

# From Justice to Treatment: Changing Outcomes for Those with Serious Mental Illness and Substance Use Disorders

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**SAMHSA**  
Substance Abuse and Mental Health  
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# 2016 National Survey on Drug Use and Health

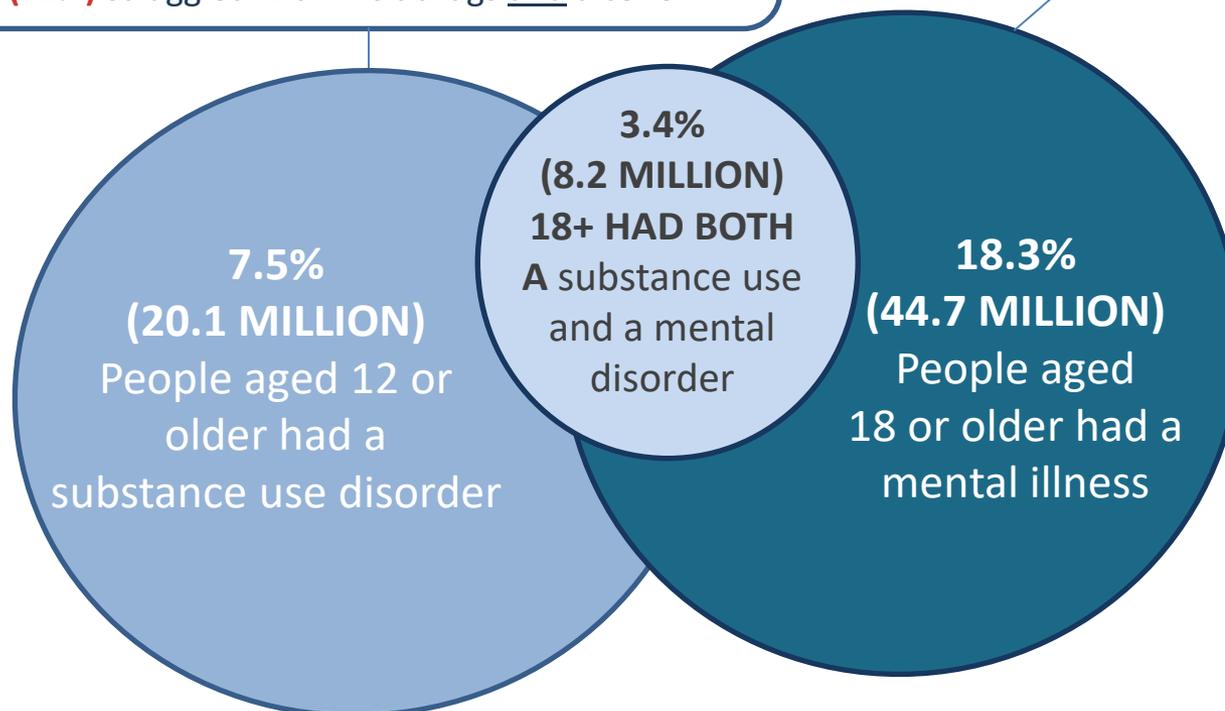
## MENTAL AND SUBSTANCE USE DISORDERS IN AMERICA: 2016

### Among those with a substance use disorder about:

- **1 in 3 (33%)** struggled with illicit drugs
- **3 in 4 (75%)** struggled with alcohol use
- **1 in 9 (11%)** struggled with illicit drugs **and** alcohol

### Among those with a mental illness about:

**1 in 4 (25%)** had a serious mental illness



**Over 2 million in jails and prisons**

**50% with SUDs**

(<http://www.prisonerhealth.org>)

**15-20% with SMI**

Torrey EF, et al. 2014

# Issues in Justice Populations

- Why are large numbers with mental and substance use disorders incarcerated rather than treated for their illness?
- Lack of resources to address needs of this population at federal and state levels
- Failure of states to provide adequate mental health care and treatment of SUDs in communities
- Law enforcement inappropriately left with responsibilities for attending to BH needs as part of their community safety role
- State civil commitment laws inadequate to provide necessary treatment/necessary treatment duration
  - Failure to use those laws to compel treatment for individuals at risk of harm to self or others

# Issues in Justice Populations

- Often results in crimes being committed while impaired by mental illness
- Legal charges related to drug use
- Convictions make it much more difficult to get housing and employment leading to vulnerability for recidivism
- Transition from incarceration to release challenging in terms of ongoing mental health needs with frequent loss to follow up
- Leads to revolving door of impairment related to SMI and reincarceration

# Solutions: SAMHSA Criminal Justice Programs and Activities

- **Jail Diversion Program grants** –
  - The 21st Century Cures Act has authorized Grants for Jail Diversion Programs
    - Pre-booking diversion
    - Veterans programs
- **Drug Treatment Courts**
  - Adult drug courts, juvenile drug courts, family treatment drug courts
  - Drug court grantees may use up to 20 percent of their award for Medication Assisted Treatment (MAT)
  - From FY15-FY16, nearly 16,000 individuals were diverted into SAMHSA-supported drug court programs
- **Offender Reentry Program** – Expand access to substance use treatment services for individuals reintegrating into communities
  - Grantees may now begin process of linkage to services prior to release

# Mental Health CJ-Related Grant Programs

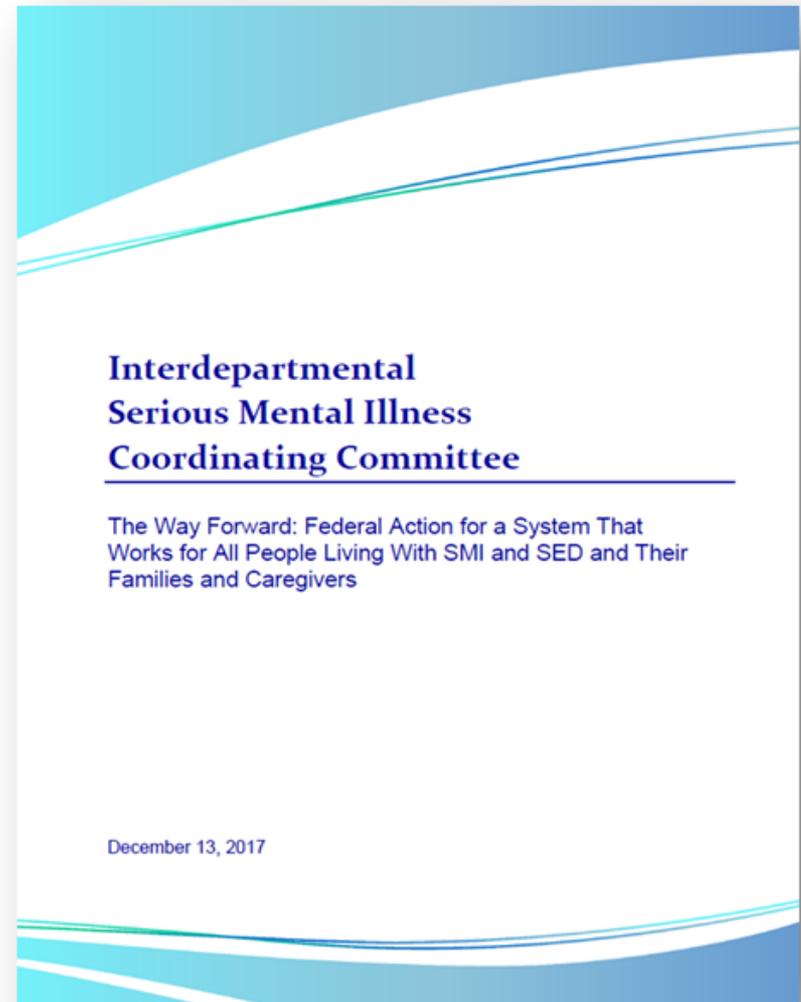
- **Adult and Youth Treatment Court Collaboratives:**
  - Programs supporting local courts with greater flexibility to collaborate with multiple criminal justice system components and local community treatment and recovery providers
  - Focuses on connecting with individuals early in their involvement with the criminal justice system and prioritizing the participation of municipal and misdemeanor courts in the collaborative
- **Early Diversion Grants:**
  - Establishes or expands programs that divert adults with SMI or COD from CJ system to community-based services prior to arrest
  - ***Proposed \$10 million increase for 2019***
- **Assisted Outpatient Treatment: civil commitment to outpatient treatment**
  - Implements and evaluates new AOT programs and identifies evidence-based practices in order to reduce the incidence and duration of psychiatric hospitalization, homelessness, incarcerations, and CJ system interactions

# Solutions: SAMHSA Criminal Justice Programs and Activities

- **Training and Technical Assistance Programs**
  - **GAINS Center for Behavioral Health Transformation and Justice** – Provides webinars, TA events, and a wide variety of resources for providers and criminal justice practitioners
  - **Policy Academies & Meetings**
  - **Technical Expert Panels**
    - Principles of community-based behavioral health services for criminal justice
    - Peer Roles in Criminal Justice Settings – draft core competencies for peer workers in criminal justice settings.
    - Web resources: *Guidelines for Successful Transition of People with Mental or Substance Use Disorders from Jail and Prison: Implementation Guide*

# More is Needed

- State of treatment and recovery services for SMI/SED
- Recommendations by public members to improve care and services
- Consideration of federal activities



# ISMICC: Justice Issues

- Increase Opportunities for Diversion and Improve Care for People with SMI and SED Involved in the Criminal and Juvenile Justice Systems
  - Train first responders on how to work with people with SMI/SED
  - Sustain therapeutic dockets in federal, state, and local courts
  - Universal screening for mental, substance use disorders, and behavioral health needs for each person incarcerated
  - Reduce barriers that impede immediate access to treatment and recovery services on release

# More is Needed

- Crisis Intervention Services
- Consistent use of EBPs for Opioid Use Disorder (OUD) and serious mental illness (SMI)
- OUD: MAT + psychosocial services +recovery supports
  - Counseling, group therapy, peer support, education/voc rehab, housing, ongoing legal aid
- SMI: resources to FEP, ACT/FACT, AOT/civil commitment
  - Use of EBPs: Psychotropics, psychosocial supports, peer support/community supports

# Assistant Secretary Advocacy Areas

- Help states to address civil commitment laws
- Payment schedules for clinicians who attend court that will encourage continuing commitment as needed
- Use of telehealth technologies in courtrooms and resource restricted settings
- Use of psychotropic medications; long acting injectables
- Greater use of clozapine for refractory psychotic illness

# Assistant Secretary Priorities

- MAT initiation for OUD prior to release for those with long term incarceration
- Continued MAT while incarcerated for short terms
- Seamless transition to outpatient treatment programs from jail/prison for ongoing care
- Suspend rather than discontinue Medicaid on incarceration and work with Medicaid to activate benefits concurrent with release
- Work with HUD to enable those with history of conviction(s) to be able to obtain housing
- Work with DOL to develop jobs programs that can be a model for other communities
- Work with DOE to examine additional ways to get necessary education to obtain employment
- Work with VA to assure services for veterans

# Questions?

SAMHSA's mission is to reduce the impact of substance abuse and mental illness on America's communities.

[www.samhsa.gov](http://www.samhsa.gov)

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