

# MENTAL HEALTH AND CRIMINAL JUSTICE

CASE STUDY: Miami-Dade County, Fla.



**POPULATION  
APPROXIMATELY:  
2,662,874<sup>1</sup>**

**JAIL BED  
CAPACITY:  
5,456<sup>2</sup>**

**AVERAGE  
DAILY JAIL  
POPULATION:  
4,974<sup>3</sup>**

the misdemeanor program. They received a three-year grant from the state to further expand the post-booking diversion operations to nonviolent felonies. CMHP also receives ongoing support from the Florida Department of Children and Families to fund case management and peer specialist positions and provide resources to secure housing, medications and transportation for program participants.

## BACKGROUND

In Miami-Dade County roughly 9.1 percent of the population (more than 240,000 individuals) experience serious mental illnesses (SMI; e.g., schizophrenia, bipolar disorder, major depression), yet fewer than 13 percent of these individuals receive care in the public mental health system.<sup>4</sup> As a result, law enforcement and correctional officers have increasingly become the lone responders to people in crisis: an estimated 15,000 people in need of mental health treatment are arrested each year in Miami-Dade County, primarily for misdemeanors and low-level felonies. The county spends \$80 million a year to house and treat these individuals.

Recognizing the opportunity to do better, a two-day summit was convened in 2000 with a grant from the National GAINS Center to review the ways in which the community collectively responded to people with mental illnesses before and after they became involved in the justice system. Participants included judges and court staff, law enforcement, attorneys, behavioral health treatment providers, social service agencies, and people with mental illnesses and their advocates. At this summit, the GAINS Center provided technical assistance and helped participants map existing resources, identify gaps in services and service delivery and develop a more integrated approach to coordinating care.

Out of this summit, the Eleventh Judicial Circuit Criminal Mental Health Project (CMHP) was established to divert people with SMI or co-occurring SMI and substance use disorders from the criminal justice system into community-based treatment and support services. Funding was secured from a local philanthropic organization to conduct a planning study for the project, which was then used to secure a three-year federal grant from the Substance Abuse and Mental Health Services Administration (SAMHSA) to expand the project and staff. At the conclusion of the federal grant, the county sustained funding for

**IN TOTAL, THE POST-BOOKING JAIL DIVERSION PROGRAM ANNUALLY SERVES APPROXIMATELY**

**600 INDIVIDUALS WITH SERIOUS MENTAL ILLNESSES**

**OVER THE PAST DECADE, THESE PROGRAMS HAVE FACILITATED ROUGHLY**

**4,000 DIVERSIONS OF INDIVIDUALS WITH MENTAL ILLNESSES**

**FROM THE COUNTY JAIL INTO COMMUNITY-BASED TREATMENT AND SUPPORT SERVICES.**

## CRIMINAL MENTAL HEALTH PROJECT

The Criminal Mental Health Project (CMHP) currently operates four different diversion programs.

### **Pre-Booking Jail Diversion**

Miami-Dade County's pre-booking jail diversion program focuses on providing Crisis Intervention Team (CIT) training for law enforcement officers. CIT is designed to educate and prepare officers to recognize the signs and symptoms of mental illness and to respond more effectively and appropriately to people in crisis. When appropriate, officers may assist individuals with accessing treatment in lieu of being arrested and taken to the jail. CIT-related training courses have also been developed specifically for 9-1-1 dispatchers, crisis negotiators, correctional officers and command staff.

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APPROXIMATELY **4,600 LAW ENFORCEMENT OFFICERS** FROM ALL 36 MUNICIPALITIES IN MIAMI-DADE COUNTY, **AS WELL AS** MIAMI-DADE PUBLIC SCHOOLS AND THE DEPARTMENT OF CORRECTIONS AND REHABILITATION, **HAVE CIT TRAINING.**

**THEY RESPOND TO 16,000 CRISIS CALLS PER YEAR.**

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Since the implementation of CIT, significantly fewer people in psychiatric crisis are being arrested, law enforcement agencies are experiencing fewer injuries to officers and civilians, there have been fewer instances of use of force involving people with mental illnesses and more people are being linked to appropriate care in the community.

### **Post-Booking Jail Diversion: Misdemeanor Program**

People charged with a misdemeanor who meet program admission criteria (SMI diagnosis and need for acute care services) and are in custody are transferred from the jail to a community-based crisis stabilization unit within 24 to 48 hours of booking. Upon stabilization, legal charges may be dismissed or modified based on treatment engagement. Individuals who do not meet criteria for hospitalization are released from custody and may also be referred to the program.

Program participants will meet with court case management specialists that will explain the program and offer linkages to a comprehensive array of community-based treatment, support and housing services that are essential for successful community reentry and recovery outcomes. Peer specialists, many of whom have already completed the program, assist participants with reentry to the community. They also provide the "hands on" support that increases the likelihood of successful recovery outcomes. Participants are monitored by CMHP for up to a year after reentry to ensure ongoing linkages to supports and services.

### **THE CMHP COMPREHENSIVE CARE PROGRAM PROVIDES FOR THE FOLLOWING:**

- **Risk and Need Screening:** The program utilizes evidence-based screening tools in the Post-Booking Jail Diversion Program in an effort to determine individual risks and needs to develop an appropriate transition plan to the community.
- **Housing:** The program works closely with the Homeless Trust and other community housing organizations to ensure that adequate housing is available for program clients.
- **Entitlements:** The Court collaborates with the local Social Security Administration Office and health providers to facilitate and expedite program clients' access to benefits.
- **Contingency Funds:** Funds are available for indigent clients for housing, treatment, medication and other ancillary needs through the Florida Department of Children and Families.

### **Post-Booking Jail Diversion: Felony Program**

Due to the initial success of the misdemeanor diversion program, in 2008, the state attorney's office agreed to expand the program to people with nonviolent felonies. Participants in the felony diversion program are referred to the CMHP through a number of sources including the public defender's office, the state attorney's office, private attorneys, judges, corrections health services and family members. All participants must meet diagnostic and legal criteria.

At the time the person is accepted into the program, the state attorney's office informs the court of the plea he or she will be offered contingent on successful program completion. Similar to the misdemeanor program, legal charges may be dismissed or modified based on treatment engagement. All participants are assisted in accessing community-based services and supports, and their progress is monitored and reported to the court by CMHP staff.

### **Forensic Alternative Center: Incompetency**

The Miami-Dade Forensic Alternative Center (MD-FAC) is a state-sponsored project to serve individuals that are found incompetent to proceed to trial. Eligible participants must be charged with third-degree and nonviolent second-degree felonies and require placement in a forensic state hospital. The community-based treatment provider operating services for the project is responsible for providing a full array of residential and community reentry services, including crisis stabilization, competency restoration, development of community living skills, assistance with community reentry and community monitoring to ensure ongoing treatment following discharge. Through this diversion program, individuals can be served for twice as long as they would be in state hospitals for about half the cost of hospitalization.

### **SOCIAL SECURITY BENEFITS**

Most of the people served by the CMHP are indigent and had not been receiving entitlement benefits at admission to the program. As a result, many do not have the necessary resources to access adequate housing, treatment or support services in the community. To address this barrier and maximize resources, the CMHP developed an innovative plan to improve the ability to transition people from the criminal justice system to the community.

In an effort to ensure that the program participants who are eligible for these benefits receive them as quickly and efficiently as possible, the CMHP uses a best practice model, SOAR (SSI/SSDI, Outreach, Access and Recovery). SOAR was developed as a federal technical assistance initiative to expedite access to benefits for people with mental illnesses who are homeless.<sup>5</sup> All CMHP participants are screened for eligibility for federal benefits as early as possible. Program data demonstrates that 90 percent of the individuals are approved on the initial application. By contrast, the national average across all disability groups for approval on initial application is 30 percent. In addition, the average time to approval for CMHP participants is 35 days compared to the ordinary approval process which typically takes between nine and 12 months, or longer.

## **MENTAL HEALTH DIVERSION FACILITY: COMING SOON**

In the fall of 2014, the Miami-Dade County Board of Commissioners approved plans for the development of a \$22 million Mental Health Diversion Facility to include a crisis unit, short-term housing, a courtroom, and therapeutic offerings such as cooking classes, gardening and employment services. Miami-Dade County is leasing an abandoned former state hospital from the state for \$1 per year to use the facility as an alternative to jail.

The facility is expected to open in 2017 and will feature 168 residential beds where people can stay for up to 90 days as they prepare for reintegration back into society with the help of case managers and probation officers. Much of the costs for services offered at the facility are expected to be paid for through state and federal benefits.

## OUTCOMES

The Criminal Mental Health Project has seen significant accomplishments since it started, including:

- In 2013, CIT officers from the Miami-Dade Police Department and City of Miami Police Department responded to nearly 10,626 mental health related calls, resulting in just nine arrests. As a result, the average daily census in the jail dropped from 7,800 to 4,400 inmates. The county was able to close an entire jail at a cost-savings to taxpayers of \$12 million per year.
- The Misdemeanor Jail Diversion Program receives approximately 300 referrals annually. Recidivism rates among program participants have decreased from roughly 75 percent to 20 percent annually.
- Individuals participating in the felony jail diversion program demonstrate reductions in jail bookings and jail days of more than 75 percent, with those who successfully complete the program demonstrating a recidivism rate of 6 percent. Since 2008, the felony jail program alone is estimated to have saved the county over 15,000 jail days, or more than 35 years.
- Individuals admitted to the MD-FAC program are identified as ready for discharge from forensic commitment an average of 52 days (35 percent) sooner than individuals who complete competency restoration services in forensic treatment facilities, and spend an average of 31 fewer days (18 percent) under forensic commitment. The average cost to provide services in the MD-FAC program is roughly 32 percent less expensive than services provided in state forensic treatment facilities.
- The average daily inmate population at the Miami-Dade County jail has fallen 31 percent, from 6,777 in 2005 to 4,710 in 2014.

**For more information on the Criminal Mental Health Project, visit**

<http://www.jud11.flcourts.org/SCSingle.aspx?pid=285>

**For information on Miami-Dade County's innovations in corrections for individuals with mental illnesses, visit**

[www.naco.org/articles/miami-dade-changes-jail-culture-meet-needs-people-mental-illness](http://www.naco.org/articles/miami-dade-changes-jail-culture-meet-needs-people-mental-illness).

## RESOURCE

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## END NOTES

<sup>1</sup> Miami-Dade County, Florida. U.S. Census Bureau. Available at <http://quickfacts.census.gov/qfd/states/12/12086.html>. Accessed September 16, 2015.

<sup>2</sup> Includes Metro West Detention Center, Pre-Trial Detention Center, Training and Treatment Center, and the Turner Guilford Knight Correctional Center

<sup>3</sup> ADP Over the Last 180 Days, Reported on September 15, 2015.

<sup>4</sup> Eleventh Judicial Circuit of Florida Criminal Mental Health Project [www.jud11.flcourts.org/scsingle.aspx?pid=285](http://www.jud11.flcourts.org/scsingle.aspx?pid=285)

<sup>5</sup> For more information on SOAR, visit <http://soarworks.prainc.com/>

For more information about this publication or NACo's mental illness and jails project, please contact Nastassia Walsh, NACo Program Manager, at [nwalsh@naco.org](mailto:nwalsh@naco.org) or 202.942.4289



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