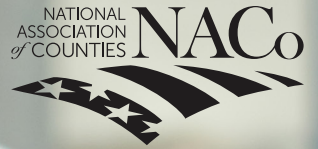




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# COUNTY ROLES AND OPPORTUNITIES IN ADVANCING SAFETY AND JUSTICE THROUGH COLLABORATION

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Counties invest close to \$80 billion annually in the criminal justice system, including \$33 billion in county law enforcement offices and activities, \$19 billion in courts and legal services and \$26 billion in correctional facilities. In many counties across the country, the county justice and public safety system includes the sheriff's office that provides law enforcement, courts that process and adjudicate criminal cases and a county jail that has custody of pretrial detainees and inmates convicted of non-felony offenses. County justice systems also involve a variety of actors and agencies, including municipal police departments, the district attorney's office, judges, public defenders, community supervision departments such as probation, pretrial programs and diversion programs – all of which add up to very complex arrangements. A decision made about a case by actors in one part of the system affects another part of the system that handles the same case at a different and subsequent point. Despite this interconnected case flow, law enforcement, the courts and corrections departments often operate relatively independent of one another.

At the same time, the county justice system is part of a larger community context that interacts with justice-involved individuals. Health care centers, hospitals, emergency rooms, behavioral health providers, schools and community colleges and housing assistance are examples of the community-based resources accessed by individuals prior to, during or after their justice system involvement. In fact, counties invest more than \$140 billion annually in health and human services. But the delivery of many health and human services is often uncoordinated, resulting in unmet individual needs, and actors in the county justice system may not even be aware of the resources available in the community that would support the needs of justice-system involved individuals.

Collaboration is an essential element in changing the justice system.<sup>2</sup> Collaboration can lead to the effective coordination of players and decision-making in the justice system and more efficient use of related community services. Because of their role in justice, health and human services, counties are well-positioned to lead and participate in efforts to improve collaboration across the justice system and with various county departments, other local governments and community-based resources. This, in turn, can lead to better county investments and public spending, advance county strategic goals across multiple departments and improve individual and community outcomes.

This issue brief explores some of the ways to develop and enhance collaboration within the justice system and between community-based resource and service providers in local efforts to enhance public safety and improve individual and community outcomes. These are just a few examples of the situations county justice systems face and the role that collaboration plays in addressing those situations. Regardless of the reasons for collaboration, it inherently requires individuals and their departments to meet and work together to identify and solve problems.<sup>3</sup> Collaboration enables counties to more quickly create a process needed to achieve change.<sup>4</sup>



## IDENTIFY ALTERNATIVES TO INCARCERATION

Often, collaboration is needed most to address complex social and health issues that the justice system cannot adequately tackle, particularly because of a lack of resources and expertise.<sup>5</sup> A significant proportion of the jail population has one or more circumstances that affect their health and well-being, including 64 percent with mental illnesses and 40 percent with chronic physical health conditions.<sup>6</sup> In addition, a significant proportion of the jail population has a substance use disorder or alcohol dependence. Homelessness in the year prior to incarceration is also common among individuals in jail. Given the primary role of the justice system to administer the legal process of criminal justice, collaboration with providers and services is critical to identifying resources that adequately address these circumstances and meet the needs of justice-involved individuals. If these individuals' needs are left unaddressed and unmet, individuals are at a higher risk of recidivism and returning to jail.<sup>9</sup>

**Work with behavioral health partners.** Many efforts to divert individuals from the justice system involve collaboration and relationships with community-based organizations and partners, especially for individuals with mental illness or substance abuse disorders. One model of this type of collaboration is a co-responder team,



which includes a law enforcement officer and a mental health crisis specialist such as a social worker, licensed clinician or psychiatrist.<sup>10</sup> The mental health specialist can assess individuals and determine the best course of action, including referral to mental health service providers or emergency hospitalization. Co-responder models involve several agency partners, including county health and behavioral health departments, local hospitals as well as city police departments. Examples of counties that have implemented a co-responder model include **Johnson County, Kan.; Harris County, Texas; Denver City and County, Colo.; and Los Angeles County, Calif.**<sup>12</sup>

Counties can also create Mobile Crisis Outreach Teams, which are “on call” for when law enforcement officers arrive on a scene and find an individual in need of behavioral health services.

In **Salt Lake County, Utah**, Mobile Crisis Outreach Teams consist of a licensed mental health therapist and a specially trained peer specialist. Rather than taking an individual experiencing a behavioral health crisis to jail or the hospital, law enforcement can call the team for immediate on-site assessment and intervention. This also allows for follow-up care provided through established providers and community support services.<sup>13</sup>

**Law Enforcement Assisted Diversion.** Another example of collaboration that leads to diversion from the justice system are law enforcement assisted diversion (LEAD) programs. **King County, Wash.**, was one of the first counties to implement this approach, using a policy coordinating group to lead the design, implementation and oversight the program. LEAD diverts individuals who are arrested for low-level drug or prostitution offenses from the booking and charging process into case management services. Case management, in turn, connects individuals with services to obtain housing, employment, health care, treatment and other support. The program depends on collaboration between county, city and community-based organizations, including the King County Executive's Office, the sheriff, the prosecutor and the Seattle mayor.<sup>14</sup> A private non-profit treatment and social services organization provides case management services.

Evaluation of King County's LEAD program indicates that participants who were diverted were less likely to be arrested, had fewer jail bookings, spent fewer days in jail, and were less likely to go to prison compared to individuals who were processed through the justice system as usual.<sup>15</sup>

To learn more about ways counties can assist justice-involved individuals with behavioral health issues, please see *County Roles and Opportunities in Reducing Mental Illness in Jails*.

## ASSIST INDIVIDUALS WHO HAVE BEEN INVOLVED IN THE JUSTICE SYSTEM

Many individuals involved in the justice system have one or more circumstances that put them at risk of recidivism. Lack of employment and housing are two examples of challenges that lead to an increase in likelihood of returning to jail.<sup>16</sup> Unmet health and behavioral health needs also put individuals at risk of returning to jail for a new arrest. County agencies and community service providers can work together to make the transition from jail to community more successful.

**Reentry planning.** Reentry planning is one approach to minimize the effect of these and other recidivism risks, especially when planning takes stock of risk-need assessments to match needs to community-based services.<sup>18</sup> Reentry planning is a larger part of jail case management.<sup>19</sup> Collaboration with community-based service and treatment providers to both coordinate and deliver effective services is an integral aspect of successful reentry planning from jail, and successful reentry depends on having community-based support.

**Jail in-reach.** One way to establish rapport between individuals in jail and community-based support services that can support their specific needs is through jail in-reach. Jail in-reach brings community-based agencies into the jail setting to meet individuals and discuss services. Depending on the jail and the community agency, in-reach could include informational meetings, assessments and determinations of eligibility for services once released or

the provision of services and programming. This approach to reentry planning can help provide continuity of care by ensuring that programs and services introduced to individuals inside jail are consistent with the programs and services that are available outside of the jail.

**Warm handoffs.** "Warm handoffs" from the justice system to service providers also rely on collaboration. This referral-based process requires the justice system to know the resources and services available in the county and depends on service providers who are willing to accept and work with referrals from the justice system. One way to enhance referrals to services outside of jail is by creating a systematic transition process. Part of this process uses active information sharing between the justice system and its community-based partners, including sharing relevant needs assessments, personal histories and any transition plans that corrections staff, including probation officers, have developed. Sharing information helps ensure continuity in care and reduces duplication in efforts for the justice system, service providers and for individuals who provide information to case managers. One way to expedite information sharing is through automated or electronic systems.

### Montgomery County, Md.,

collaborates with the local workforce development board to provide a "job center" in one of the county's correctional facilities.<sup>22</sup> The job center provides incarcerated individuals with resources to facilitate their search for employment, including access to computers and the Internet to apply for jobs and create résumés and cover letters. The job center in the jail is an extension of the job center and workforce development services available in the community through the county's workforce development board.

**Housing.** Housing justice-involved populations is another area where collaboration is essential. A Housing First approach, which prioritizes permanent housing for homeless individuals without any conditions on eligibility or compliance with requirements established by other

programs,<sup>25</sup> can be very helpful for individuals returning home from jail. This approach is especially important for justice-involved individuals who may have been conditionally released from jail or have pretrial, probation or other court-ordered supervision requirements. **Johnson County, Iowa**, is implementing a Housing First program built on the cross-system collaboration of community mental health partners, the local hospital, behavioral health services, local police, the county jail and the local housing authority.

Counties can provide access to safe and affordable housing through a number of other programs or policies, including rapid re-housing, supportive housing, master leases and helping landlords understand the laws regarding and benefits of renting to someone with a criminal history.

**Licking and Knox counties** in Ohio work with The Main Place, a non-profit mental health recovery center. The majority of the board, staff and members at The Main Place are individuals who have themselves experienced a mental challenge, and some of the services provided include case management, employment assistance and computer and internet training. The Main Place also provides housing and housing support: The organization received funding to develop 10 units of Permanent Supportive Housing with help from federal, state and local partners. They have since expanded to operate 37 units of housing for individuals with serious mental illness. Many residents were formerly homeless and may also have experienced some sort of previous or current involvement with the criminal justice system.<sup>26</sup>

To learn more about ways counties can assist individuals who are returning home from jail, please see *County Roles and Opportunities in Reentry Planning*.



## IMPROVE DATA-DRIVEN DECISION-MAKING AND INFORMATION SHARING

An integral part of collaboration involves various degrees of information sharing, whether the information is qualitative in nature, such as a health condition or mental health diagnosis, or quantitative, such as the number of nights spent in a homeless shelter. Using these types of data to inform the design and implementation of policy and practices is taking an increasingly important and valuable role in criminal justice reform efforts, especially in planning for change.

**Develop a common language.** One approach to increasing the value and effectiveness of collaboration is by using shared definitions. Sharing common definitions among agencies and providers in a partnership creates a common language or way of talking about something, especially across the justice, health and human services systems where each may take a different approach to identifying issues or populations for interventions. Using the same definitions in and out of the justice system



not only helps with identifying individuals and their needs, but also means that data created under shared definitions and stored and collected in different systems can be matched and analyzed and that outcomes can be evaluated. Identifying individuals in jail with a mental illness is one example where a shared definition of mental illness can lead to better collaboration and improve access to and quality of treatment in and out of jail. In this example, by using the same definition of mental illness, the justice system and community-based providers are better equipped to readily identify individuals who have a specific need, meaningfully share information about those needs and better target and coordinate services. Shared definitions also provide consistency in eligibility for programs developed through collaboration, particularly for programs and services that use legal, state or other policy definitions to determine eligibility.


Sharing definitions is not only helpful for determining the parameters surrounding a partnership, but also a key step in being able to better understand the size of the problem facing the community and to clearly articulate what approaches and strategies the collaboration can leverage to address and tackle the problem. Collecting

data on a problem that has been defined using a common language provides not only baseline data for knowing the starting point, but for monitoring progress and evaluating the outcomes of the collaboration's effort.


**Commit to shared goals and outcomes.** A commitment to realizing goals and outcomes is the basis for collaboration. Shared definitions are helpful for determining if a collaboration is achieving its purposes and goals. Collaborators should identify how they will define success and what data indicators will measure success. For example, the goal of program established through a partnership between the justice and behavioral health system might be to reduce recidivism among individuals who frequently cycle in and out of the jail on low-level offenses related to an un- or under-treated mental illness. Recidivism could be defined in any number of ways, including new arrests, new charges and returns to custody on the justice side, but the term recidivism can also be used in a health context, including hospital readmissions. An important step in collaborating is determining the goal(s) for the partnership and making defining shared goals part of the larger collaboration process.



**Integrate or connect data systems.** One way to facilitate data sharing is through a data warehouse or integrated data system. Collaboration is essential for the development, maintenance and sharing and learning opportunities that come out of an integrated data system because it depends on multiple partners and agencies entering or uploading data to the system. An integrated data system may be more cost effective for a county than maintaining and funding separate data systems that cannot directly communicate and require staff time to pull data to communicate and share with partners.<sup>32</sup> One advantage of an integrated system is being able to map how individuals move through the justice system and other public systems, which can help identify gaps in services, populations for interventions and other challenges and opportunities for counties.



To improve continuity of care, **Pima County, Ariz.**, coordinates information sharing between the jail system, which records new intake data, and the county's behavioral health provider, which records client and treatment history data. The system allows the jail to automatically inquire into the behavioral health status of newly admitted detainees and the health system sends back relevant information to the jail's medical unit.<sup>33</sup> Connecting these two systems results in an estimated \$300,000 in annual cost savings and saves 20,000 hours of staff time.




## CRYSTALLIZE COLLABORATION

**Formal agreements.** One way to crystallize collaboration within the justice system and with community-based partners is through agreements that formalize the relationship and the nature of the relationship. Regardless of the issues and opportunities for collaborating, it is important to have formal structure around the collaboration.<sup>35</sup> One way to establish structure is through a memorandum of understanding (MOU). Many counties

utilize this formal agreement between two or more partners to articulate the coordination of roles and responsibilities between partners on a program, project or initiative. An important part of an MOU is a purpose statement that provides a clear understanding of the intention of the partnership.<sup>36</sup> Other components may include objectives, intended outputs and outcomes and clear descriptions of roles, responsibilities and resources, including staff, that will be committed to the project and a term limit for the MOU.<sup>37</sup> MOUs can be used to formalize data-sharing and other forms of collaboration.

**Criminal Justice Coordinating Councils.** Another way to institutionalize collaboration within the justice system is through criminal justice coordinating councils (CJCCs). In general, CJCCs offer a forum where key criminal justice agency officials and other county and government officials can discuss issues affecting the justice system and work to solve those problems.<sup>38</sup> In addition to involving officials from county government, such as commissioners and managers/administrators, and the justice system, including municipal law enforcement departments, CJCCs should include members from agencies that interact with the justice system, such as health and human services. Many jurisdictions across the country have created CJCCs to solidify cross-agency work, including **Charleston County, S.C.; Lucas County, Ohio; and Lake County, Ill.** By bringing so many key stakeholders together at regular meetings with clear goals, CJCCs provide a critical opportunity to comprehensively plan justice system processes by analyzing problems, improving coordination and gaining cooperation, allocating resources more effectively and designing, improving and evaluating the programs and services offered through the justice system. In many of the examples discussed in this issue brief, a CJCC can play an important role in fostering the collaboration that steers solutions for identifying health and human services resources for justice-involved populations and sharing information and data to inform new, more effective programs and strategies.



For citations, visit the electronic version of this document at [www.naco.org](http://www.naco.org)



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