

MENTAL HEALTH COURT 2001 REPORT
KING COUNTY DISTRICT COURT
SEATTLE, WASHINGTON

“The measure of a society is the manner in which it treats its less fortunate.”

Robert Utter, Supreme Court Justice (Ret.)
Chair, Mentally Ill Offenders Task Force
September 24, 1997
Seattle, Washington

Mission Statement:

The Mental Health Court will strive to increase public safety and humanely deal with individuals with mental disorders who enter the criminal justice system. This court is committed to focusing resources, training, and expertise on the unique needs of these individuals.

Guiding Principles:

1. We squarely face the complex problems of those with mental illnesses and developmental disabilities in our criminal justice system. Although we confront many obstacles and difficulties, we are not immobilized by them. Instead, we welcome complexity, overcome traditional limitations, and always expect innovation.
 2. The individual and society benefit when those with mental illnesses receive the treatment that they need. We also understand that incarceration alone will not restore good health, and provides only temporary protection to our community.
 3. The Mental Health Court will respond to the unique needs of those with mental illnesses and developmental disabilities by utilizing the knowledge, experience, and understanding of the many professionals who serve the Court.
 4. While community safety is important, we believe that our community should be judged by the way in which it treats the most needy of its members. The highest aim of the Mental Health Court, therefore, is to defend both our community and those who pass through this Court.
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The King County District Court Mental Health Court held its first court hearing in February 1999 following an 18-month study into the feasibility of implementing a court for the mentally ill misdemeanor population. The Court was the second Mental Health Court in the U.S.

The Mental Health Court is committed to reducing the criminalization of the mentally ill while safeguarding the community and enhancing the well being of its citizens.

District Court Presiding Judge James D. Cayce served as the first MHC judge followed in July 2000 by Judge Mark C. Chow, who continued to preside over the Court throughout 2001.

2001 saw the King County District Court Mental Health Court complete its second full year of operation and given the increase in the number of clients seen, the Court has been a resounding success within the mental health community and the criminal justice system. This overwhelming endorsement of the Court has not been without its problems, however. The increased caseload has placed considerable strain on the Court's resources and on its individual team members. Despite this, the team has done an extraordinary job of guiding and monitoring the clients as they progress through their court-mandated program.

2001 Caseload:

Cases Processed	400
Number of hearings	2,648
Female Clients	137 (34%)
Male Clients	263 (66%)
Cases Closed	89
Graduated	45 (51%)
Revoked	28 (31%)
Dismissed	16 (18%)

The Court had a record year with respect to the number of cases processed. The 400 cases in 2001 were above the 286 cases heard in 2000 and were double the number seen in the inaugural year of 1999 (199 cases). Furthermore, the majority of clients were successful in completing their probation conditions (51%). This is a testament to the perseverance and motivation of the clients to seek a better lifestyle and to promote stability for themselves and their families.

A further breakdown in quarterly statistics shows additional increases in case processing. Due to staff changes, the data for the second and third quarter are not available. The information below is based on data from the 2001 first and fourth quarter, as follows:

	<u>1st quarter</u>	<u>4th Quarter</u>
Total Referrals	60	112
Male Clients	39 (65%)	73 (65%)
Female Clients	21 (35%)	39 (35%)
African American	13 (22%)	56 (50%)
Caucasian	46 (77%)	45 (40%)
Native American	1 (1%)	8 (7%)
Asian/Pacific Islander	0 (0%)	3 (3%)
Age: 18-30 years	14 (14%)	5 (4%)
31-50 years	41 (69%)	68 (61%)
51-64 years	5 (8%)	27 (24%)
65+	0 (0%)	12 (11%)
Co-Occurring Disorders:		
Yes	37 (62%)	42 (37.5%)
Unknown	14 (23%)	10 (9%)
Not Indicated	9 (15%)	60 (53.5%)
Referral Source:		
Judges	26 (43%)	42 (37.5%)
Jail Psych Staff	26 (43%)	46 (41%)
Defense Attorneys	4 (7%)	23 (20.5%)
Prosecuting Attorneys	4 (7%)	1 (1%)
Mental Health Treatment:		
With Non-County Provider	7 (12%)	6 (5%)
Enrolled in County RSN	21 (35%)	33 (29%)
Not enrolled in Treatment	26 (43%)	49 (44%)
Unknown	6 (10%)	24 (21%)
Housing Status:		
Unknown	10 (17%)	0 (0%)
Homeless	14 (24%)	30 (27%)
Temporary Housing	5 (8%)	22 (20%)
With Friends	5 (8%)	0 (0%)
With Family	5 (8%)	20 (18%)
Structured Housing	6 (10%)	14 (12%)
Independent Living	15 (25%)	26 (23%)

Fourth quarter referrals almost doubled over first quarter results and it is unknown whether this is an anomaly, a seasonal pattern, or a true increase in business. The last quarter results also showed an increase in the number of visible minorities and for the first time since the Court started in 1999, the African American population surpassed Caucasians in the total population served by the Court. The Court also has seen an increase in the older population, with 35% in the fourth quarter being over 51 years old compared to 8% of that population in the first quarter. The percentage difference of co-

occurring disorders in the first and fourth quarter statistics likely is artifactual and may reflect a change in screening procedures and/or staff that occurred in the fourth quarter. The percentage of female clients in the Court remained constant at around 35%. Stable housing remains a major concern for our population, with a 4th quarter increase seen in the number of clients who are homeless or who have temporary housing.

The Mental Health Court Team:

The King County District Court Mental Health Court team is comprised of dedicated staff consisting of a prosecuting attorney, two defense attorneys, a defense social worker, three probation officers, a court monitor, a MHC clerk, and the judge. A coordinator oversees the administrative functions of the Court.

The probation officers, the social worker, and the court monitor have Masters degrees in Psychology or Social Work. The judge and the attorneys have expertise and training in mental health issues. In-services on mental health related topics occur monthly to further enhance the team's education and understanding of the mentally ill.

2001 Summary:

Multiple staff changes occurred in 2001. The program manager resigned from the Court, leaving a five-month gap before a new administrator was found. The court monitor and one of the defense attorneys were reassigned to other positions, but replacements were found with no significant disruption to the Court. A third Probation Officer was added to the Court in the summer.

Due to the increased caseload, a second defense attorney was assigned to the Court in the summer. Until the second defense attorney arrived, the Court felt compelled to reduce its caseload. Consequently, new referrals were restricted and limited to 13 per month. This resulted in a reduced caseload in the third quarter and by the end of the year, plans were developed that would allow the Court to expand its services by accepting limited referrals from community probation officers in anticipation of accepting probation referrals fully in early 2002.

In an effort to further enhance the team's functioning, a series of team building seminars were attended throughout the summer and fall.

An affiliation agreement with the University of Washington was nearing completion at the end of 2001. The agreement would place a resident (student intern) in the Court to consult on matters of policy development, policy implementation, and program evaluation in addition to clinical consultation and intervention.

Court Challenges:

Significant budget cuts anticipated for 2002-2004 have caused concern with respect to ongoing service provision for our clients. In particular, the anticipated cutbacks in Medicaid funding will pose a challenge to our Court in the years ahead. Meetings were held to address this concern and to attempt to find solutions to the funding problems that the Court and our clients will face in subsequent years.

Staff changes likely will continue to occur in the future as agencies move to reassign their staff to other programs. With careful planning, the transition to new staff on the team should not affect the Court to any great extent. It is not expected that the Mental Health Court will lose staff to the budget cuts.

The Mental Health Court remains consistent in its support of mentally ill clients. The Court and the team will continue to maintain services for the mentally ill regardless of the economic picture.

Accolades and Accomplishments:

The Mental Health Court continues to draw considerable interest from other jurisdictions that are considering establishing a mental health court in their city, county, or country. Visitors from Oklahoma, Tennessee, Hawaii, Ohio, Oregon, Alaska and New Mexico as well as international visitors from Australia, Mexico, and Canada observed our Court in 2001. Additionally, our Court received telephone calls from individuals representing many states and countries who had heard of our Court and wanted further information on it.

To field these enquiries, quarterly workshops were held in 2001 and were organized by the King County Mental Health, Chemical Abuse and Dependency Services Division (MHCADSD). These three- day workshops have proven extremely popular, with the average number in attendance being capped to around 12-15.

The media also have been interested in the Court. Television crews from the Canadian Broadcasting Corporation (CBC) filmed the Court in 2001 and interviewed team members. As well, articles in USA Today and the Seattle Times highlighted the operations of the Court in 2001.

The Mental Health Court team attended several conferences in 2001, including co-occurring disorders and mentally ill offenders conferences. Probation Officer Kymber Walton presented at the Montana chapter of the National Alliance for the Mentally Ill. The Probation team also gave presentations to local mental health agencies in an effort to coordinate services and facilitate communication between the treatment providers and the Court.

Acknowledgements:

The Mental Health Court was established by visionaries who believed that every mentally ill person has a right to be treated with dignity, and who were firmly committed to the belief that the mentally ill should not be “warehoused” and allowed to languish in jails.

The Court wishes to acknowledge the efforts of the 50 original task force members who conceptualized, proposed, and implemented this Court. The Court specifically wishes to acknowledge King County Executive Ron Sims, who spearheaded the formation of the Mental Health Court and who continues to support the Court without reservation.

The Mental Health Court is blessed with a team who is dedicated, committed, and passionate in their efforts to help the mentally ill. The 2001 Mental Health Court team consisted of the following individuals:

Mark C. Chow, Judge
Lisa Lawrence, Prosecuting Attorney
Carol Ellerby, Defense Attorney
R. Stewart Bock, Defense Attorney
Susan Butler, Mental Health Specialist Probation Officer
Kymber Walton, Mental Health Specialist Probation Officer
Steve Wede, Mental Health Specialist Probation Officer
Joyce Burton, Court Monitor
Mindy Maxwell, Defense Social Worker
Kim Wong, Court Clerk

The Mental Health Court remains committed to bridging the gap between the criminal justice system and the mental health system, to the ongoing benefit of our past, present, and future clients.

Respectfully Submitted,

Fredese Whitsett, Coordinator
Mental Health Court

Mark C. Chow, Judge
Mental Health Court