

Tuscola Mental Health Court

Policy & Procedure Manual



MISSION

The mission of the Tuscola Mental Health Court (TMHC) is to help justice-involved individuals radically change their lives by employing a different approach to Court supervision. The focus of the Court is to encourage justice-involved individuals who experience symptoms related to a serious mental illness to receive individualized, specific Mental Health treatment services and to ensure that they have sufficient “recovery capital” in place to sustain their recovery.

This intensive, holistic approach to community supervision is designed for justice-involved individuals to realize the best version of themselves. Ideally, this would also result in decreased criminal recidivism for those that engage with this Court. To the community, the benefits of this approach are immense and tangible. Not only will this decrease community costs related to law enforcement and prosecution, but it will hopefully enhance a sense of community pride among Tuscola County citizens.

GOALS AND OBJECTIVES

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

Goal #1 - Connect justice-involved individuals who suffer from serious mental illness to mental health treatment services.

Objective: Justice-involved individuals will be referred to Tuscola Behavioral Health Services or another local treatment provider for an assessment of their therapeutic needs. The justice-involved individual will then work with the treatment provider in creation of a treatment plan that may focus on topics such as life skills, community reunification, medication compliance, anger management, job/employment skills, and other various individualized needs.

Goal #2 - Identify appropriate community resources to provide its participants with ample “recovery capital.”

Objective: During a justice-involved individual’s participation in Mental Health Court, they will be asked to identify what “recovery capital” options they believe will assist them with improving their mental health. Upon approval of those options by the Mental Health Court team, the participant will engage with their selected options as part of their phase requirements. This could include, but is not limited to, peer support, a 12 step program, or

other local charitable/civic activities. Further, the Court will encourage to seek out other community supports, as well as individual pursuits that will give participants a greater sense of self.

Goal #3 - Ensure public safety and reducing recidivism through targeted mental health treatment and more involved community supervision for its participants.

Objective: This goal will be achieved by offering TMHC as an option for those seeking to achieve greater mental health and reduce their interactions with the criminal justice system in the future. By meeting frequently with the participants and taking a more vested interest in their recovery, Mental Health Court will be able to provide to participants relevant and guided aid from the cross-sector of professionals serving on its team.

Besides the personal benefits to the participants, the impact of the community at large is hopefully significant. In employing an evidence-based way of reducing criminal recidivism, Tuscola County should realize lower costs as it relates to law enforcement and prosecution. Further, the hope is to increase community support for these programs and integrate justice-involved individuals with serious mental illnesses into the fabric of our County.

Goal #4 - Increase collaboration between the court, municipal agencies, and community mental health treatment services.

Objective: The TMHC Team consists of the 54h Circuit Court, the 71B District Court, District Court probation, the Michigan Department of Corrections, local defense attorney, Tuscola County Prosecuting Attorney, Tuscola Behavioral Health System, and liaisons from our drug testing facility. This team was created to ensure that all relevant information regarding the justice-involved individual's participation in THMC is conveyed to the Court.

This team structure 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

To be eligible for Mental Health Court, one must be a justice-involved individual, eighteen (18) years of age or older, that is a resident of Tuscola County. Further, a justice-involved individual must be in need of the unique services offered by Mental Health Court, as detailed above, and treatment specific to their serious mental illness offered by a local mental health treatment provider.

A potential justice-involved participant must have entered a guilty plea on an offense(s) through either the 71B District Court or the 54th Circuit Court that is not a disqualifying offense as set forth in MCL 600.1090 *et seq.* Further, any justice-involved individual who has a current violation of their felony or misdemeanor probation could apply to be participate in Mental Health Court.

ELIGIBILITY REQUIREMENTS

Personal Qualifiers:

1. Individual must live in Tuscola County;
2. Individual must be 18 years of age or older and charged in the adult system;
3. Individual plead guilty or no contest prior to sentencing;
4. Individual must voluntarily enter the program and must be willing to abide by the TMHC guidelines;
5. Individual must be diagnosed as an individual with a serious mental illness, serious emotional disturbance, developmentally disability, or a co-occurring disorder;
6. Individual must score between medium and maximum on the relevant assessment employed by Mental Health Court staff during an individual's screening.

Offense Qualifiers:

1. Felony offenses through 54th Circuit Court; or
2. Misdemeanor offenses through 71B District Court; or
3. Tuscola County MDOC probation violations; or
4. Tuscola County District Court probation violations.

Personal Disqualifiers:

1. Individual has not reached the age of 18 years as of the date of the commission of the offense.
2. Individual is a non-resident of Tuscola County at the time of program admission and does not maintain residency in said county.
3. Individual has not been diagnosed with a serious mental illness, serious emotional disturbance, developmentally disability, or a co-occurring disorder
4. Individual refuses to cooperate with screening and assessment procedures, or an unwillingness to participate in required programming, or abide by program rules.

Offense Disqualifiers:

1. Individual meets the definition of “violent offender” found in MCL 600.1090(i):
 - 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. **Unless the mental health court judge and the prosecuting attorney, in consultation with any known victim in the instant case, consent, a violent offender must not be admitted into mental health court.**
2. Individual has charges pending in other jurisdictions;
3. Individual has been previously involuntarily removed from a Mental health or other specialty court program (this factor is not a per se bar to admission, however, it may be considered by the team during the application process);
4. Individual has a consistent history of aggressive behavior or harm to self or others (this factor is not a per se bar to admission, however, it may be considered by the team during the application process);
5. Individual has a consistent pattern of absconding from probation or community supervision and /or failures to appear for court appearances (this factor is not a per se bar to admission, however, it may be considered by the team during the application process).

Each justice-involved individual 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

Electronic Monitoring:

Fees vary based on electronic monitoring option utilized.

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.

Participants will agree not to discontinue any prescribed medications without first consulting with their physician.

Participants will be subject to a program violation, or other criminal consequences, for will ingesting a prescription medication without a valid prescription.

Participants will be responsible 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). Participants must contact their 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, unless otherwise approved by the Court.

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:

Jesika Ferris-Struve
Treatment Court Supervisor
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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
Kim Kern	Case Manager
Olivia Chapin	District Court Probation
Jayden Zajac	MDOC Probation Agent
Jessica Risky	Defense Attorney
	Tuscola Co. Assistant Prosecutor
Seth Geister	Tuscola Behavioral Health Systems
Dayna Gauthier	Testing Liaison
Barton Miller	Veterans Justice Outreach Coordinator
Kristen Misener	Human Development Commission
Lauren Sebald	Human Development Commission