



NAMI
National Alliance on Mental Illness

New Hampshire

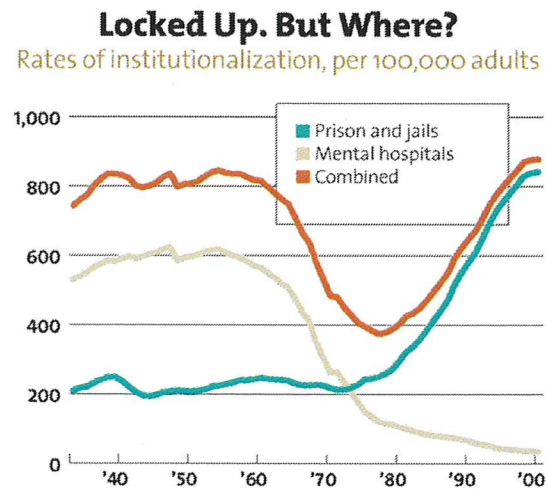
January 22, 2019

The Honorable Chairman Martha Hennessey
Senate Judiciary Committee
State House Room 100
107 North Main Street
Concord, NH 03301

Madam Chairman and Members of the Committee:

My name is Susan Stearns and I am the Deputy Director of NAMI New Hampshire (National Alliance on Mental Illness). On behalf of NAMI NH, I am here to testify in support of Senate Bill 51. NAMI NH's Executive Director, Ken Norton, would be here to do so himself, but he has been called for jury duty and asked me to testify in his absence. In the interest of full disclosure, I volunteer as a board member for Lakes Region Mental Health Center where I have a loved one who receives services.

It is important to look at mental health courts in the context of the larger mental health and criminal justice system overall. This first chart is from a study done by Bernard Harcourt from the University of Chicago School of Law in 2011 about institutionalization of people with mental illness. The graphic demonstrates the sobering fact that institutionalization rates have changed little over the past 70 years. The number of people in hospital settings has decreased dramatically, while the number of people with mental illness incarcerated in jails and prisons has increased just as dramatically.



While NAMI NH firmly believes that people who commit serious crimes should be prosecuted, we are opposed to the increasing criminalization of people with mental illness. Research indicates that mental health courts reduce new arrests and days spent incarcerated, increase treatment engagement, reduce corrections expenditures, improve overall health outcomes, and, most significantly, reduce human suffering. But there are not enough mental health courts nationally or here in NH. Our state currently has 10 mental health courts in 6 counties. Those mental health courts are driven by several factors, most notably strong community partnerships that include judges, and investment of money and resources by their counties. Although the

Find Help, Find Hope

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work of these local projects is commendable, not everyone in NH who is eligible for mental health court has access to one. Your access depends upon where you are arrested and reside.

Nearly weekly, we receive calls to the NAMI NH Information & Resource Line from family members whose loved one with mental illness has been arrested and is being held in the county jail, often with no treatment and frequently awaiting a bed at NH Hospital. Far too often, we receive calls from family members whose loved one was at a local hospital, boarding in the emergency department waiting for a bed at NH Hospital when they became agitated and aggressive, leading to arrest and diversion from the ED to the county house of corrections. Sunday, there were 39 adults and 6 children waiting for beds at NH Hospital. Of those 39 adults, we know that 4 were being held in county correctional facilities. We believe that the number of individuals awaiting a bed at NH Hospital in county jails is actually higher as individuals do not always appear in the NH Hospital queue, despite our direct knowledge that they are in the jail awaiting an admission.

When we receive those phone calls to our Info & Resource Line, we hold our breath after asking where someone’s loved one was arrested, hoping that it will be in a jurisdiction with a mental health court. It is heartbreaking when we have to tell a family that there is no mental health court in that area – that their loved one will not have access to an alternative sentencing program that could provide them with treatment and supervision, working to build a full life in their community, instead of being incarcerated.

While legislation, RSA 490-H, was passed in 2014 requiring that NH mental health courts follow the best practice *10 Essential Elements of a Mental Health Court*, implementation of mental health courts still occurs at the local level, and there has been no significant increase in the number of mental health courts. The commission to be established by this legislation will yield a report that can help guide NH as we look to expanding mental health courts statewide and ensuring equal access for justice-involved individuals with mental illness.

Data collection and analysis varies among NH’s mental health courts, but data out of Hillsborough County’s Community Connections Mental Health Court has demonstrated significant cost savings – with a total of nearly \$500,000 saved in 2015 alone.

Community Connections Mental Health Court | Hillsborough County, New Hampshire
Program Statistics | CY 2010 – 2015

	2010	2011	2012	2013	2014	2015
# Unique Individuals	235	309	290	302	323	346
Total Jail Days Saved <i>Deferred, Suspended & Days Out on Bail</i>	12,178	28,436	29,472	29,149	57,664	62,502
Average # Bed Days Saved/Individual	51	92	101	97	179	181
Jail Days Savings (@ \$3.18/day)	\$ 38,726	\$ 90,426	\$ 93,721	\$ 92,694	\$183,372	\$198,756
Actual Medications Cost Saved	\$ 65,041	\$ 141,106	\$ 149,684	\$ 101,759	\$402,494	\$299,386
Total Savings	\$ 103,767	\$ 231,532	\$ 243,405	\$ 194,453	\$585,866	\$498,142

Community Connections is a robust collaborative project that was developed and is still to this day guided by the Hillsborough County Coalition on Mental Health & Justice. On the Coalition are individuals from the community mental health centers (CMHCs), courts (judges and clerks), public defenders, prosecutors, families, law enforcement, hospitals, the Office of the Forensic Examiner, providers for the homeless, legislators, the VA Medical Center, and drug courts. There is a mental health court liaison for both Hillsborough South and Hillsborough North (each an employee of the respective CMHC in the region). The number of open individuals on each mental health court liaison's caseload exceeds 90 on any given day (for an approximate total of 180 county-wide).

I have been privileged to serve as the Coalition's facilitator for the past ten years. Based on this experience, and on behalf of NAMI NH, I am suggesting an amendment to Senate Bill 51 to include as members of the commission:

- a representative of the New Hampshire Public Defender and
- a prosecutor appointed by the County Attorney Affiliate of the NH Association of Counties.

We know that mental health courts save money, and improve outcomes for individuals, families and communities. If Ken were here, he would tell you of his firsthand experience with his family member's mental illness and co-occurring substance use disorder, and their repeated incarcerations. He would tell you of the struggles he, a mental health professional, and his wife, an experienced prosecutor, faced trying to help their loved one. He would tell you of the anguish of watching his loved one caught in the seeming revolving door of the county jail and the pain of knowing his family member needed treatment and supervision, not incarceration.

Ken would also say, "If justice is blind, how someone's crimes are dealt with should not depend upon where they are arrested, live or what court they are tried in."

For all these reasons, on behalf of the thousands of families like Ken's here in the Granite State, I urge you to vote "ought to pass" on SB 51.

Thank you.

Respectfully,



Susan L. Stearns
Deputy Director