

Criminal Justice Coordinating Council Members:

Tips for Supporting the Local Behavioral Health Service Continuum

Prosecutor/District Attorneys

Prosecutors and District Attorneys often notice trends when people with mental or substance use disorders appear on the docket multiple times, often due to the symptoms of their illness. As prosecutors are elected officials in many jurisdictions, they are a powerful force in the criminal justice system. They can leverage their positional power to increase awareness and support of reforms that improve treatment and services, as well as, opportunities for diversion for people with behavioral health disorders.

Improve Services to People on the Docket

- Assess the comprehension of terminology and processes by individuals being served who may have a behavioral health disorder or an intellectual or developmental disability.
- Make referrals to diversion programs and specialty courts, such as deferred prosecution or a mental health court, drug court, veteran's court, or other appropriate treatment court.
- Ensure participation in deferral or diversion programs does not require fees to participate, which may curb a person's ability to take advantage of the opportunity.

Partner with Stakeholders

- Support the use of an evidence-based, validated risk assessment to prevent clients who are at low or moderate risk of noncompliance from being detained unnecessarily during the pretrial phase.
- Support confidential assessments of clients for mental illness or co-occurring disorders.
- Involve attorneys in cross-system trainings with local behavioral health professionals to increase awareness of the needs of people with behavioral health disorders and educate the field regarding criminal justice processes.
- Participate in the local Criminal Justice Coordinating Council and/or subcommittee focused on behavioral health issues to develop innovative solutions to community needs, including:
 - Improving collaboration between local stakeholders.
 - Identifying people with mental health and substance use disorders in the justice system.
 - Assessing opportunities for diversion from criminal justice to treatment where appropriate.
 - Identifying gaps and opportunities in your local behavioral health service continuum.
 - Advocating for funding for behavioral health services and diversion programs.
 - Fostering a culture change to increase reliance on behavioral health professionals rather than criminal justice professionals for people with mental health or substance use disorders.

Support Systems Change

- Build consensus to address gaps in behavioral health by meeting with community leaders or holding community listening sessions.
- Collaborate with state legislatures and stakeholders to expand funding in mental health services within the criminal justice system and pretrial diversion.
- Leverage knowledge of the legal system and gaps in the behavioral health services continuum to communicate areas of need to stakeholders.
- Use traditional and new media (newspapers, televised interviews, and social media) to communicate the need and support for behavioral health services and interventions.
- Educate leaders and the community on potential or existing civil rights issues related to the incarceration of people with mental illness or co-occurring disorders.