

**THE SUPREME COURT OF OHIO  
ADVISORY COMMITTEE ON MENTALLY ILL  
IN THE COURTS: A CATALYST FOR CHANGE\***

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*This is the sixteenth article from the Supreme Court of Ohio Advisory Committee on Mentally Ill in the Courts about effectively dealing with mentally ill offenders in the criminal justice system. This article chronicles the progress of the Advisory Committee and highlights some of our accomplishments.*

*Do not go where the path may lead,  
go instead where there is no path and leave a trail.*  
— Ralph Waldo Emerson

The Supreme Court of Ohio Advisory Committee on Mentally Ill in the Courts was created in June 2001 when Justice Evelyn Lundberg Stratton, Justice, Supreme Court of Ohio, identified an urgency to examine the needs of the mentally ill persons caught up in the revolving door of the criminal justice system. The Advisory Committee began with just a few individuals who gathered to exchange information and identify potential partnerships. It has since grown to approximately fifty members representing a wide spectrum of agencies and organizations, organized several working subcommittees.

The Advisory Committee is working to establish local task forces in each county to bring similar local representatives together to collaborate on issues relating to the mentally ill in the criminal justice system. We encourage each county to start mental health specialty dockets to deal with these issues, but have also found that the collaboration that results when all these groups get together goes far beyond the courtroom.

The Advisory Committee provides guidance, resources, materials and information to the local task forces. We provide role models of successful mental health court dockets, encourage Crisis Intervention Team (CIT) training for the law enforcement who deal with the mentally ill, and pass on grant and other funding opportunities to the task forces.

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## I. DIVERSION PROGRAMS: THEN & NOW

When the committee first met, there were two mental health courts in Ohio: one in the Akron Municipal Court, presided over by Judge Elinore Marsh Stormer, and a substance abuse/mentally ill (SAMI) court in Butler County Common Pleas Court presided over by Judge Michael Sage (his court differs from the Akron court because it targets felony-level dually-diagnosed offenders, i.e., those suffering from both substance abuse disorders and mental illness).

Around the same time, the Ohio Department of Mental Health issued thirteen grants to communities to establish programs for mentally ill offenders with the goal of diverting them from the criminal justice system where appropriate and to link them to community mental health services.

Now, mental health dockets are operating in Athens, Butler, Cuyahoga, Franklin, Hamilton, Hocking, Huron, Lake, Mahoning, Montgomery, Richland, Seneca, Summit and Vinton counties. In addition, mental health/criminal justice planning initiatives are underway in Allen, Athens, Clark, Clermont, Clinton, Columbiana, Cuyahoga, Delaware, Fairfield, Franklin, Hocking, Licking, Mahoning, Miami, Montgomery, Scioto, and Vinton counties.

Initiatives are developing rapidly around the state, so there may be other counties not mentioned who are in various stages of the process.

In addition to spreading the word about the success of mental health diversion programs, the Advisory Committee has accomplished many other goals.

## II. CRISIS INTERVENTION TEAM (CIT) TRAINING

The Advisory Committee has worked to encourage Crisis Intervention Team (CIT) training. CIT is a collaborative effort between law enforcement and the mental health community to help law enforcement officers handle incidents involving mentally ill people. It is the first line of defense in diverting persons with mental illness from entering the criminal justice system. Volunteer patrol officers receive forty hours of training in mental illness and the local mental health system, provided free of charge by the mental health community, providers, consumers, and family members. The training focuses on providing practical techniques for de-escalating crises.

Because our committee continually promotes CIT as a key to the collaboration effort, interest in training has exploded. We are now expanding to train parole and probation officers and even university, college, and campus police who frequently deal with troubled college students. For more information about CIT training in Ohio, please contact

Michael Woody of the Coordinating Center of Excellence at Michael.s.woody@earthlink.net.

### III. JAIL STANDARDS

Our Advisory Committee recently met with the state architect charged with designing jail cells for mentally ill detainees, who shared his frustration that he could find no standards for designing jail cells that would be appropriate for mentally ill offenders. In response, our Advisory Committee formed the Jail Standards Sub-Committee to review this issue. It has sought the advice of psychiatrists and other mental health professionals and has drafted a set of Model Jail Standards for Mentally Ill. After reviewing this matter nationally and finding very little data available on this issue, the sub-committee plans to share these standards with other states. For more information about model jail standards, please contact Scott Blough, Professor, Tiffin University, at (800) 968-6446.

### IV. IMPACTING LEGISLATION

The Advisory Committee has had the opportunity to review and comment upon at least two major pieces of federal legislation and assist in the drafting of a new Ohio Statute.

In 2000, we provided feedback that was utilized by Ohio's own Senator Mike DeWine and Representative Ted Strickland in crafting America's Law Enforcement and Mental Health Project, enacted on November 13, 2001. It provided \$4 million to establish mental health dockets throughout the nation, and three Ohio programs have since received grants from this Act—Franklin, Mahoning, and Athens/Hocking/Vinton counties.

In 2002, our committee reviewed and commented on the Criminal and Juvenile Justice and Mental Health Collaboration Act of 2001, also introduced by Senator DeWine and Representative Strickland, and now known as the Mentally Ill Offender Treatment & Crime Reduction Act. In 2003, Justice Stratton had the privilege of testifying before the Senate Judiciary Committee in support of the Act, which will provide the catalyst to encourage collaboration, planning, and implementation of programs that could become models duplicated in other communities. It encourages the collaboration model that Ohio has already successfully used, but is broad and flexible enough to deal with the different social and political environments of each community. The Act, also known as Senate Bill 1194, passed the Senate and is currently under consideration in the House.

Over two years, 2002-2003, the committee assisted the Probate Law & Procedure Committee of the Ohio Judicial Conference in drafting a statute to create a Declaration for Mental Health Treatment, a special power of attorney/advanced directive to be used specifically by individuals with

mental illness. The bill, House Bill 72, was sponsored by State Representative Scott Oelslager and became effective on October 29, 2003. Several members of the committee worked with the Ohio State Bar Association to create a model form for used throughout Ohio.

## V. EDUCATION

The Advisory Committee is not a task force that studies issues for long periods of time and produces white papers that decorate bookshelves. Rather, at each meeting we invite representatives from innovative programs around the state to share their successes with us. Many of their accounts are available as articles on the Committee's webpage, [www.sconet.state.oh.us/ACMIC/](http://www.sconet.state.oh.us/ACMIC/).

In addition, the Supreme Court of Ohio, Capital University Law School and NAMI Ohio have sponsored two National Symposia on Mental Illness and the Criminal Justice System in Columbus, Ohio. Both symposia featured many national speakers as well as Ohio judges and others with experience from successful programs.

In addition, the Court has recently obtained grant money from the Ohio State Bar Foundation to create a How-To manual and video to assist communities to develop their own mental health programs. We have also hired two full-time staff members at the court to respond to requests from local officials for assistance in establishing mental health dockets and other diversion programs at various stages of the criminal justice process. Corey Schaal, Program Manager of the Mental Health Court Program, and Kate Brunner, Program Assistant, can be reached at (614) 387-9425. We are very excited to have them on board.

## VI. HOW CAN YOUR COMMUNITY GET STARTED?

The Advisory Committee usually meets the first Monday of every month and our meetings are open to the public. You are welcome to attend and learn about successful programs currently in place in Ohio, as well as programs in the pipeline. Meetings are held at the Ohio Supreme Court's new home, the Ohio Judicial Center, located at 65 South Front Street, Columbus, Ohio.

We challenge you to bring together key parties in your community to seek solutions for the mentally ill in the criminal justice system. Rally the troops and visit some existing programs to see for yourself how diversion, where appropriate, can not only save your community tax dollars, but more importantly, save lives. As Eleanor Roosevelt once encouraged, "Do what you can, with what you have, where you are." Take that first step now. Working together, we are accomplishing great things.

Please contact Kate Brunner, Program Assistant for the Mental Health Court Program, at (614) 387-9430, for more information or to schedule a meeting for your community.

To review Justice Stratton's testimony before the U.S. Senate Judiciary Committee or to read a set of articles describing successful programs already in place around Ohio, please log onto the Advisory Committee's webpage at [www.sconet.state.oh.us/ACMIC](http://www.sconet.state.oh.us/ACMIC).