



Behavioral Health and Criminal Justice

Innovative Approaches for Local Support
of Justice-Involved Individuals

February 25, 2025 | ICJI Webinar Series

Agenda

- I. Introduction
- II. Behavioral Health Needs and the Criminal Justice System: What the Data Shows
- III. Integrating Behavioral Health Treatment in Criminal Justice Settings
- IV. Stepping Up Initiative: A Guiding Framework
- V. Securing and Sustaining Criminal Justice and Behavioral Health Funding
- VI. Toledo Legal Aid Society County Presentation
- VII. Question and Answer Session



Justice Center

THE COUNCIL OF STATE GOVERNMENTS

We are a national nonprofit, nonpartisan organization that combines the power of a membership association, serving state officials in all three branches of government, with policy and research expertise to develop strategies that increase public safety and strengthen communities.

How We Work

- We bring people together.
- We drive the criminal justice field forward with original research.
- We build momentum for policy change.
- We provide expert assistance.

Our Goals

- Break the cycle of incarceration.
- Advance health and opportunity.
- Use data to improve safety and justice.

Justice and Mental Health Collaboration Program

The Justice and Mental Health Collaboration Program (JMHCP) promotes innovative cross-system collaboration and provides grants directly to states, local governments, and federally recognized Indian Tribes. It is designed to improve responses to people with mental health conditions and substance use disorders who are involved in the criminal justice system.



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Behavioral Health Needs and the Criminal Justice System

What the data shows

Lacy Adams, Senior Policy Analyst, CSG Justice Center

Many people with Criminal justice involvement have complex health-related social needs

They may need assistance with...

Coordinating across systems

Addressing behavioral health and criminogenic risk and needs simultaneously

Locating housing with support services

Navigating a lack of integrated treatment

Accessing healthy food

Securing personal safety or family and social supports

Identifying transportation to access services

Navigating a lack of trauma-informed treatment

Medication- Assisted Treatment In The Criminal Justice System: Brief Guidance to the States," Substance Abuse and Mental Health Administration, 2022, https://store.samhsa.gov/sites/default/files/d7/priv/pep19-matbriefcjs_0.pdf

Magnitude of the Behavioral Health Crisis



In 2023, 48.5 million people (17.1 percent of people 12 years and older) had a SUD or co-occurring substance use disorder. In the same year, 58.7 million people had a mental illness.



Nationwide, in the 12-month period ending in August 2024, **86,678** people died of a drug overdose: a 21.7% decrease between August 2023 and August 2024.



In Indiana, in the 12-month period ending in August 2024, **1,856** people died of a drug overdose: a 22.63 percent decrease between August 2023 and August 2024.

Source: <https://www.samhsa.gov/data/sites/default/files/reports/rpt47095/National%20Report/National%20Report/2023-nsduh-annual-national.pdf>; <https://www.cdc.gov/nchs/nvss/vsrr/drug-overdose-data.htm>; <https://www.samhsa.gov/data/sites/default/files/reports/rpt53161/dawn-national-estimates-2023.pdf>

Behavioral Health Needs in Carceral Settings

85 percent of the prison population has an active **substance use disorder** or are incarcerated for a crime involving drugs or drug use.

37 percent of people in state and federal prisons and **44 percent** of people held in local jails who are incarcerated have a history of **mental illness**.

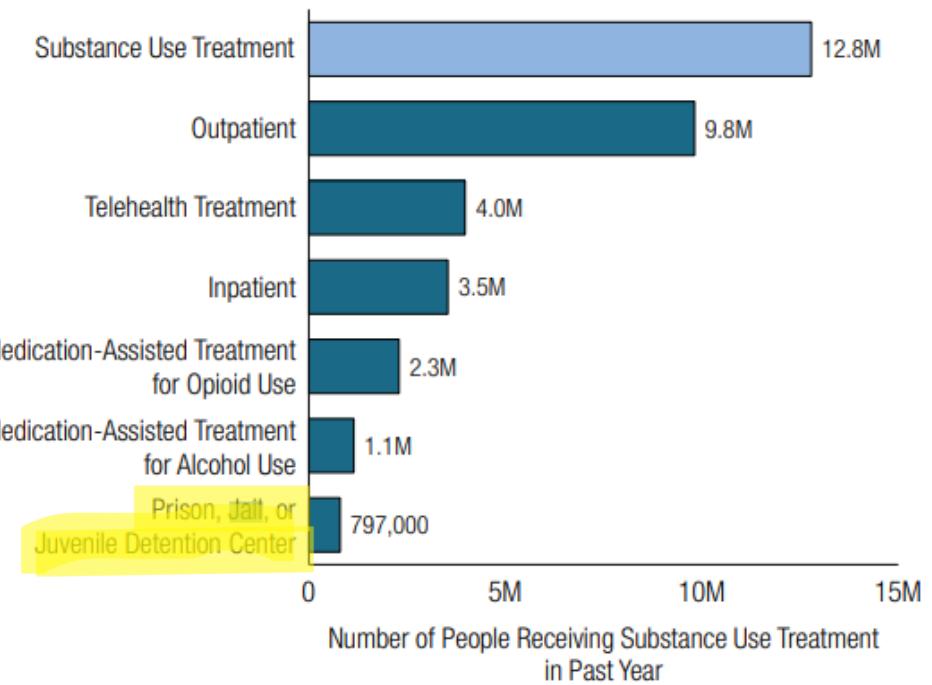
70 percent of youth in the juvenile justice system have a diagnosable **mental health condition**.

<https://nida.nih.gov/publications/drugfacts/criminal-justice>; <https://www.nami.org/advocacy/policy-priorities/improving-health/mental-health-treatment-while-incarcerated/#:~:text=About%20two%20in%20five%20people,within%20the%20overall%20adult%20population.>; https://www.nami.org/wp-content/uploads/2023/10/NAMI_CriminalJusticeSystem-v5.pdf; <https://bjs.ojp.gov/sites/g/files/xyckuh236/files/media/document/adutrpspi16st.pdf>

Behavioral Health Treatment in Carceral Settings

- In 2023, approximately 797,000 individuals (0.3%) received substance use treatment, while 2.5 million (1%) received mental health treatment in a prison, jail, or juvenile detention center.
- In 2019, more than 6 in 10 (63%) of local jail jurisdictions reported that they conducted opioid use disorder (OUD) screenings of people at intake.
 - 19 percent said that they initiated medication-assisted treatment (MAT) for people identified as having OUD.

Figure 52. Types and Locations of Substance Use Treatment Received in the Past Year: Among People Aged 12 or Older; 2023



Source: <https://www.samhsa.gov/data/sites/default/files/reports/rpt47095/National%20Report/National%20Report/2023-nsduh-annual-national.pdf>; <https://www.cdc.gov/nchs/nvss/vsrr/drug-overdose-data.htm>; <https://www.samhsa.gov/data/sites/default/files/reports/rpt39474/Non-Fatal%20Overdoses%20Short%20Report%20Mar22%20Final.pdf>;

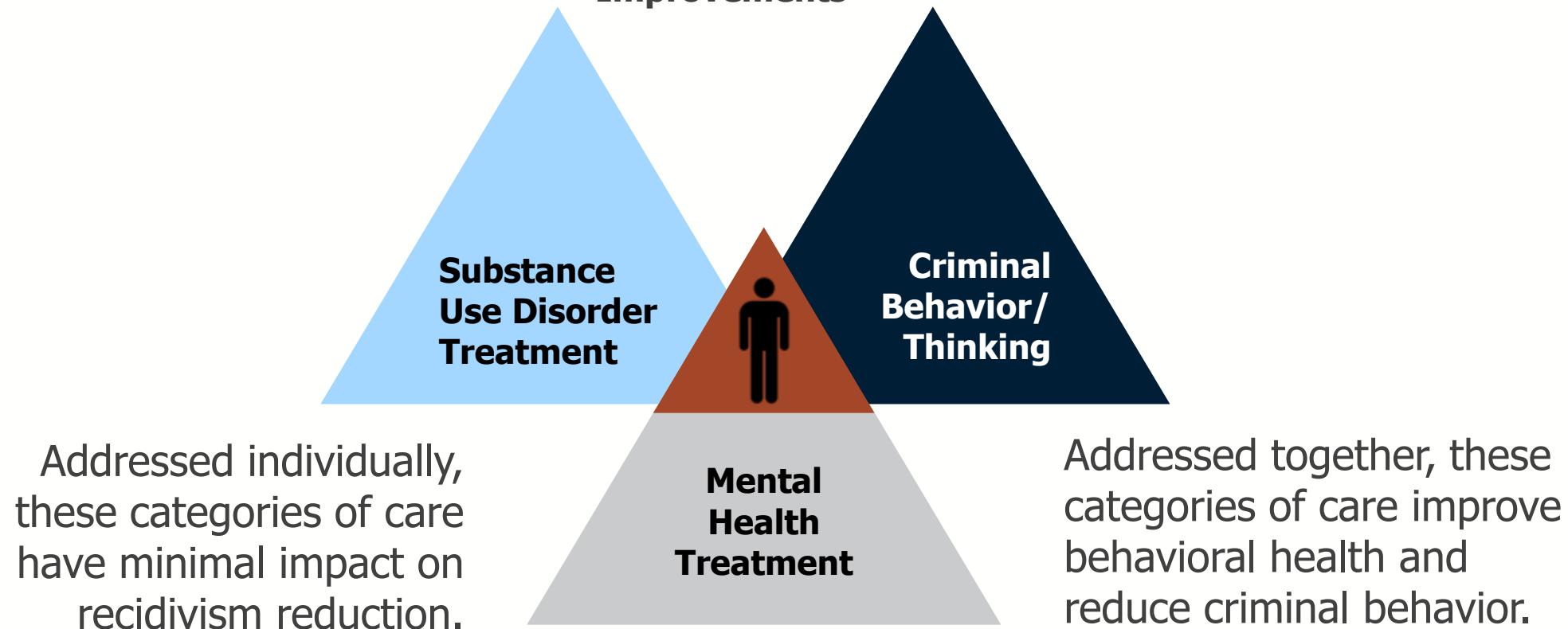


Integrating Behavioral Health Treatment in Criminal Justice Settings

Audra Goldsmith, Project Manager, CSG Justice Center

Effective Behavioral Health Treatment Addresses both Criminogenic and Behavioral Health Needs

Core Treatment Competencies Required for Behavioral Health and Recidivism-Reduction Improvements



Early Identification

Identify needs at the earliest point in the system

Diversion

Increase opportunities for front-end diversion

Integrated Care: A Successful Recipe

Connections to Care

Connect people to the appropriate care

Data Sharing and Utilization

Use shared leverage to capitalize on funding opportunities

Opportunities to Advance Integrated Treatment Systems

- Create new pathways and diversion from jail through 988 and alternative law enforcement responses.
- Expanded criminal justice system focus from Medicaid, Health Resources and Services Administration (HRSA), and HUD lead to increased opportunities on housing, health, and workforce initiatives.



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Stepping Up Initiative

A Guiding Framework

Audra Goldsmith, Project Manager, CSG Justice Center

STEPPING UP

Stepping Up is a national initiative to identify, address, and reduce the number of people with mental illness in jails.



#StepUp4MentalHealth
www.StepUpTogether.org

STEPPING UP

STEPPING UP

9 Years and Counting

More than **580** counties across **45** states have joined Stepping Up to reduce the prevalence of mental illnesses in jails.



48% of Americans live in a Stepping Up county.



40+ Innovator Counties are blazing the trail in data collection.



Approximately **2 million** times each year, people who have serious mental illnesses are booked into jails.



5 states have launched statewide Stepping Up initiatives.



The Stepping Up Six Questions Framework

1

Is our leadership committed?

2

Do we conduct timely screening and assessments?

3

Do we have baseline data?

4

Have we conducted a process analysis and inventory of services?

5

Have we prioritized policy, practice, and funding improvements?

6

Do we track progress?



Stepping Up: Four Key Measures



1. Reduce the number of people with mental illnesses booked into jails



2. Reduce their average lengths of stay in jail



3. Increase connection to treatment for people who have mental illnesses

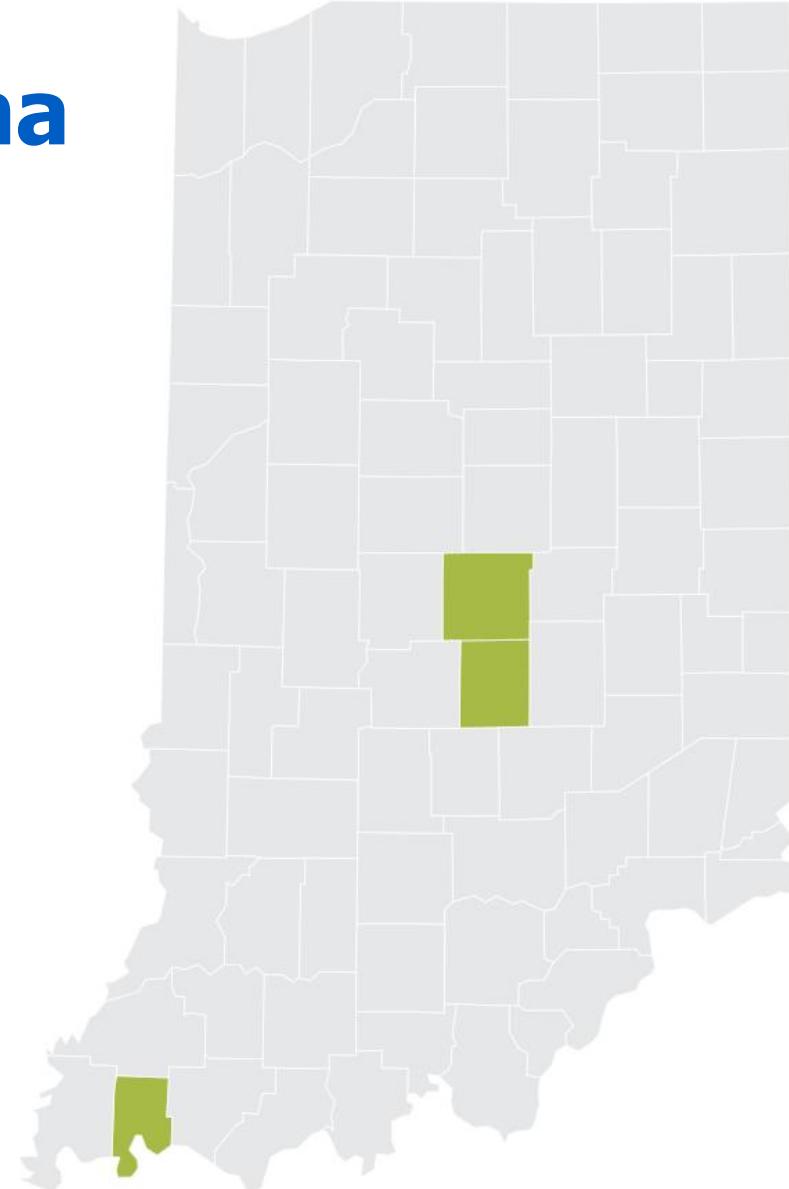


4. Reduce recidivism rates for people who have mental illnesses

Stepping Up Counties in Indiana

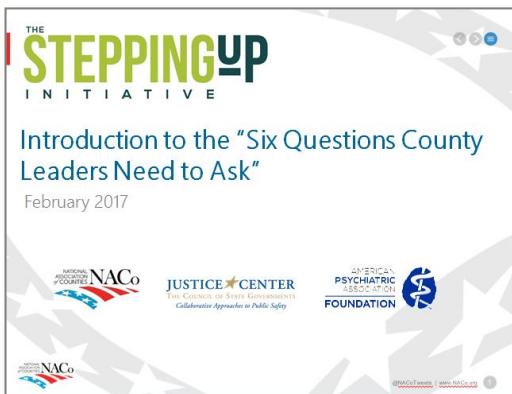
3 counties are Stepping Up to reduce the number of people with mental illness in jails.

- Vanderburgh County
- Johnson County
- Marion County (Innovator County)



Multiple Levels of Technical Assistance (TA)

Broad-Based TA



County-Level TA

DOUGLAS COUNTY, KANSAS

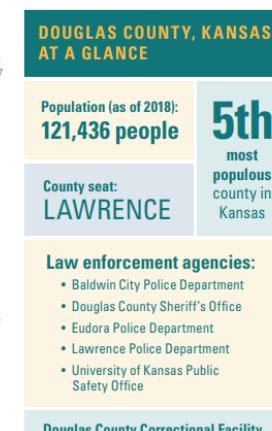
A County Justice and Behavioral Health Systems Improvement Project

Introduction

Commissioners in Douglas County, Kansas, passed a Stepping Up resolution in October 2015, joining a national movement to reduce the number of people in their local jail who have mental illnesses and co-occurring substance addictions. Launched in May 2015, *Stepping Up* is led by a partnership of The Council of State Governments (CSG) Justice Center, the National Association of Counties, and the American Psychiatric Association Foundation.

Named among the inaugural group of Stepping Up Innovator Counties in May 2018, Douglas County was recognized for its ability to gather accurate, accessible data on the prevalence of people in their jails who have serious mental illnesses (SMI)¹ to understand the scale of the problem in its jurisdiction.² Building on their unique data capacity and strong interagency partnerships, Douglas County leaders sought a comprehensive analysis of the local criminal justice system. On June 12, 2018, Douglas County's elected officials and criminal justice and behavioral health leaders—represented by the county's Criminal Justice Coordinating Committee (CJCC), established in March 2016—asked the CSG Justice Center to conduct an in-depth, cross-systems data analysis of the flow of people with SMI and co-occurring substance addictions through the Douglas County criminal justice system and to identify ways to achieve better health and public safety outcomes.

November 2019



State Initiatives

Pennsylvania Launches First-in-Nation Stepping Up Technical Assistance Center Focused on Helping Counties Reduce Number of People in Jail with Mental Illnesses

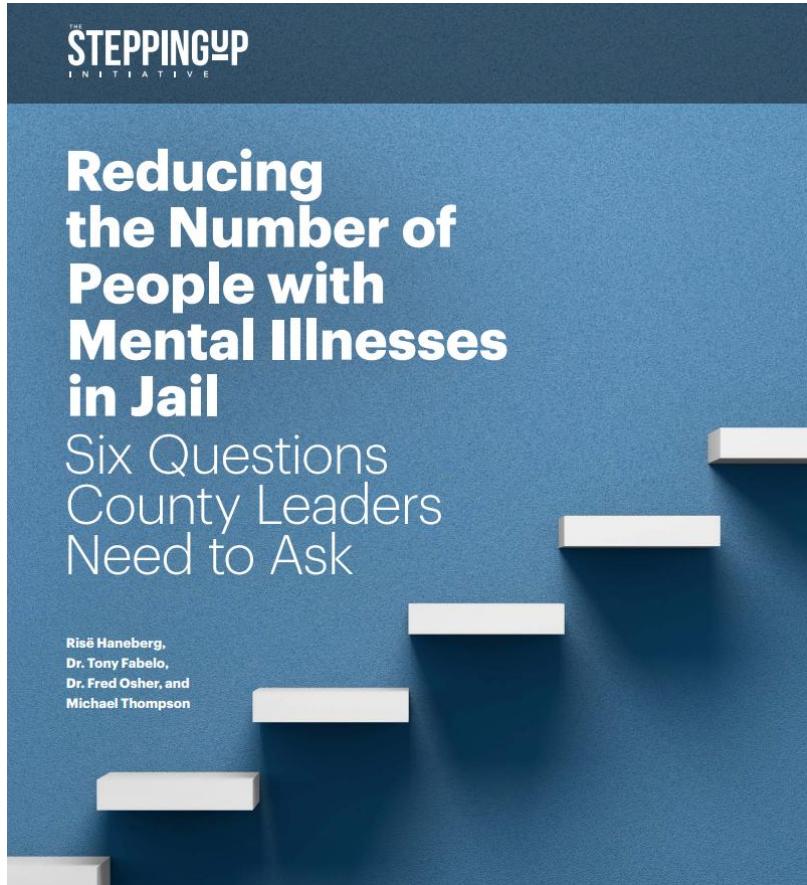


October 19, 2018
By CSG Justice Center Staff

Secretaries of Pennsylvania's Department of Health, Department of Corrections, and others launched a first-of-its-kind resource center on Oct. 15 in Philadelphia focused on helping counties reduce the number of people with mental illnesses in jail through research-driven approaches.



Key Resources to Ramp Up Justice Services



Justice and Behavioral Health Strategy Lab

Integrated mental health and substance abuse services

Local Examples

Franklin County, MA *Franklin County Sheriff's Office (FCSO)* The sheriff's department implemented a treatment program for people in the jail that is trauma-informed and integrates mental health, substance use, and primary care services.

- The result was more effective, coordinated mental health and substance use treatment and comprehensive care.
- Opened the door for multiple medication-assisted treatment options





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Leading the Field:
The Opportunity Project
Toledo Legal Aid Society

Sean McNulty, Esq. and Daniel Huesman, MSW, LISW, LIDC, IMHP

*What if **ONE**
opportunity could
change your life?*

-Marie Forleo

INTRODUCING

The OPPORTUNITY PROJECT



WHAT IS THE OPPORTUNITY PROJECT?

An initiative designed to produce **better *outcomes*** for program participants through earlier identification of client ***needs*** (alcohol/drug dependency; mental health issues; homelessness, etc.) and a more meaningful connection to appropriate ***treatment and services***.

Goals

- 1) Reduce **length of stay**;
- 2) Provide earlier **alternatives** to prosecution (diversion; reduction in charges; dismissals)
- 3) Decrease felony convictions;
- 4) Decrease the number of prison or jail sentences; and
- 5) Increase public safety!

Why Should Clients Participate?

- 1) Clients' lives may **destabilize** quickly while incarcerated (job, family, housing, finances);
- 2) Increase the likelihood of a better case outcome;
- 3) Break the cycle!

RESULTS TO DATE:

- 1) Roughly 60% of OP cases end in dismissals or are reduced to misdemeanors;
- 2) Significant reductions in length of stay for OP participants;

The Process

- Case Managers identify potential **candidates** at first appearance;
- Case Managers & attorneys meet with client within **hours**;
- Screening interview/Intake Sheet completed;
- Case Managers prepare a **proposed** plan;
- Participant **accepts** a final version of plan; and
- The case file is updated for the attorney prior to the next court date.



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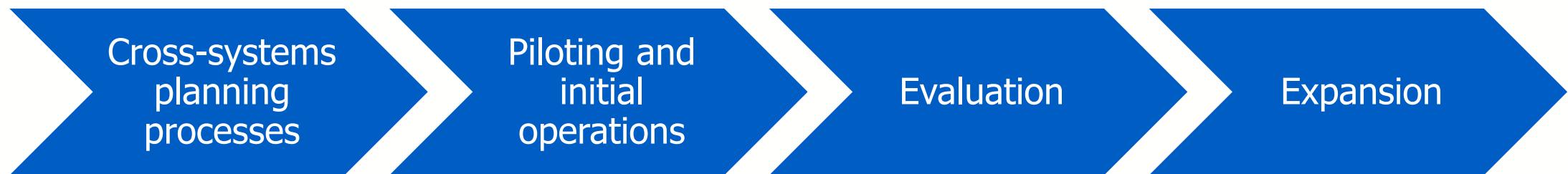
Securing and Sustaining Criminal Justice and Behavioral Health Funding

Lacy Adams, Senior Policy Analyst, CSG Justice Center

Funding for Cross-Systems Initiatives

Braided funding is a necessary part of behavioral health and criminal justice interventions.

Identify how federal, state, local, and philanthropic funding can support BH-CJ initiatives at various phases:



Resource: Supporting Justice, Behavioral Health, and Housing Collaborations through Federal Funding

Lists federal opportunities that can be leveraged to launch, sustain, or scale a variety of interventions and initiatives to reduce justice system contact for people with behavioral health needs.

Name	Agency	Overview	Focus	Eligibility	Common Uses
<u>Adult Drug Court Discretionary Grant Program</u>	BJA	Grant program supporting efforts to plan, implement, and enhance adult drug courts that integrate evidence-based substance use treatment, mandatory drug testing, incentives and sanctions, and transitional services	  	State Tribal County	<ul style="list-style-type: none">Case management and coordinationJudicial supervisionSanctions and incentives servicesSubstance use treatment and testingTransitional housing servicesHousing placement services

April 2023

Supporting Justice, Behavioral Health, and Housing Collaborations through Federal Funding

OVERVIEW
Across the country, behavioral health, housing, and criminal justice leaders are banding together to address complex public health and safety challenges that no single agency, system, or sector has the resources, ability, or responsibility to solve alone. These cross-system partnerships, including those supported by the Justice and Mental Health Collaboration Program via the U.S. Department of Justice's Office of Justice Programs' Bureau of Justice Assistance, seek to improve outcomes for people with behavioral health needs in the criminal justice system and prevent future justice system contact by strengthening systems of community-based care and supports and increasing access to housing. Yet lack of funding is often cited as a barrier to this important work, which may require new investments. These costs may include personnel, equipment, medications, data-sharing systems, and capital expenses such as building or adapting a facility—expenses few communities have incorporated into existing budgets.

Federal funding can be a key source to support the piloting, initial operations, or expansion of interventions that serve people with behavioral health needs in the justice system. Further, federal grants are often paired with training and technical assistance to help communities through the challenges of advancing and sustaining new collaborations. As communities work to establish collaborative responses across the various points of justice system contact, also known as intercepts,¹ they require a broad awareness of available funding that can be leveraged to launch and sustain these initiatives.

BROADENING THE FUNDING SEARCH
Local practitioners often have a narrow window into possible funding sources shaped by where they sit in intersecting systems. This is true at the system level (i.e., behavioral health, criminal justice, housing) and within independent agencies with unique priorities (e.g., law enforcement, jails, public housing authorities). As communities broaden their lenses by working across sectors to address complex problems at the intersection of public health and public safety, they also have a wider range of available federal funding opportunities.

¹"Intercepts" refers to points within the criminal justice system at which people with behavioral health needs can be "intercepted" and diverted into

<https://csgjusticecenter.org/publications/supporting-justice-behavioral-health-and-housing-collaborations-through-federal-funding/>

Thank You!

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<https://csgjusticecenter.org/resources/newsletters/>

For more information, please contact Audra Goldsmith at
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Question and Answer Session



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Appendix

Lucas County Information

- Lucas County, Ohio population: **426k**
- Toledo, Ohio population: **265k**
- Inmate Population at the Lucas County Jail/Pretrial Facility (Feb. 22, 2025): **277**
- ADP in the pretrial and sentenced facility has been **reduced** by roughly **40%** since 2014.