhcp/>

**GAINS TAPA Center** — The GAINS Technical Assistance and Policy Analysis (TAPA) Center for Jail Diversion, operated by Policy Research, Inc., is funded by the Center for Mental Health Services of the Substance Abuse and Mental Health Services Administration. TAPA serves as a resource to communities seeking to implement or enhance jail diversion programs, as well as the designated technical assistance provider for the Jail Diversion Targeted Capacity Expansion grant program.

- For more information on the GAINS/TAPA please visit: <http://gainscenter.samhsa.gov/html/>

### Partners

#### National Center for State Courts: Conference of Chief Justices and Conference of State Court Administrators

— The Conference of Chief Justices (CCJ) and Conference of State Court Administrators (COSCA) are associations developed under the umbrella of the National Center for State Courts (NCSC) to improve the administration of justice in the states, commonwealths, and territories of the United States through effective mobilization of court administrators and chief judges. CCJ recently passed Resolution 11: *In Support of the Judicial Criminal Justice/Mental Health Leadership Initiative*.

- For more information on CCJ, COSCA, and NCSC please visit: <http://www.ncsonline.org/Associations/index.html>

**National Judicial College** — The National Judicial College (NJC) provides judicial education and professional development to the nation's judiciary as well as judges from other countries. NJC offers over 95 courses annually including courses on co-occurring mental health and substance abuse disorders.

- For more information on NJC please visit: <http://www.judges.org/>

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