

TREATING THE DUAL DIAGNOSED OFFENDER IN YOUR CBCF*

JAKE E. JONES**

This is the fifth article in a series about effectively dealing with mentally ill offenders in the criminal justice system. Justice Evelyn Lundberg Stratton, Supreme Court of Ohio, has had a longtime interest in developing solutions to this problem and has formed the Supreme Court of Ohio Advisory Committee on Mentally Ill in the Courts. This article highlights the NorthEast Ohio Community Alternative Program (NEOCAP), which now provides an intense comprehensive treatment program that addresses chemical dependency, employment, education, medical, housing, and legal and cognitive behavioral issues with all offenders.

Consider a typical case. Jim is diagnosed with schizophrenia while he is in juvenile court. As he becomes an adult, his mental illness grows worse, and he loses contact with his family. Unable to find work, Jim turns to crime. With what little money he has, he finds that drinking helps stop the voices in his head. One day, Jim is spotted on a busy city sidewalk pacing back and forth, gesturing and talking to himself. Onlookers observe Jim knock out a window and climb into a city building. Officers arrest him for disorderly conduct, public intoxication, and breaking and entering. Jim's lawyer recognizes that Jim is mentally ill, but believing it is best for his client to keep his involvement with the criminal justice system to a minimum, he encourages Jim to plead guilty. Jim serves a short jail sentence and is discharged in the middle of the night. He still has no place to live, no medications for his illness, no doctor, no insurance, and no food. Two weeks later he is picked up again for theft and finds himself back in jail.

Jim's story illustrates the revolving door problem that has developed in this country where jails and prisons have become the de facto mental health system of our day. But if Jim had been arrested in Trumbull, Portage, Lake, Geauga, or Ashtabula County, Ohio, his luck might have changed. Those five counties are fortunate enough to have a Community-Based Correctional Facility that treats offenders with both mental illness and substance abuse problems. It is helping people like Jim.

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** Deputy Director, NorthEast Ohio Community Alternative Program.

Community-Based Correctional Facilities (CBCFs) are residential programs that provide comprehensive treatment for offenders on felony probation. They provide an in-house alternative to jail or prison. CBCFs provide programs to address a wide range of issues, such as chemical dependency, education, employment, and family relationships. There are currently 17 CBCFs in Ohio with two more in various phases of planning and construction. In fiscal year 2001, 17 CBCFs serviced 87 of 88 counties and diverted approximately 4,617 offenders from the state prison system.

Traditionally, however, Jim would not have been a candidate for most CBCFs. Historically, most CBCFs rejected offenders who were both chemically dependent/mentally ill offenders, largely due to their need for psychiatric medication and a psychiatrist's involvement. The majority of these offenders found themselves unable to pay for their psychotropic medications because they lost any medical benefits upon placement in a CBCF, but the CBCF lacked the resources to cover this high cost of treatment.

This is a problem because, depending on which statistics you believe, 70-80% of incarcerated offenders have both a substance abuse problem and a mental illness. By excluding mentally ill offenders from CBCFs, we only increase the growing problem that mentally ill offenders pose, not only for their own treatment, but also to their families, the local jails, and the community in which they live. As mentally ill offenders go untreated and unchanged, they continue to place a huge burden on the community because they cannot stay sober, keep a job, or find a place to live. This often results in more offenses, and the cycle starts all over.

In January of 2002, that all changed here at the NorthEast Ohio Community Alternative Program (NEOCAP), a regional CBCF which serves as a sentencing option for adult felony offenders from the common pleas courts of Trumbull, Portage, Lake, Geauga, and Ashtabula Counties.

NEOCAP wanted to develop a treatment program to serve offenders with *both* chemical dependency and mental health needs, and sought out alternative funds that would pay for the psychotropic medications and the other needed psychiatric services. In January 2002, NEOCAP was awarded a Residential Substance Abuse Treatment grant from the Ohio Office of Criminal Justice Services (OCJS). This grant funds the purchasing of psychotropic medications, the services of a psychiatrist, and a full time Dual Diagnosis Treatment Specialist. With these added services, NEOCAP started accepting Dual Diagnosed offenders being sentenced in the common pleas courts of its region.

NEOCAP now provides an intense comprehensive treatment program that addresses chemical dependency, employment, education, medical, housing, and legal and cognitive behavioral issues with all offenders. Those with mental illness must first become stabilized in order to participate in their personal treatment plan. Offenders admitted to the

NEOCAP program are required by Residential Substance Abuse Treatment guidelines to be in residency six months.

The Office of Criminal Justice Services has made this a pilot project. Addressing medication needs is an innovative change in procedure that OCJS recognized needed to be taken. Domingo Herraiz, Director of the Ohio Office of Criminal Justice Services, says, "OCJS selected this project in an effort to develop options within Ohio to address offenders with both mental health and substance abuse problems who may not receive adequate treatment. This lack of services results in a less effective justice system as offenders revolve in and out of Ohio's courts—their underlying mental health needs undiagnosed and untreated. One of the most promising means of addressing this significant system need is through mental health courts." OCJS currently supports Ohio's mental health dockets with funding and participation on the Supreme Court of Ohio Advisory Committee on Mentally Ill in the Courts.

Are we successful? It is of course too soon to tell in any definitive way, but the early results are good.

- To date, eleven of the thirty-four offenders who have been accepted have successfully completed the Dual Diagnosis Treatment Program.
- Five out of the eleven have returned to the community with viable employment.
- All eleven were released with their mental illness stabilized, with a workable sobriety maintenance plan, viable housing, and connections to their local mental health and chemical dependency agencies.
- To date, six residents did not make a successful adjustment to the program and had to be negatively terminated.
- However, there are currently twenty-five residents in the program, and several are on track to complete the program in the near future and return to their communities as stable, contributing, productive citizens.
- A waiting list has been established to meet the needs of the courts.

These early results are encouraging, and we believe they will only improve as both we and the courts gain more experience with the process.

OCJS has recently committed to continue funding of this program through June of 2003. The Supreme Court of Ohio Advisory Committee on Mentally Ill in the Courts hopes that this program can become a model for all CBCFs.

Learn more about NEOCAP's Dual Diagnosis Program from Jake E. Jones, Deputy Director, at (330) 675-2669, Ext. 134.