

# Tuscola Mental Health Court

## Policy & Procedure Manual



### **MISSION**

The mission of the Tuscola Mental Health Court (TMHC) is to enhance public safety and reduce recidivism of criminal defendants who suffer from serious mental illness by connecting these defendants with Mental Health treatment services, and to connect them with appropriate community services to get back on track. The TMHC is intensive supervision combined with treatment and will assist offenders in achieve long-term stability, become law-abiding citizens, and become successful in their communities, therefore reducing recidivism and jail expenses to the community.

### **GOALS AND OBJECTIVES**

The primary goals of the Tuscola Mental Health Court are to:

- Connect criminal defendants who suffer from serious mental illness to mental health treatment services

Objective: A connection has been made with Mental Health services through Tuscola Behavioral Health Services, in which each participant will work with the treatment provider in creation of a treatment plan, life skills, community reunification, medication compliance, anger management, job/employment skills and other various needs individualized per participant.

- Find appropriate community resources to assist the participant with daily needs

Objective: A connection has been made with a peer support through TBHS that can assist each participant with resources within their individualized daily needs. This can consist of needs such as, housing, state assistance, understanding medication compliance, income/employment, and transportation and over all support, as well as other various needs individualized per participant.

- Ensure public safety and reducing recidivism through appropriate mental health treatment and intensive supervision.

Objective: This goal will be achieved by offering the intensive TMHC as an option other than incarceration. Each individual that becomes a participant of TMHC will begin mental health services with TBHS and will have intensive supervision through both treatment, probation and both Circuit and District Courts. This will aid in reducing recidivism and increasing public safety.

- Increase collaboration between the court, city agencies, and community mental health treatment services.

Objective: A link has been made between the court, probation, defense attorney, prosecuting attorney and Tuscola Behavioral Health systems. A team has been created to aid

each collaboration in maintaining contact of participants during their time within TMHC. This allows each team member to work together in assisting each participant with their individualized needs, thus reducing recidivism, jail costs and usage, and increasing public safety.

### **TARGET POPULATION**

Adults, male or female ages 18 and older that are residents of Tuscola County and are individuals that need the intensive services of the court monitoring and treatment provided by the Tuscola Behavioral Health Systems. Must have entered a guilty plea on their charge through either the 71B District Court or the 54<sup>th</sup> Circuit Court; and be determined a Non- Violent offender by the prosecuting attorney's office.

Any probation violator who has a current violation of felony probation at Tuscola County MDOC, or any probation violator who has a current violation of misdemeanor probation.

### **ELIGIBILITY REQUIREMENTS**

#### **Offender Qualifiers**

1. Defendant must live in Tuscola County
2. Defendant must be 17 years of age or older and charged in the adult system
3. Must plead guilty prior to sentencing
4. Defendant must voluntarily enter the program, and must be willing to abide by the TMHC guidelines
5. Defendant must be diagnosed by TBHS with a serious mental illness, serious emotional disturbance, developmentally disabled, or a co-occurring disorder, must be established independent from the other and not a cluster of symptoms resulting from one disorder.
6. Offenders must score between medium and maximum on the Compass assessment with probation.

#### **Offense Qualifiers**

1. Felony offenses through 54<sup>th</sup> Circuit Court
2. Misdemeanor offenses through 71B District Court
3. Tuscola County MDOC probation violations that are current
4. Tuscola County District Court probation violations that are current.

#### **Offender Disqualifiers:**

1. Defendant has not reached the age of 17 years as of the date of the commission of the offense
2. Defendant is a non-resident of Tuscola county at the time of program admission and does not maintain residency in said county
3. Defendant has not been diagnosed by TBHS with a serious mental illness, serious emotional disturbance, developmentally disabled, or a co-occurring disorder
4. Defendant refuses to cooperate with screening and assessment procedures, or an unwillingness to participate in required programming, or abide by program rules.

**Offense Disqualifiers:**

1. Defendant is a “violent offender”:
  - An individual who is currently charged with, or has or has been convicted of, an offense involving the death of, or a serious bodily injury to, any individual, whether or not any of these circumstances are an element of the offense, or with criminal sexual conduct of any degree. (MCL 600.1090(i)).
  - Each mental health court shall determine whether an individual may be admitted to the mental health court. No individual has the right to be admitted into a mental health court. Admission into a mental health court program is at the discretion of the court, based on the individual’s legal or clinical eligibility. An individual may be admitted to mental health court regardless of prior participation or prior completion status. However, in no case shall a violent offender be admitted into a mental health court. (MCL 600. 1093 (1))
2. Defendant has charges pending in other jurisdictions
3. Defendant has been previously ejected from a Mental health or other specialty court program
4. Defendant has a consistent history of aggressive behavior or harm to self or others, this will be deliberated by TMHC team
5. Defendant has a consistent pattern of absconding from probation or community supervision and /or failures to appear for court appearances, This will be deliberated by TMHC team

**Each offender will be considered case by case basis. Entry into Tuscola Mental Health Court will be determined by the TMHC team, and will be taking individual needs into consideration per case.**

**TMHC Fees/Costs****VCheck 24:**

House Arrest Services: \$2/day

**Drug/Alcohol Testing:**

TMHC will cover the cost of 6 tests/month at Chance to Change.

Remaining tests will cost \$10/test

**Treatment:**

Depends on health/medical insurance co-pays, deductibles, etc.

*\*Financial assistance may be available if a participant is experiencing financial hardship.\**

## **Medication Policy**

Each participant must inform their TMHC case manager of any medications/substances that they are prescribed, as well as provide proof of prescription. All participants must sign a consent form that allows free and open communication between the prescribing physician and case manager. The physician must sign and return the TMHC Medical Professional Disclosure Form and provide an updated medication list to the case manager. The case manager must be able to have an open discussion with the participant and physician regarding any medications or prescribed substances that may interfere with the participant's recovery.

Do not discontinue any prescribed medications without first consulting with your physician.

Ingesting a prescription medication without a valid prescription will result in a program violation.

It is your responsibility to read the labels of all over-the-counter (OTC) medications in order to ensure that there are no prohibited substances in the medication (e.g., alcohol in cough syrup). Please contact your case manager immediately regarding any OTC medications that you are unsure about, prior to using them.

The use of recreational marijuana, CBD products, Kratom, Ketamine, K2/Spice, Bath Salts, Inhalants, and/or other synthetic, illegal, or non-prescribed substances is strictly prohibited.

## **Confidentiality**

The Tuscola Mental Health Court abides by all standards of the Health Insurance Portability and Accountability Act (HIPAA), 42 CFR Regulations, in regards to managing records, re-disclosure of information, and staff training.

All TMHC files are confidential. Confidential records are kept in a secure room. Access to confidential records is limited to authorized individuals, such as the treatment court staff. A release of information/consent to disclose confidential information must be signed by the client, prior to any confidential information being released to any outside parties.

Confidential written and electronic records are protected after consent is revoked or expired.

Treatment Courts Confidentiality Compliance Officer:

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## Tuscola Mental Health Court Team

The Tuscola Mental Health Court Team is a dedicated, multi-disciplinary team of professionals that consists of (but not limited to), a judge, program coordinator, case manager(s), probation officer(s), prosecutor(s), defense counsel representative, treatment representative(s), law enforcement representative(s), and drug testing representative.

Team members consistently attend staff meetings and judicial review hearings to review new referral eligibility, participant progress, and help determine appropriate actions to improve outcomes. In addition to monitoring current participants, the TMHC staff also monitors graduates by checking recidivism at 3, 6, 9, 12, and 24 months post-program.

Team members are expected to pursue trainings and educational opportunities in order to advance their knowledge of treatment court best practices. It is highly encouraged that all team members, especially new team members, attend conferences such as the Michigan Association of Treatment Court Professionals conference, as well as trainings through the State Court Administrative Office. New team members will complete an orientation checklist as well as meet with the judge and program coordinator, in order to review TMHC policies and treatment court standards/best practices.

### **Current Team Members:**

Judge Jason Bitzer	TMHC Judge
Heather Walther	Project Director
Kaileigh Melnik	Case Manager
Olivia Chapin	District Court Probation
Jaimie Breinager	MDOC Probation Agent
Eric Hinojosa	Tuscola Co. Assistant Prosecutor
Nicholas Tselepis	Defense Attorney
Ashlee Price	Tuscola Behavioral Health Systems
Dayna Gauthier	Testing Liaison
Barton Miller	Veterans Justice Outreach Coordinator
Kristen Misener	Human Development Commission