



Commentary

Expand program to divert mentally ill from prisons

By **MARC A. LEVIN**

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Mental illness is a key factor in driving up correctional costs in Texas.

There are 42,556 offenders with a mental health diagnosis in prison, 55,276 on probation and 21,345 on parole. Additionally, some 170,000 mentally ill inmates are admitted into Texas county jails every year.

Mentally ill inmates cost more to house and they stay longer. They are also more likely to recidivate.

Fortunately, there are policies that can reduce both the recidivism and cost associated with the mentally ill in the criminal justice system.

First, counties can divert mentally ill offenders from jail through programs that protect public safety while saving taxpayer dollars.

Bexar County has established a successful three-pronged jail diversion program that can serve as a model for other Texas counties.

First, it employs specially trained law enforcement personnel called Crisis Intervention Teams (CIT). These teams are often able to

defuse incidents involving the mentally ill without an arrest. Participants in CIT programs spent on average two more months out of jail than non-diverted individuals, resulting in significant jail cost savings.

While the largest Texas metropolitan police departments have CIT personnel, smaller police departments can create a CIT program through cooperatives with other nearby departments.

With Bexar County's second prong, arrested offenders are screened for mental illness and, if not a threat to public safety, released on a mental health bond or to a treatment center. Screenings are conducted at the Crisis Care Center, a 24-hour facility that provides significantly quicker service at a lower cost than the emergency room.

Once stabilized, offenders are released on a mental health bond. Because the wait for a trial date can be as long as six months, outpatient monitoring significantly reduces the utilization of county jail space.

Finally, Bexar County diverts such misdemeanants from jail through an initiative called MANOS, which includes intensive case management that consists of outpatient medication management and counseling.

Of the 371 offenders admitted to the MANOS Program, only 6.2 percent were re-incarcerated. This compares to a re-incarceration rate of 67 percent for mentally ill offenders without the intensive case management services offered by the jail diversion program.

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Savings from Bexar County's jail diversion program are estimated at between \$3.8 million and \$5 million per year.

The state can also take steps to address the impact of mental illness on the criminal justice system. About 2,500 probationers and 800 parolees participate in a state-funded initiative involving intensive case management and a smaller case load with a specially trained officer.

The three-year re-incarceration rate is 15.1 percent for participating probationers and 16 percent for parolees. In contrast, there is a 52 percent re-incarceration rate for mentally ill probationers and parolees who do not receive treatment. Increasing the number of probationers and parolees in this program could more than pay for itself through lower recidivism.

Another way to address mental illness in the criminal justice system is through mental health courts. Several Texas counties — including Bexar, El Paso, Tarrant and Dallas — have established mental health courts in which a judge orders the defendant to obtain treatment and supervises his progress. Harris County's criminal district judges voted in January to designate a full-time felony mental health court. The court is not yet in operation.

A RAND Institute study found significant cost savings from mental health courts due to lower jail utilization.

Finally, defendants who are mentally incompetent to stand trial can be diverted from a state hospital. In 2008, the state launched

outpatient competency restoration pilot programs.

Taking Travis, Tarrant, Bexar and Dallas counties together, some 427 offenders are projected to be served in 2009. The total cost of these four programs is \$2.16 million compared with the state hospital cost of \$14.95 million based on an average cost of \$35,000 per offender.

Accordingly, it makes sense to expand these pilot programs to additional sites.

Mentally ill offenders will always pose a substantial challenge in the criminal justice system.

But through initiatives like these, we can achieve our goals of enhanced public safety and reduced costs to taxpayers.

Levin is director of the Center for Effective Justice at the Texas Public Policy Foundation, a nonprofit, free-market research institute based in Austin.

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