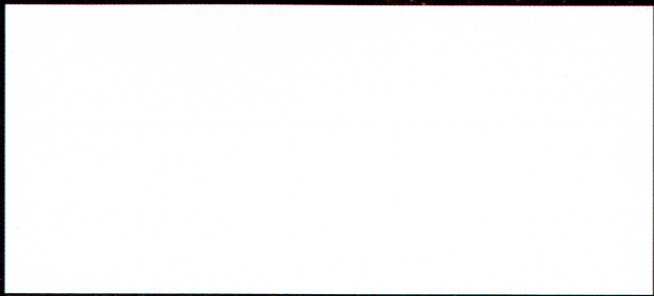




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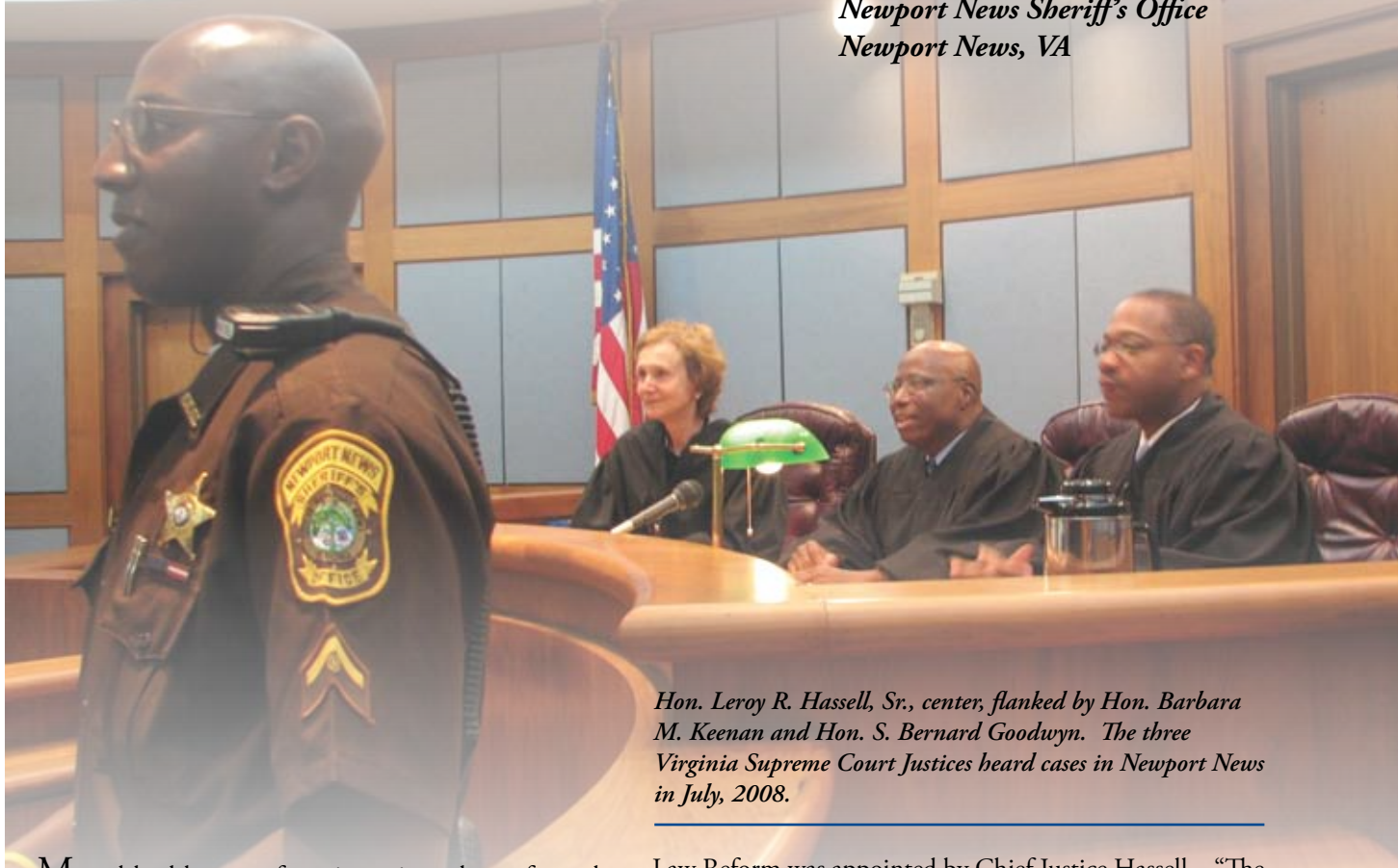
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KEEPING OUR COURTS AND JAILS SECURE



Mental Health Care Reform Gets a Boost from the Bench

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Hon. Leroy R. Hassell, Sr., center, flanked by Hon. Barbara M. Keenan and Hon. S. Bernard Goodwyn. The three Virginia Supreme Court Justices heard cases in Newport News in July, 2008.

Mental health care reform is getting a boost from the bench. The Honorable Leroy Roundtree Hassell, Sr. is the Chief Justice of the Virginia Supreme Court. He has made it his mission to shed light on a problem that has plagued the criminal justice system for years: mentally ill prisoners. The problem will continue to worsen without some kind of intervention. Quoted in the publication "Virginia Lawyer," Hassell said, "The provision of adequate mental health treatment and fair judicial processes that ensure due process for mental health patients are issues of national importance and are not unique to Virginia."

"Judges are usually not the ones to lead advocacy. Typically, they are reactionary," said Gabe Morgan, Sheriff of Newport News, Virginia. "Not only has the Chief Justice been an advocate for those behind bars with mental illness, he has invested money."

Hassell began a process to reform mental health laws in the Commonwealth of Virginia well before Seung Hui Cho and the tragic Virginia Tech massacre. Even though Cho was diagnosed as mentally ill, it did not prevent him from purchasing handguns without detection. On April 16, 2007, Cho killed 32 and wounded many others before committing suicide.

Six months prior, the Commission on Mental Health

Law Reform was appointed by Chief Justice Hassell. "The Commission is taking a holistic approach by looking at mental health as an overall system," explained Sheriff Morgan of the Commission's lofty goals. Morgan sits on the 30-member Commission. "For the (Virginia) Supreme Court to be leading the charge—it is very refreshing and innovative," continued Morgan.

Several areas are being addressed, including closing gaps in access to services, reducing criminalization of people with mental illness, improving treatment choices, and helping young people with mental health problems and their families before these problems spiral out of control.

How does the criminal justice system intersect with the mental health system? The largest mental institution in the country is actually a wing of a county jail. The Los Angeles County Jail houses 1,400 mentally ill patients. While those numbers show the issue on a large scale, jails across the nation are up against an identical problem.

In Newport News, the total inmate population is approximately 1,100 housed at one of three separate facilities. About one-third of those individuals have mental health issues ranging from mild depression and bipolar disorder to major depression and schizophrenia. By comparison, the Virginia Department of Corrections estimates that 15%



Hon. Leroy R. Hassell, Sr. addressed an audience of attorneys in Newport News when he was in town with two other Supreme Court Justices to hear a wide array of cases. Hassell used the podium to publicly thank Sheriff Gabe Morgan for his efforts in confronting the complexities of mental health care. Hassell established a mental health law reform commission, of which Sheriff Morgan is a member.

of the state's prisoners have some form of mental illness or mental disorder.

The Honorable Hassell is accustomed to pounding his gavel on the bench as he makes a judiciary decision. He is accustomed to imposing sentencing based upon legal guidelines. However, establishing legal guidelines is something new. Legislative proposals based on the Commission's recommendations will be finalized for the 2009 session of the General Assembly. The Virginia Tech massacre, however, did accelerate the timetable. While the Commission's work is incomplete, they released a preliminary blueprint to assist lawmakers as they respond to public concern.

Early this year, Newport News received a \$124,371 federal grant and a \$41,457 supplement from the city for crisis intervention training. The main goal is to divert someone with a mental illness away from jail and to provide the consumer with an alternative for appropriate services. Pressing charges is not always the best action, especially on nuisance calls like trespassing, disorderly conduct and drunk in public. Right from the initial contact with a person in crisis, police officers and deputy sheriffs, trained to recognize signs of mental illness, will have options how best to respond. When appropriate, a person will be taken to a treatment facility rather than jail.

Currently, the Newport News Sheriff's Office, Newport News Police Department, and Juvenile Services are coordinating with the area's Community Services Board (CSB), a

mental health care provider. CSB has a secure therapeutic drop-off center. That center has the authority to take custody of the person being handed over by police.

While crisis intervention training is underway, the Commission has recommended a course of action to be taken by general district and circuit court judges. They are asking that judges explore ways of linking a defendant's adherence to treatment with the disposition of the criminal case. Prescribed treatment could be ordered as a condition of bond or probation.

Hassell said, "When I began my tenure as Chief Justice (February, 2003), one of my most important priorities was to contribute to the discussion of reform of Virginia's mental health statutes and processes. The judicial branch of government is committed to improving the quality of mental health services provided to Virginians and the judicial processes attendant to civil commitments. All persons and institutions that are involved in Virginia's mental health system and processes—mental health practitioners; law enforcement personnel, including sheriffs; judges and court personnel; attorneys; magistrates; special justices; patients; patients' families and friends—have a stake in improving this area of law." 🌟

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