

## MENTAL HEALTH TREATMENT

*What is mental health treatment in the federal probation and pretrial services system?*

Mental health treatment is one of many tools U.S. probation and pretrial services officers use to supervise, or monitor, defendants and offenders in the community. Mental health treatment may include such services as psychological/psychiatric evaluations and individual, family, or group counseling by a licensed/certified psychologist, psychiatrist, or other practitioner who meets the standards of practice established by their state's professional regulatory board. It also may include medication.

*Who receives mental health treatment?*

Mental health treatment is ordered either by the U.S. district court or by the U.S. Parole Commission as a condition of releasing individuals under federal supervision to the community. These persons either are on probation, parole, or supervised release after being in prison, under pretrial supervision while awaiting a court appearance, or conditionally released after incarceration at a Bureau of Prisons Federal Medical Center.

*What is the purpose of mental health treatment?*

Mental health treatment provides officers with the ability and the means to identify, assess, and provide treatment for defendants and offenders with mental disorders as ordered by the court or U.S. Parole Commission. For offenders under post-conviction supervision, treatment helps officers enforce the conditions imposed by the court or Parole Commission, control the danger defendants and offenders may pose to society, deter criminal behavior, and promote law-abiding behavior. For defendants under pretrial supervision, treatment helps officers reasonably assure that these persons appear in court and that society is protected from potential harm.

*When is a defendant or offender considered to be suffering from a mental health disorder?*

According to the *Guide to Judiciary Policies and Procedures*, a defendant or offender is considered to be suffering from some form of mental disease or defect when the individual's behavior or feelings deviate so substantially from the norm as to indicate disorganized thinking, perception, mood, orientation, and memory. Mental health disease or defect may range from the mildly maladaptive to the profoundly psychotic and may result in unrealistic or aberrant behavior, grossly impaired judgment, inability to control impulses or to care for oneself or meet the demands of daily life, loss of contact with reality, or violence to oneself or others.

*How do officers identify individuals with mental health problems?*

Individuals may come to the probation or pretrial services office already diagnosed with a mental health disorder. Or, officers may identify these persons through information in case files, interviews with the individuals and their families and friends, or consultation with mental health professionals.

*How many individuals with court-ordered mental health conditions does the federal probation and pretrial services system supervise?*

As of September 30, 2002, of the more than 135,000 persons under the supervision of U.S. probation and pretrial services officers, almost 11,000 were receiving contracted mental health treatment services. Although the number seems relatively small, the persons in this particular group can be especially challenging to supervise.

*How is supervising these individuals difficult?*

Compared to the average defendant or offender, the individual with mental health challenges routinely needs more intensive monitoring, often requires specialized or individualized treatment, and is potentially more dangerous (particularly if he or she has a prior history of violence, suffers from psychotic disorders, and fails to take prescribed medications). What these individuals may suffer from ranges from

anxiety and depression to more chronic disorders such as bipolar disorder, schizophrenia, or pedophilia. Many of them are dually diagnosed, having both mental health and substance abuse problems. Because of the complexity of these cases, the federal probation and pretrial services system has designated some of its officers as mental health specialists. More often than not, these specialists have a background in mental health and, in some cases, are licensed/certified clinical social workers, psychologists, or professional counselors. The mental health specialists are skilled in identifying individuals with mental health challenges, brokering community treatment services, and working with treatment providers.

*What role do officers play in supervising defendants and offenders with mental health difficulties?*

The *Guide to Judiciary Policies and Procedures* clearly sets forth officers' duties to conduct prerelease or presentence investigations for the court and to supervise defendants and offenders in the community. Officers play a crucial role in assessing dangerousness and the risk defendants and offenders may pose to themselves and others. Fulfilling such responsibilities requires officers to maintain knowledge of the persons under their supervision, make correctional treatment available to them, enforce the conditions of release imposed by the court or Parole Commission, and report violations of these conditions according to established standards and procedures.

*Who provides mental health treatment to defendants and offenders?*

Licensed/certified psychiatrists, psychologists, or masters-level counselors, clinicians, and other professionals in the community provide treatment under an agreement with the United States courts. The Director of the Administrative Office of the U.S. Courts, under 18 U.S.C. § 3672, has the authority to "contract with any appropriate public or private agency or person for the detection of and care in the community of . . . a person suffering from a psychiatric disorder . . ." Blanket purchase agreements or purchase orders are awarded through a competitive process. The officer serves as *coordinator* of treatment services, matching the defendant or offender with appropriate treatment providers, monitoring the person's progress in and compliance with treatment, controlling procurement funds, and overseeing the various treatment providers.

*What services do mental health contractors provide?*

No single treatment approach will help every person who requires mental health treatment. To be able to address defendants' and offenders' individual needs, officers must solicit for various services, including:

- C Psychological/psychiatric evaluation and testing
  - Individual, group, and family counseling
  - Sex offense-specific individual or group therapy for sex offenders
  - Sex offense-specific evaluations for sex offenders
- C Polygraph and other physiological testing for sex offenders
- C Substance abuse counseling
  - Medication
- C Transportation to and from treatment facilities
- C Emergency financial assistance for food or clothing
- C Clinical consultation between officers and mental health professionals to discuss supervision issues

*What are the benefits of mental health treatment?*

Mental health treatment helps defendants and offenders in many ways. It helps them address issues that may have led to their problems with the law. More importantly, it puts in motion correctional strategies aimed at stabilizing defendants and offenders so that they do not present a danger to themselves or others. Thus, treatment serves to maximize public safety and the individual's potential for living and functioning effectively in the community.

*What if treatment is not successful?*

Often, officers try various treatment approaches. They use a graduated sanctions approach to give individuals an opportunity to comply with the conditions of release the court has imposed. These efforts are not always successful, however, particularly if the individual is severely mentally ill, fails to take medications, and poses a potential threat to the public. In these cases, officers may initiate court proceedings to determine the most suitable plan for the individual.