

Forensic Mental Health Practice and Training: Expanding Programming in Washington



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Webinar Series

- April 8: Focus on Training:
 - Forensic Mental Health and Training
- April 15: Focus on Policy:
 - Your Role in Advancing Evidence-Informed, Behavioral Health Policymaking
 - Drs. Jennifer Piel and Sarah Walker
- April 22: Focus on Treatment:
 - Cognitive Behavioral Therapies for Serious Mental Illness in High Security Settings
 - Dr. Sarah Kopelovich

Objectives

- Become familiar with the breadth and unique roles of forensic mental health
- Learn about the UW Center for Mental Health, Policy, and the Law (CMHPL)
- Appreciate the role for increased training and education in forensic mental health

WHAT IS FORENSIC MENTAL HEALTH?



Cases from Media



Forensic Psychiatry

AAPL, Ethics Committee (2005)

Forensic psychiatry is a subspecialty in which scientific and clinical expertise is applied in legal contexts involving civil, criminal, corrections, regulatory, or legislative matters, and its specialized clinical consultation in areas such as risk assessment or employment.

Forensic Mental Health



Criminal
Forensic



Civil Forensic



Legal
Regulation of
Psychiatry



Criminal Forensics

Examples:

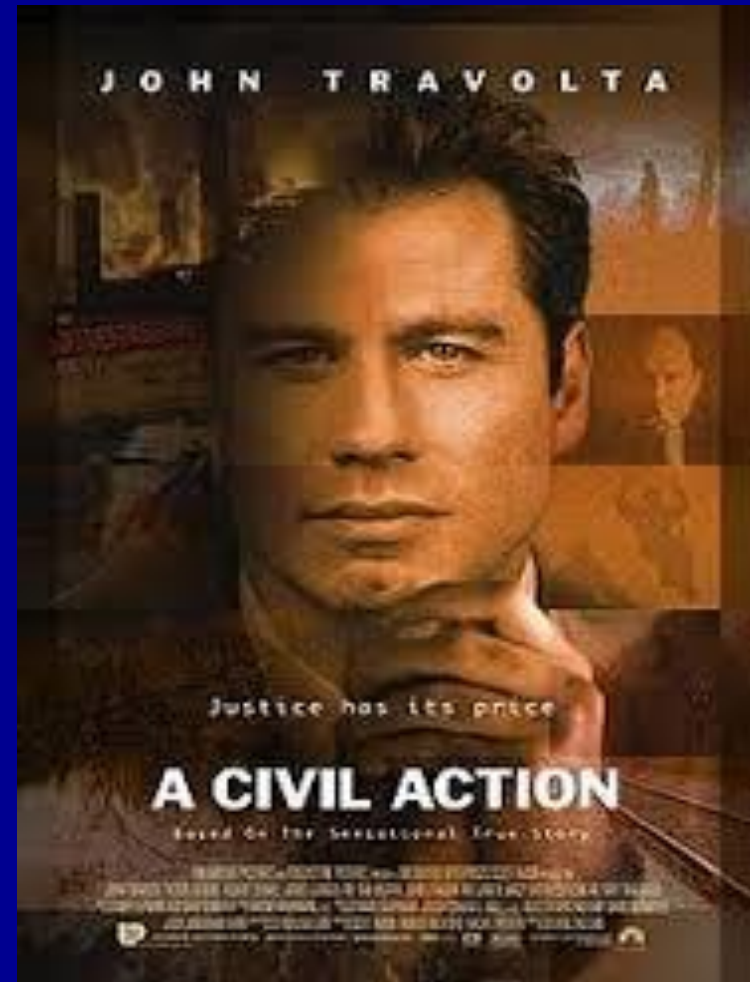


- Competence to stand trial
- Criminal responsibility (NGRI)
- Sentencing considerations
- Violence risk assessment
- Treatment in corrections and forensic units
- Diversion
- Role of race, disability, and bias in the criminal justice system

Civil Forensics

Examples:

- Disability assessments
- Civil capacities
- Psychiatric malpractice
- Guardianship
- Fitness for duty
- Psychological harm



Legal Regulation of Mental Health Delivery



Tatiana Tarasoff

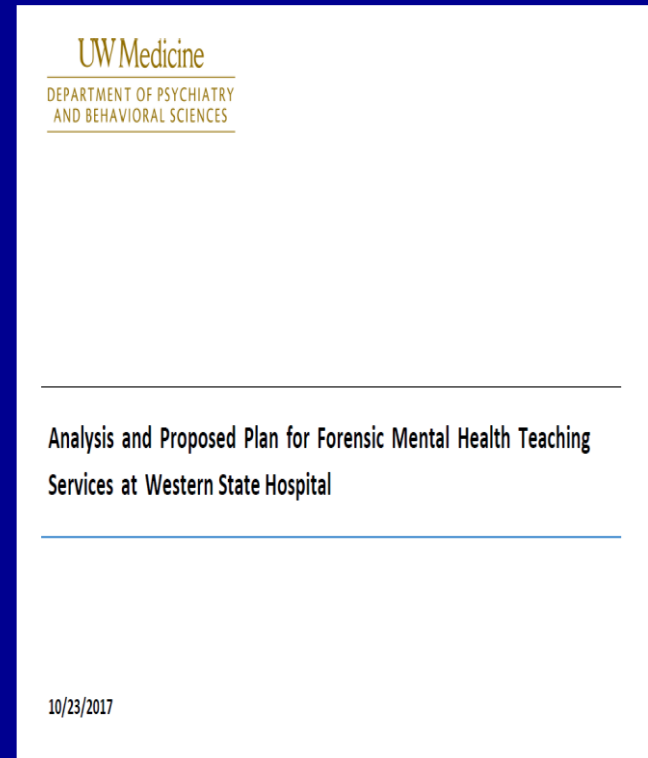
Examples:

- Confidentiality
- Duty to protect
- Civil commitment
- Right to refuse treatment
- Informed consent
- Professional licensure

CENTER FOR MENTAL HEALTH,
POLICY, AND THE LAW

Impetus

- Western State Hospital and UW formerly co-sponsored forensic psychiatry and psychology training programs
- In 2016, the Washington state legislature directed UW to conduct an analysis and develop a plan to create a high-quality forensic teaching service in collaboration with WSH
- Nationally, several university-state hospital partnerships provide excellent models for forensic mental health training



State Behavioral Health Landscape

- Rising volume of persons with mental illness involved in the criminal justice system
- Governor Inslee announced plans for Forensic Centers of Excellence
- Workforce development in behavioral health
- *Trueblood, et. al. v. DSHS*
- *Volk v. DeMeerleer*



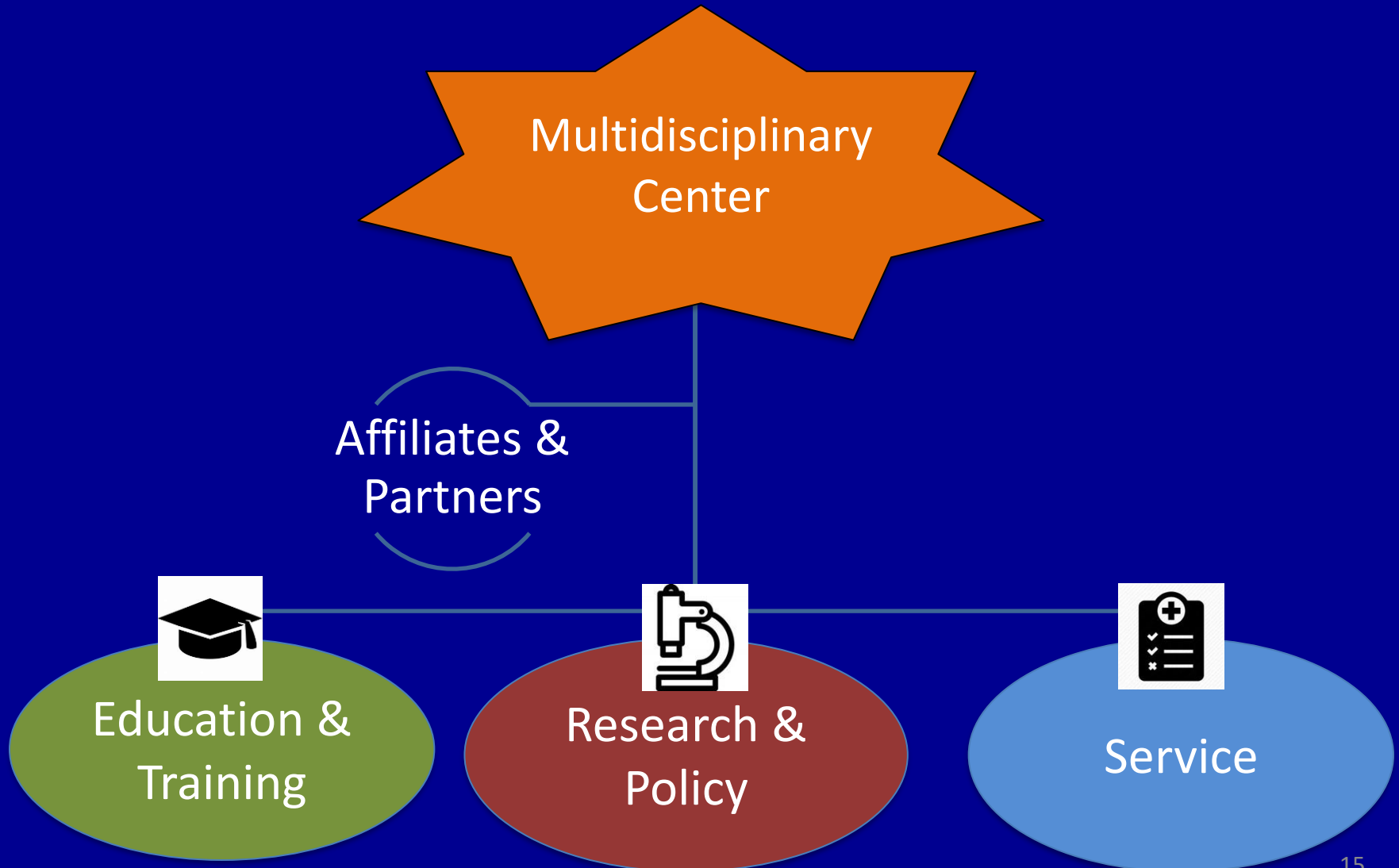
CMHPL Mission

The Center strives to:

- Advance empirically-supported assessment and intervention practices for individuals with mental illness across points-of-contact with the criminal justice system
- Assist courts in making informed decisions by providing evaluation and consultation services
- Enhance law and policy by educating policy makers on behavioral health and psycho-legal issues, including civil commitment, criminal responsibility, competencies, evidence-based treatment in forensic settings, and juvenile justice
- Train and educate the next generation of scholars and practitioners in forensic mental health, as well as people at the immediate intersection of law and behavioral health

University of Washington

Center for Mental Health, Policy & the Law



Education & Training



- Scholarship in forensic education
- Rotations in forensic for residents
- Didactics for healthcare trainees
- PBSCI-525 (Psychiatry & the Law)
- Lectures to community partners and legal community
- Forensic library
- Sponsored UW Grand Rounds on forensic mental health topics

Research & Policy



- Outreach survey
- Faculty scholarship
- Trainee publications
- Expert matter consultants on reports to the legislature
- Amicus briefs
- Op-eds

Examples of Recent Research & Policy Work

Kopelovich, S, 2019; Bryson, W et al., 2020; Piel, J, 2020; Walker, S & Piel, J, 2020

- Association between different types of criminal justice involvement and suicide attempts
- Juvenile sentencing policies
- Psychological implications of solitary confinement
- Behavioral health implications of inmate release during COVID-19
- Translating research to policy
- Enhancing access to evidence-based psychotherapies for psychosis in forensic settings

Service

- Clinical consultation for psycho-legal issues
- Forensic assessment clinic
 - Training clinic
 - Specialized assessments for courts, workplace
- Influence clinical care for justice involved persons
- Evidence-based practice implementation in forensic settings



ROLE FOR INCREASED TRAINING IN FORENSIC MENTAL HEALTH

Education & Training

AAPL, Ethics Committee (2005)

Piel J, et al. (2019)

- Acknowledged and respected subspecialty
- Demand for specialized forensic training
- Limited forensic subspecialty training in Washington
- Direct link to workforce development

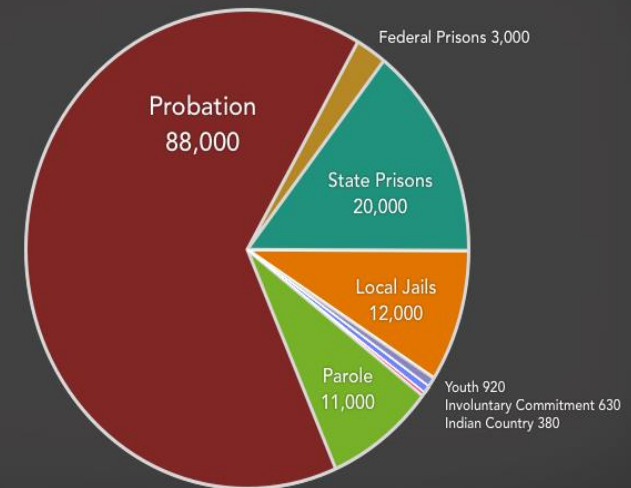


Example – Forensic Training: Focus on Criminal Justice Involvement

- More than 2.3 million people are incarcerated in the U.S.
- Another 4.5 million people under community control
- Longer criminal sentences
- Parole difficult to attain and maintain

How many people are in Washington's criminal justice system?

136,000 Washington residents are behind bars or under criminal justice supervision.



PRISON
POLICY INITIATIVE

Sources and data notes: See <https://www.prisonpolicy.org/reports/correctionalcontrol2018.html>

Behavioral Health and Criminal Justice System

- People with serious mental illness are overrepresented in criminal justice system, as are persons of color
- Approximately 20% of inmates in jails and 15% of inmates in state prisons have a serious mental illness
- Half of U.S. inmates (more than 1 million) have at least one mental health condition
- Many people with mental health disorders do not use or do not qualify for a mental health defense related to their crime

Forensic Settings

Jail	Prison	State Hospital Forensic Units
Persons awaiting adjudication or those sentenced to less than one year	Persons sentenced to more than one year	More than 50% of state hospital beds are occupied by forensic patients
Rapid turnover		Length of stay variable
Focus on intensive initial assessment	More likely to engage in long-term treatment of persons with serious mental illness	CST evaluations and restoration; NGRI
Not uncommon for many to receive first formal psychiatric assessment or diagnosis after arrest	Post-release/transition planning	

Epidemic of Mental Health in Corrections

- Legal, social, and political factors
- Historically, legal system had limited capacity to identify mental illness vs lawbreaker
- Violence criteria in involuntary commitment make it difficult to commit
- Lack of care continuity following release
- “Revolving prison door”

Clinical Needs for the Justice-Involved

- Persons in forensic settings are often the most in need of quality services
- Correctional facilities have a constitutional duty to provide necessary mental health services
 - Estelle v. Gamble (U.S. 1976): medical needs
 - Ruiz v. Estelle (S.D. Tex. 1980): mental health and conditions

Awareness of Clinical Issues in Corrections

- High degree of comorbidity of mental health, substance use, and physical health disorders
- Jail setting: intoxication and withdrawal
- Adjustment reaction to correctional setting
- Restricted medication formularies/administrative decisions against certain medications
- Prevalence of developmental trauma
- Fears and actuality of victimization
- Hunger strikes
- Suicide
- Transition planning

Unique Challenges in Forensic Care Delivery

- Corrections is based on rehabilitation, but retains influences of punishment and retribution
- Correctional environment: rules, culture
- Custody and health care can be complimentary but also conflictual
- Dual roles (correctional facility – clinician)
- Risk of lawsuits/complaints to medical licensing boards

Professional Opportunities

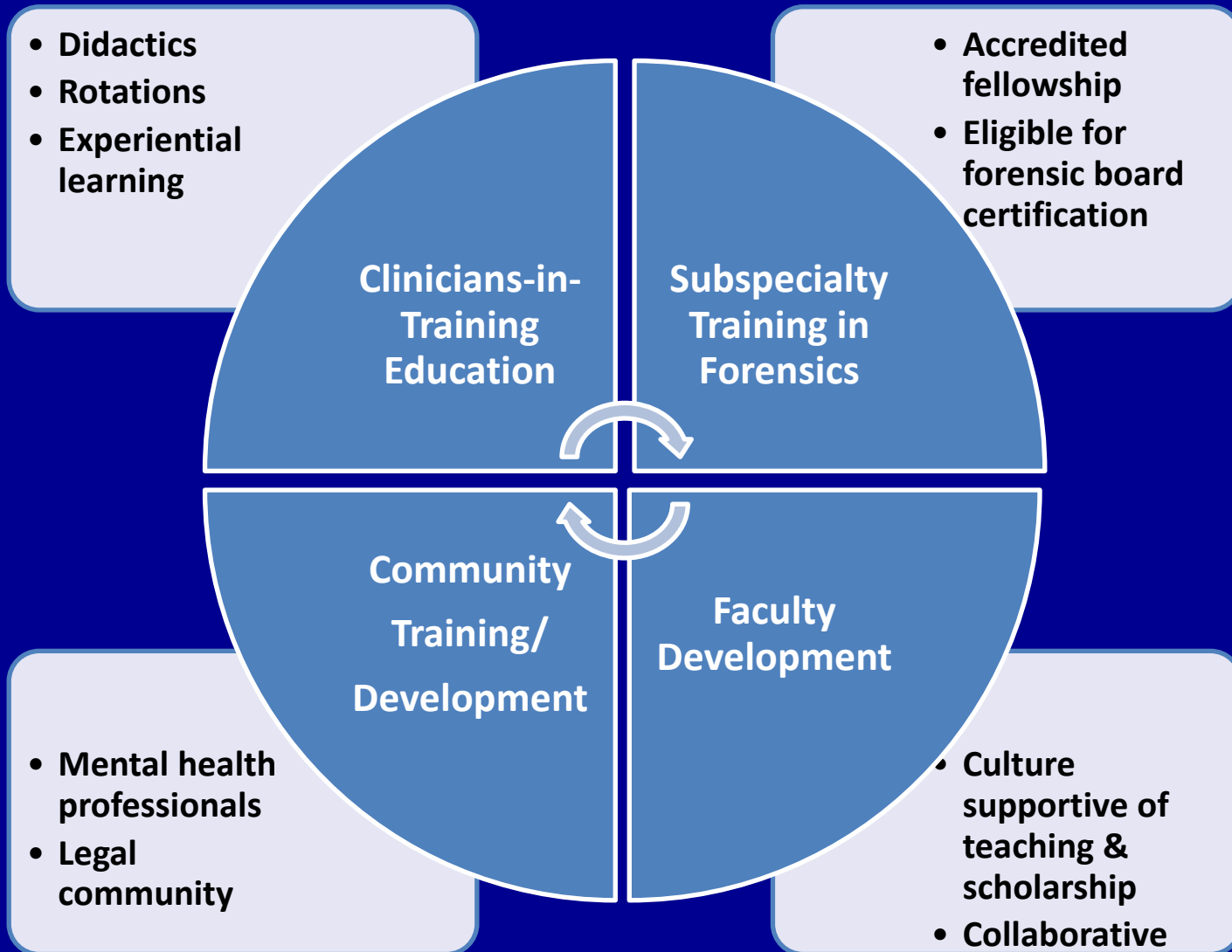
- There is large demand of mental health clinicians with forensic aptitude and training
- Compensation in forensic facilities is usually competitive
- Those with specialty training are often leaders in their facilities
- With understanding of clinical care, research, and legal principles, unique position to advocate for persons with criminal-justice involvement
 - Improved access to care
 - Improved quality of care delivery
 - Safety of staff
 - Recognize racial and other disparities that influence interactions with criminal justice system

Increasing Educational Opportunities

Piel et al. (2019)

- Studies show that increasing educational opportunities for medical and mental health trainees to forensic settings has multiple and long-standing benefits for the trainee
 - Reduce personal bias
 - Increased awareness of societal challenges (medical co-morbidities, economic disability, interpersonal issues trauma history)
 - Advance comfort level
 - Knowledge and competence in caring for justice-involved population
 - Explore personal beliefs about social justice issues
 - Fosters interest in advanced subspecialty forensic training for some
- Increased training has benefits to those with criminal justice involvement (patient, evaluatee, family)
- Continuing education/training opportunities leads to increased professional satisfaction and competence and workforce retention

Advancing Forensic Mental Health Training



How YOU Can Contribute to Training

Send your remarks to *cmhpl@uw.edu*

- Network: Join our network of academics and stakeholders with training, research, or lived experience in forensic mental health
- Mentorship: Let us know if you are interested in being a mentor or mentee to someone working within forensic mental health
- Clinical Sites: Recommend clinical sites for future resident and fellow training
- Teaching: Let us know if you want to give a lecture on a relevant topic
- Training Topics and Development: Identify topics for future presentations and share ideas about format for trainings

Contact Information

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Resources

- Center for Mental Health, Policy, and the Law: <https://psychiatry.uw.edu/research/center-for-mental-health-policy-and-the-law/>
- Why mental health and the law matters: <https://newsroom.uw.edu/postscript/why-mental-health-and-law-matters>
- Center for Mental Health, Policy, and the Law Outreach Survey: <https://redcap.link/cmhpl>
- PBSCI 525 Psychiatry and the Law (Multi-Disciplinary Course): <https://myplan.uw.edu/course/#/courses/PBSCI525>
- Piel J, Kopelovich S, Michaelsen K, Reynolds S, Cowley D. Analysis and Proposed Plan for Forensic Mental Health Teaching Services at Western State Hospital (2017): https://app.leg.wa.gov/ReportsToTheLegislatureHome/GetPDF?fileName=UW-WSH%20Forensic%20Teaching%20Service%20Report%20w%20cover%20letter10.25_eba97c1e-9037-4844-b645-5575417281e6.pdf
- Kopelovich S, Piel J, Michaelsen K, Reynolds S, Cowley D. Forensic Psychology Postdoctoral Training in the United States: How Do Programs Meet National Guidelines and Standards? Training and Education in Professional Psychology (2019)
- Michaelsen K, Piel J, Kopelovich S, Reynolds S, Cowley D. A Review of Forensic Psychiatry Training for Fellows and Residents: Diverse Approaches, Similar Challenges, Academic Psychiatry (2019)
- Piel J, Kopelovich S, Michaelsen K, Reynolds S, Cowley D. Creating a State-Academic Partnership to Advance a Forensic Teaching Service: Benefits and Barriers, J Forensic Sci (2019)