Southeast (HHS Region 4)

MHTTC Mental Health Technology Transfer Center Network
Funded by Substance Abuse and Mental Health Services Administration

Criminalization of Serious Mental Illness

What is criminalization?

- Criminalization is the process by which persons with serious mental illness (SMI) become over-represented in all facets of the criminal justice system.[1]

What is trans-institutionalization?

- Prior to the mid-1950's, individuals with mental illness often were involuntarily hospitalized to manage their behavior.[2]
- Now, these behaviors are handled in part by the criminal justice system, driving up rates of incarceration.
- Today, 1 in 5 people in jails and prisons have a mental illness.[3]

> Most offenders with mental illnesses commit crimes
> for the same reasons people without mental illness commit crimes. [1]

Some risk factors that may influence individuals to participate in criminal activities include: [1, 2, 4]

- Difficulties attaining educational achievement
- Unstable housing
- Lower socioeconomic status
- Social circles with criminal association
- Peer pressure
- Substance use

Several theories explore the relationship with serious mental illness and criminal justice involvement: [1, 4]

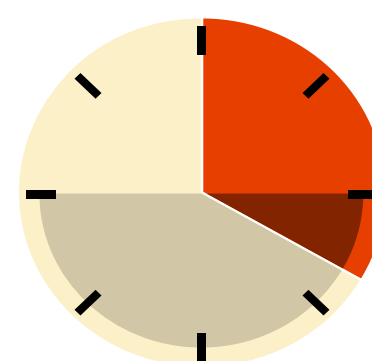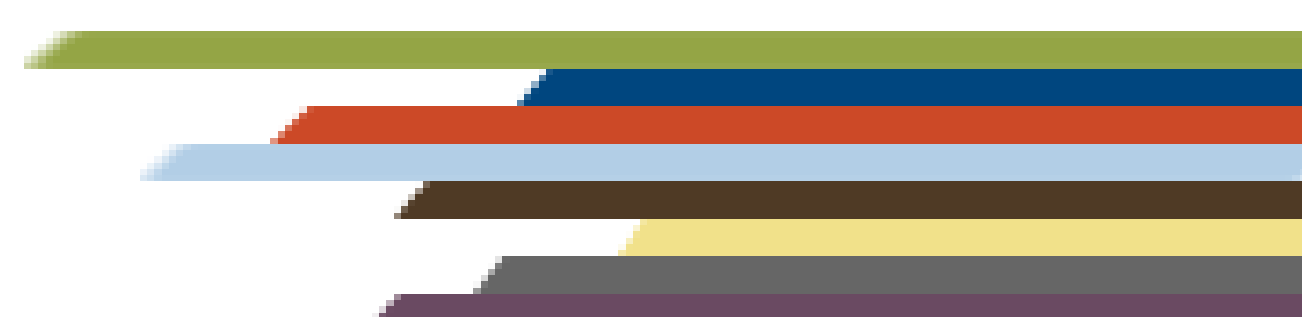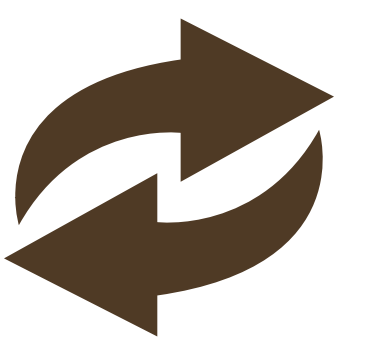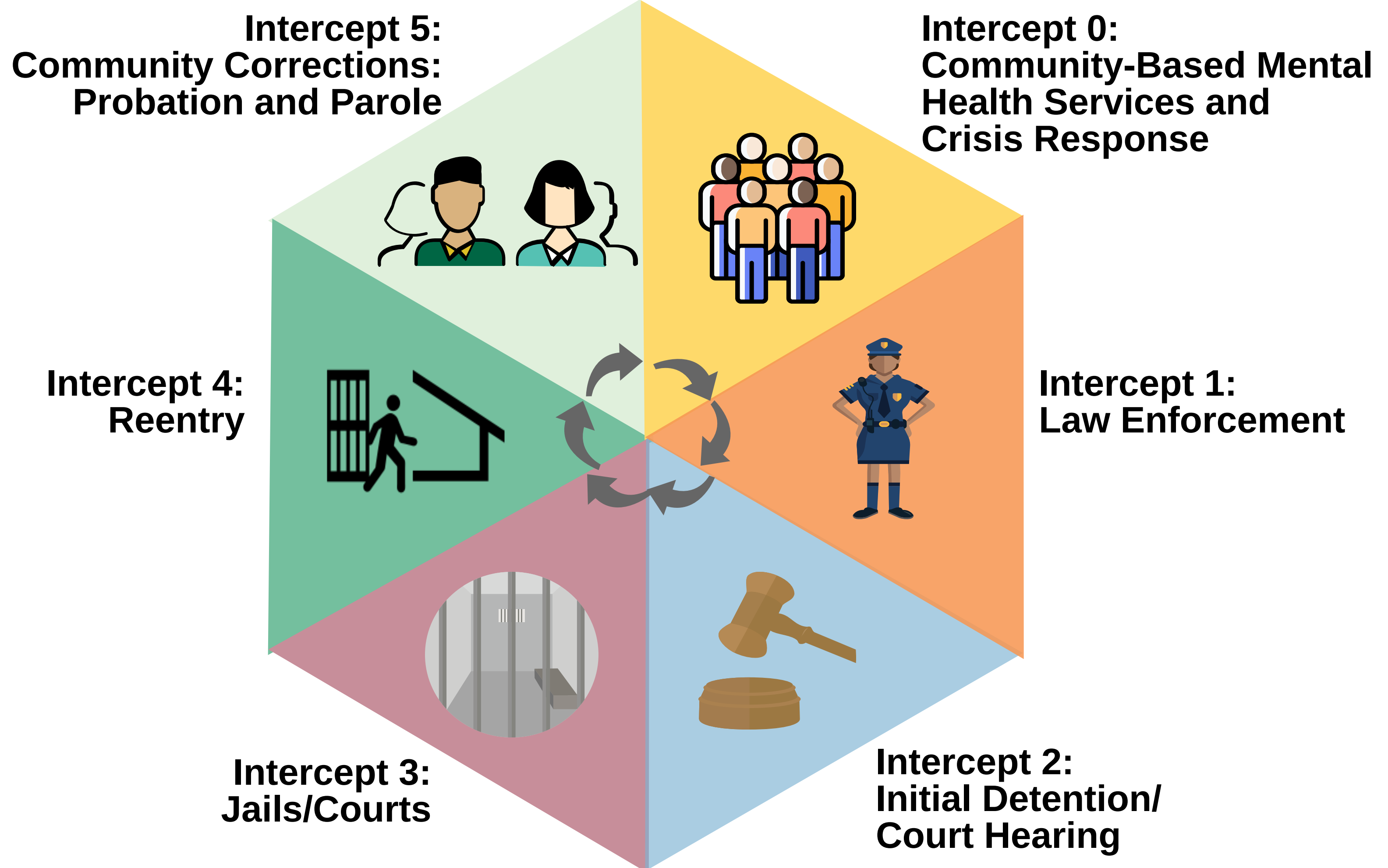| Life Course Perspective	Local Life Circumstances	Routine Activities
Life transitions, events, or factors that affect offending patterns, e.g.: - Parental discipline impacting child's self control - Limited educational opportunities - Adverse childhood experiences	Short-term changes may trigger individuals to engage in criminal activity, e.g.: - Availability of treatment and rehabilitative services - Drug and alcohol use - Divorce - Unemployment	Daily lifestyle may influence individuals to participate in criminal behavior, e.g.: - Poverty - Unstructured time - Lack of employment opportunities - Unstable housing

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The Sequential Intercept Model (SIM)

The sequential intercept model is used to address the over-representation of adults with serious mental illness in the criminal justice system. This model aims to identify gaps within the community and better apply available resources to assist and/or divert individuals at various points within the legal system. [5, 6]

Intercept 5: Community Corrections: Probation and Parole

Intercept 0: Community-Based Mental Health Services and Crisis Response

Intercept 4: Reentry

Intercept 1: Law Enforcement

Intercept 3: Jails/Courts

Intercept 2: Initial Detention/ Court Hearing

Partnership examples at each Intercept [1, 5, 6]

Intercept 0: Community-Based Mental Health Services and Crisis Response

- Advocate for specialty outreach teams and peer support specialists
- Collaborate with community behavioral health partners

Intercept 1: Law Enforcement

- Partner with local law enforcement to improve interactions with community members
- Train call center dispatchers to recognize mental health crises

Intercept 2: Initial Detention/ Initial Court Hearing

- Provide mental health screenings during first court hearing and jail booking
- Foster relationship between legal system and community behavioral health center

Intercept 3: Jails and Court

- Work with courts to determine appropriate treatment and services
- Provide continuous access to behavioral health services and medical care

Intercept 4: Reentry

- Improve transitional programs and formal hand-off from legal system to mental health providers and case managers
- Anticipate possible challenges and locate appropriate resources

Intercept 5: Community Corrections: Probation and Parole

- Strengthen community supervision following prison to reduce recidivism
- Support individual in addressing barriers and challenges to accessing housing and employment opportunities

Source:
1. Southeast Mental Health Technology Transfer Center. (2019, November 19). *The Problem of Criminalization of Serious Mental Illness Part I*. https://mhttcnetwork.org/centers/southeast-mhttc/product/problem-criminalization-serious-mental-illness-part-i
2. Shader, M. (2001). *Risk factors for delinquency: An overview*. Washington, DC: US Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention.
3. National Alliance on Mental Illness. (2014, August 27). Criminalization Of Mental Illness: It's A Crime. Retrieved from https://www.nami.org/Blogs/From-the-CEO/August-2014/Criminalization-of-Mental-Illness-It's-a-Crime
4. Fisher, W. H., Silver, E., & Wolff, N. (2006). Beyond criminalization: Toward a criminologically informed framework for mental health policy and services research. Administration and Policy in Mental Health and Mental Health Services Research, 33(5), 544-557.
5. Lines, C., Care, C., & Law, L. The Sequential Intercept Model. *Psychiatric Services*, 57, 544-549.
6. Policy Research Association, Inc. (2019, November 13). SAMHSA's GAINS Center Invites Communities to Apply for Sequential Intercept Mapping (SIM) Workshops. Retrieved from https://www.prainc.com/gains-sim-solicitation-2019/

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