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COMMUNITY CONNECTIONS



Mental Health Court Program for Adults

A Program of the Mental Health Center of Greater Manchester

COMMUNITY CONNECTIONS PROGRAM

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COMMUNITY CONNECTIONS PROGRAM

MISSION STATEMENT

Community Connections Program seeks to provide an effective and meaningful alternative to the traditional criminal justice system for individuals with a mental illness. Our goal is to provide prompt intervention, education, and treatment in order to improve the quality of the individual's life, promote recovery and reduce recidivism.

COMMUNITY CONNECTIONS PROGRAM

GENERAL DESCRIPTION

Community Connections is an intensive and comprehensive mental health court program designed as an alternative to the traditional criminal justice system. The Program strives to hold its participants accountable for their behavior while also holding the community accountable for quality care of the individual.

The Community Connections Program is guided by the following principles:

- 1) Maximize the communication and cooperation between the mental health system and the criminal justice system;
- 2) Improve access to community mental health services;
- 3) Expedite case processing time with a team approach;
- 4) Reduce recidivism;
- 5) Better protect the safety and well-being of the community;
- 6) Identifying appropriate treatment for identified defendants;
- 7) Ensure that consequences for non-adherence with the treatment plan is timely and graduated to fit the circumstances;
- 8) Develop a community based comprehensive treatment plan which includes education, vocational, self-help and counseling services; and
- 9) Encourage family members and others involved in the care of the individual to participate in the treatment and recovery process, as appropriate.

An individual may apply for admission into the program as part of the disposition of any non-violent criminal matter including Violations, Misdemeanors and Felonies. The applicant will be assessed by the Court Liaison in the areas of psychological concerns, substance abuse, education, life skills and vocational skills. If determined eligible for the program, the applicant may then undergo further assessment(s) as deemed appropriate. Once the applicant begins their mental health treatment, a treatment plan will be developed with input from the applicant, their treatment team, the Court liaison and possibly the court. In situations where there is co-occurring substance abuse, the treatment plan will include a substance abuse component that may require the participant to undergo an evaluation by a LADC and comply with recommendations.

All eligible applicants who wish to enter into Community Connections as part of the resolution of their case, will be asked to sign a one year contract of commitment to the program. The contract will be reviewed in the presence of the client's defense counsel with the Liaison. If the applicant does not agree with the contract agreement, they would not qualify for Community Connections and may withdraw any plea before the court.

Treatment will be monitored by the Court Liaison in order to ensure the participant is complying with the treatment plan. Participants must authorize any treatment providers to disclose to the Court Liaison any noncompliance with the treatment plan, such as missed appointments, lack of engagement in the treatment process, substance abuse or failure to take medications as prescribed. The purpose of these disclosures is to quickly detect any noncompliance and address the situation promptly and effectively.

COMMUNITY CONNECTIONS PROGRAM **PROGRAM INFORMATION**

What is Community Connections Program?

Community Connections Program was created by the court, mental health providers, prosecutors and defense counsel in order to provide sentencing alternatives to individuals with a mental illness who are involved in criminal matters. The program integrates treatment into the resolution of the case. The fundamental principal of the program is that people who engage in criminal behavior *due to their mental illness* should undergo appropriate treatment in order to modify their behavior and achieve recovery. Punishment, such as jail alone, has proven to be ineffective and inappropriate.

The program is run through Hillsborough County District Courts and is administered by GNMHC and MHCGM. Someone charged with a crime can enter the program on one of two tracks. In all cases the agreement should specify what will happen if the participant complies with all of the terms and conditions of his or her particular agreement.

Track One: "Conditional Nol Pros" Agreement

The first track is when the program is ordered as part of a Conditional Nol Pros agreement. Under a conditional nol pros agreement, the State agrees to enter a nolle prosequi (dismissal) to the pending complaints with the understanding that the participant will remain of good behavior as defined by the agreement, comply with all of the requirements of their treatment plan, and abide by any and all other terms and conditions set forth in the agreement for a period of up to one year from the date the agreement is entered with the Court. The Defendant will be required to waive his/her right to speedy trial and may be required to waive any defense regarding the statute of limitations under such an agreement. As the matters before the Court under this track have been dismissed no further hearing dates will be scheduled provided the participant remains in compliance to the satisfaction of the prosecutor.

Track Three: Conviction with Conditions

The second track is when the program is ordered as a condition of either a deferred, suspended, or split sentence. Under this track, the participant is convicted of all or some of the charged offenses. As part of the sentence, the participant is ordered to comply with the treatment plan, remain of good behavior as defined by the parties, and may be subject to other conditions including probation. If the participant fails to comply with all of the terms of the sentence under this track, the State may seek to impose stand committed jail time either through a motion to impose or through a contempt proceeding. Under this track, the participant may be ordered to appear for additional hearings (e.g. deferred sentence hearing).

Who is eligible for the program?

Any person who has been charged with a non-violent violation, misdemeanor or felony level offense. All cases are considered on a case by case basis. The individual must have a diagnosed or diagnosable mental illness that contributed to the behavior resulting in the charged offense. Prior criminal record may have an impact on both track and on eligibility for the program.

How do I get into the program?

Referrals to the Community Connections Program can come from a number of different sources including the bail commissioner (prior to arraignment), prosecutor, defense counsel, treatment provider, family members or the court.

Once a referral is received, the Court Liaison will explain the program to the individual and the defense attorney (if one has been appointed). If both parties are interested, an initial assessment to determine eligibility will be conducted by the Court Liaison. Additional evaluations may be recommended. If the person is deemed eligible for the program, the prosecution will be notified. If all parties agree that the participant is appropriate to enter the program, a contract will be reviewed, signed, and provided to the court for their record. In addition, a treatment plan incorporating the evaluations and input from the providers, prosecutor, participant and attorney will be created, and the basis for the individual's mental health treatment.

Am I required to enter the program?

No. This is a voluntary program. A participant must sign an agreement ("Contract") before entering the program.

Who is the Court Liaison?

The Court Liaison is an employee of GNMHC or MHCGM and serves as a liaison between the court, treatment providers, prosecutor, participant and his/her attorney. The Court Liaison determines eligibility for the program, arranges evaluations and provides feedback to treatment providers regarding the treatment plan.

What is a Treatment Plan?

The treatment plan outlines the specific treatment a participant must comply with as part of the program. A treatment plan is created for each participant and typically includes counseling, taking prescribed medication, education/vocational rehabilitation and substance abuse treatment, if deemed appropriate. The treatment plan is in writing and is kept on file with the treatment provider, as well as the liaison.

Who creates the Treatment Plan?

The treatment plan is developed by the participant and a team of people consisting of the Court Liaison and treatment providers. Family members or guardians responsible for the care and supervision of the participant may also have input into the plan. Some legal resolutions include treatment related stipulations that may be incorporated into the treatment plan as well.

Must I receive treatment at GNMHC or MHCGM?

Treatment can be provided by any treatment provider if agreed by the program.

Do I have to go back to court?

The court will determine the need for periodic review hearings to check on compliance with the treatment plan. If the program is part of a deferred sentence, you will have a deferred sentence hearing in approximately one year. Upon successful completion of the program, there is a graduation ceremony at the court.

What happens if I do not comply with the treatment plan?

Initially there will be a meeting between the Court Liaison and participant to discuss the alleged infraction and any modification(s) to the treatment plan and agreement that may be appropriate. If such an intervention is not effective in addressing the concern, the defense attorney (if applicable) will be contacted, as well as the prosecutor in some cases. If there is no resolution to the concern after these steps are taken, the participant's Community Connections Contract will be terminated and the charge returned to the typical legal system.

If the participant disputes the infraction or a modification cannot be agreed to, the prosecutor will file the appropriate motion with the court and a hearing may be scheduled on the State's motion. If the participant is found not to be in compliance then a modification can be ordered by the court, or the participant may be terminated. If terminated from the program then A) a trial on the pending charge(s) may be scheduled if, the participant was subject to a conditional nol pros agreement or B) the sentence or any portion thereof may be imposed, if it was a suspended/deferred sentence. If an individual gets terminated from the program, the Liaison may be subpoenaed by the prosecution to provide information as to the reason for the termination.

What happens when the term of program ends?

If the participant has remained of good behavior, complied with all of the terms of his/her sentence or agreement and has complied with the treatment plan then depending on the participant's particular track and the specifics of the negotiated agreement, one of the following things *may* occur:

Track One: Conditional Nol Pros

If the participant has complied with all of the terms and conditions of his or her conditional nol pros agreement including compliance with the treatment plan, then at the conclusion of the period specified in the agreement, the State would no longer be able to re-file the charge(s) that was the subject of the agreement and the case would be closed.

Track Three: Conviction with Conditions

If the participant has complied with all of the terms and conditions of his or her sentence including compliance with the treatment plan, then the participant will receive the benefit of their negotiated plea agreement. If the Defendant has been sentenced to a deferred (postponed) sentence, then at the subsequent deferred sentence hearing pursuant to the plea agreement, the Defendant may have his or her sentence further suspended for a specified period or the case closed out. If the Defendant has been sentenced to a suspended (held in abeyance) sentence, then the case may be closed out.

COMMUNITY CONNECTIONS PROGRAM

CONTRACT

I, _____, understand that I have qualified to enter the Community Connections Program. Court Liaison and/or my attorney have explained the following conditions to me and I am voluntarily entering the Program under those conditions (listed below):

- (1) I agree to follow the Individual Treatment Plan developed by my provider.
 - (a) I will fully participate in treatment as recommended by my provider/treatment team;
 - (b) I will take all medications as prescribed by my treatment provider;
 - (c) I will attend all individual and group counseling appointments with my provider(s). If I am unable to keep an appointment I will call my provider in advance to reschedule; and
 - (d) I will follow all other terms in my Individual Treatment Plan.
- (2) I will attend all scheduled court appearances and will bring any required documentation from my providers to each appearance.
- (3) I will remain of good behavior as defined by the parties and by law;
- (4) I understand that if I do not follow any of these conditions, the Court Liaison will report my non-adherence to the Prosecutor. The Prosecutor may use this report to file a motion with the court. Before any motion is filed, a meeting may be held between the Prosecutor, Court Liaison and my attorney, if I am represented, to discuss possible alternatives for resolving these issues outside of Court in an effort to secure my continued participation in the Program.
- (5) If any motion is filed alleging my failure to comply with the terms of any sentencing order, agreement, or with my plan, I will be required to appear before the Judge at a hearing. My attorney, if I am represented, will appear with me at this hearing. I understand that I will be entitled to due process at this hearing.
- (6) If I choose to leave the Program, I will notify Court Liaison and my attorney immediately, and I understand that the Court will redirect my case back through the normal court process.

(7) I understand and agree that one year after ending the Community Connections Program a criminal records (NCIC) check will be done to follow-up on my status.

(8) Additional Terms and Conditions (if needed)
Meet with the court liaison on a minimum of a bi-weekly Basis.

The defendant waives any right to a speedy trial on this matter and understands that if any condition above is breached the State may motion to reinstate the charge(s).

Participant Signature Participant Printed Name Date

Attorney for Participant Signature Attorney's Printed Name Date

Court Liaison Signature Court Liaison Printed Name Date

Prosecutor Signature Prosecutor Printed Name Date

Approved, so ordered (not required for Track 1)

Justice Signature Justice Printed Name Date

CRIMINAL RECORD CHECK CONSENT

I, _____, _____, authorize
Print Clients Name Date of Birth

The Community Connections Program to obtain a copy of my state and national criminal record from the _____ Police Department, in addition to a motor vehicle record at anytime during my participation within the program. The information obtained is to be used to determine acceptance and compliance with the Community Connections Program contract, which requires me to remain arrest free and to report any contact with law enforcement.

I further authorize the Hillsborough County House of Corrections to obtain a copy of my state and national criminal record, in addition to a motor vehicle record at anytime after my completion of the program. This authorization shall expire 3 years from the date of successful completion of the program and shall be used to evaluate program effectiveness and recidivism only.

Client Signature Date

COMMUNITY CONNECTIONS PROGRAM

HILLSBOROUGH COUNTY NORTH
CONTACT INFORMATION

For further information on the Community Connections Program contact:

Nick Pigeon, MSW, Court Liaison (ext 5321)
Jen Devoe, LCMHC, Program Supervisor (ext 5342)

The Mental Health Center of Greater Manchester (MHCGM)
1555 Elm St, 2nd floor
Manchester, NH 03101
Tel: (603) 668-4111

Other contact information:

N.H. Public Defender's Office
20 Merrimack Street
Manchester, NH 03101
Tel: (603) 669-7888

Manchester Police Department
405 Valley Street
Manchester NH 03103
Tel: (603) 668-8711

Goffstown Police Department
326 Mast Rd
Goffstown NH 03045
Tel: (603) 497-4858

All Circuit Court locations: 1-855-212-1234

9th Circuit Court (Manchester)
35 Amherst Street
Manchester, NH 03101

9th Circuit Court (Goffstown)
329 Mast Road
Goffstown, NH 03045