



Plymouth Mental Health Court

2nd Circuit Court- District Division- Plymouth

PARTICIPANT HANDBOOK

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MISSION STATEMENT

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

GENERAL DESCRIPTION

PMHC is an intensive and comprehensive mental health court program designed as an alternative to incarceration.

The PMHC 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) Improve appropriate treatment for identified defendants;
- 7) Ensure that consequences for non-compliance with the treatment plan be swift and graduated to fit the circumstances;
- 8) A Treatment Plan is created with each individual and typically includes, but is not limited to, counseling, case management, taking prescribed medication, educational/vocational services and substance abuse treatment (if appropriate);
- 9) Allow family members and others responsible for the care of the participant to become involved in the treatment and recovery process under the appropriate circumstances.

An individual may apply for admission into the Program as part of the disposition of any criminal matter. The applicant will be assessed by the Case Manager or clinician in the areas of psychological issues, substance abuse, education, life skills and vocational skills. Other specialized assessments may be ordered as necessary. If determined eligible for the Program, a Treatment Plan will be developed by GBH with input from the applicant and, where appropriate, other interested parties. In situations where there is a co-occurring substance abuse disorder, the Treatment Plan will include a substance abuse component. The Treatment Plan will be reviewed and signed by the applicant and his/her counsel. If the individual does not agree to the Treatment Plan, then he or she may not qualify for PMHC.

Treatment will be monitored by the Case Manager in order to make sure the participant is complying with the Treatment Plan. Participants must authorize any treatment providers, including doctors and counselors, to disclose to the Case Manager any noncompliance with the Treatment Plan such as missed appointments, substance abuse or failure to take medications as prescribed. The purpose of these disclosures is to quickly detect any problems and address the situation promptly and effectively.

PROGRAM INFORMATION

What is the PMHC Program?

The PMHC was created 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.

The Program is run through the 2nd Circuit Court - District Division - Plymouth, and mental health services are provided by Genesis Behavioral Health (GBH).

An applicant can be considered for PMHC on one of two tracks.

TRACK 1: Someone charged with a crime can enter the Program on one of two tracks. In the first track (TRACK 1) the defendant maintains his/her plea of “not guilty” and enters into an *Agreement to Continue for Dismissal*, an agreement in which the person waives his or her right to a speedy trial, stipulates to sufficient facts for an entry of conviction, and the case is continued, without a guilty finding, for a designated period. During this period, the person must remain of good behavior and comply with his/her Treatment Plan and comply with the other PMHC Program rules.

TRACK 2: The defendant is ordered to enter into the Program as part of a *suspended or deferred sentence*, where the defendant pleads “guilty” to the charge. A sentence, such as jail time, is suspended or deferred for a designated period of time during which the person must remain of good behavior and comply with his/her Treatment Plan. A defendant must voluntarily agree to enter PMHC. If a defendant is not interested in applying to and meaningfully participate in PMHC, a defendant will not be accepted into the Program.

What is a Treatment Plan?

A Treatment Plan outlines the specific treatment a participant must comply with as part of the Program. A Treatment Plan is created for each individual 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 incorporated into the court orders.

Who creates the Treatment Plan?

The Treatment Plan is mainly developed by the participant, the Case Manager and a team of treatment providers. The PMHC Team includes the Judge, the Mental Health Court Coordinator, the Case Manager, treatment providers, local law enforcement, the NH Dept. of Corrections, prosecutor and defense counsel representatives, and will be monitoring the participant’s progress in his/her Treatment Plan. Family members or guardians responsible for the care and supervision of the participant may also have input for the Treatment Plan. A needs assessment will also be developed.

Who is the PMHC Case Manager?

The PMHC Case Manager is an employee of GBH. The PMHC Case Manager assists with determining applicant eligibility for the PMHC Program, prepares the Treatment Plan in conjunction with the participant and a team of treatment providers, and provides support for participants while in the PMHC program, and monitors his/her progress.

Who is the Mental Health Court Coordinator?

The Mental Health Court Coordinator is an employee of Grafton County and serves as liaison between the participant, the Court, GBH, law enforcement, prosecutors and defense attorneys, the GC DOC, the communities, families and social service providers of Grafton County, and the PMHC team.

Must I receive treatment solely at Genesis Behavioral Health?

No. While participants are usually treated by GBH, community based treatment program for the 2nd Circuit Court - District Division - Plymouth catchment area, the GBH treatment team may approve other options in the best interest of the client. If a private provider is involved they must agree to all conditions outlined by the GBH treatment team, and sign an authorization for release of information and work with the PMHC Team.

Who is eligible for the PMHC Program?

Individuals may be eligible to participate in the PMHC if they are 17 years of age or older, charged with a Class A misdemeanor pending in the 2nd Circuit Court- District Division- Plymouth, and have a diagnosed or diagnosable mental health issue that contributed to the behavior resulting in the charged offense. The defendant must not have any present charges or prior convictions involving sexual or violent offenses (select violent offenses may not exclude an individual from participation in the Program and will be reviewed on a case by case basis after thorough evaluation of the nature of the violence and appropriateness of the Program is conducted). The individual's prior criminal record may impact eligibility.

How do I get into the PMHC Program?

Referrals to PMHC can come from a number of different sources including the bail commissioner (prior to arraignment), law enforcement, prosecutor, defense counsel, treatment provider, probation officer, family member, court, etc.

All referrals will be made to the Mental Health Court Coordinator. The Mental Health Court Coordinator (and/or the applicant's attorney) will explain the Program to the individual and defense counsel. If agreed to, an application to determine program eligibility will be completed and submitted to the Coordinator. If a candidate is eligible, (s)he will be referred to GBH for an intake evaluation. Additional evaluations may be recommended. If the applicant is deemed eligible and agrees to enter the Program, a Treatment Plan incorporating the evaluations and input from the providers, prosecutor, defense counsel and applicant will be crafted. The Treatment Plan and an Agreement (for either TRACK 1 or TRACK 2) is signed by all necessary parties, and will then be presented to the Court for approval.

Am I required to enter the PMHC Program?

No. This is a voluntary Program. A participant must sign an Agreement before entering the Program.

Do I have to go back to court?

Yes. An important component of the PMHC Program involves periodic court review hearings with the PMHC team to evaluate compliance and concerns with the Treatment Plan.

What happens if I do not comply with the Treatment Plan?

If the participant is found to be in noncompliance with the Treatment Plan, then a modification may be ordered by the court or the participant may be terminated from the PMHC Program. If a TRACK 1 participant is terminated from the Program, then a trial will be scheduled for the original charges. If a TRACK 2 participant is terminated from the Program, then a "Motion to Impose" hearing may be scheduled to see if the suspended/deferred sentence warrants imposition or other sanctions.

What else does the PMHC Program involve?

Participants will work closely with the PMHC Case Manager to maximize success in the program. Participants will follow through with any lab tests requested by the PMHC Team with the cooperation of the participant's doctor to ensure that he/she is taking their medications as prescribed and are not abusing medications or drugs. Refusal will be addressed by the PMHC Team and may result in sanctions.

What if I am also on probation as part of my sentence?

Participants will have to abide by the terms and conditions of probation, like anyone else on probation.

The Case Manager will include the probation officer on all progress reports and be available to answer any probation department questions.

What happens when the term for the PMHC Program ends?

If a TRACK 1 participant has remained of good behavior and complied with the terms of his/her Treatment Plan, then a TRACK 1 participant's charges will be dismissed by the Court. If a TRACK 2 participant has remained of good behavior and complied with the terms of his/her Treatment Plan the sentence which had been suspended or deferred will not be imposed.

Outreach and Services to Potential Veteran/Service Member Referrals and Participants

The Plymouth Mental Health Court (PMHC) is pleased to be providing specialized services tailored to veteran/service member participants in the Program. The Program actively seeks to identify potential veteran referrals through a coordinated effort with the Veteran's Justice Outreach Worker (VJO) from the White River Junction, VT VA. The PMHC referral form specifically asks if the individual referred has ever served in the military. PMHC Team members and the VJO are both actively involved with all levels of law enforcement and criminal justice, therefore veterans and service members can be referred to PMHC directly or through the VJO worker, since both receive referrals from the jail and from community law enforcement. This approach attempts to ensure that veterans/service members won't slip through the cracks.

If a veteran/service member is referred to PMHC, releases are signed and, if not already involved, the VJO is pulled in to the application/evaluation process. Supports are immediately offered while the veteran/service member is being considered for the PMHC Program. The veteran/service member applicant is offered services from the White River Junction, VT VA and/or the community mental health center/Genesis Behavioral Health. This collaboration offers the best range of options for treatment and geographical proximity to supports.

Utilizing the Mental Health Court structure and Team, collaborating with the VJO and White River Junction VA (including Veteran Peer Support Specialists), and now having the option for veterans/service members to access the new VA Clinic in Littleton, we can maximize how we utilize existing resources to monitor treatment options, progress and compliance to improve the health and well-being of veterans/service members, their families, as well as the safety of our communities.

PMHC is an intensive and comprehensive Mental Health Court program designed as an alternative to incarceration for individuals with mental health and co-occurring disorders.

Veteran/service member participants are served and guided by the principles of the Plymouth Mental Health Court Program, which are to:

- 1) Maximize the communication and cooperation between mental health, substance abuse, veterans justice, and criminal justice;
- 2) Improve access to community mental health services (including co-occurring substance abuse treatment);
- 3) Expedite case processing time with a team approach;
- 4) Reduce recidivism;
- 5) Better protect the safety and well-being of the community;
- 6) Improve appropriate treatment for identified defendants;
- 7) Ensure that punishment for non-compliance with the treatment plan be swift and graduated to fit the circumstances;
- 8) Incorporate community-based educational programs, vocational training and housing supports, mental health and substance use disorder counseling, medication, peer supports and self-help, into a comprehensive treatment plan of recovery.
- 9) Encourage family members and others who provide significant natural supports to become involved in the treatment and recovery process under the appropriate circumstances.

CONTACT INFORMATION

For further information on the PMHC Program contact:

Mental Health Court Coordinator, Shelly Golden
Grafton County Attorney's Office
3785 Dartmouth College Highway, Box 7
North Haverhill, NH 03774
(603) 787-2291 (office phone)
sgolden@co.grafton.nh.us

2nd Circuit Court- District Division- Plymouth
134 Main Street
Plymouth, NH 03561
1-855-212-1234 (phone)

Genesis Behavioral Health
599 Tenney Mountain Highway
Plymouth, NH 03264
Alex Holland, MHC Case Manager
536-1118 x-312

New Hampshire Public Defender's Office
134 Main Street
Plymouth, NH 03561
(603) 444-1185 (phone)
(603) 444-1390 (fax)

Michael Owens, LCSW
VJO/HCRV Coordinator
White River Junction VAMC
215 N Main St
White River Junction, VT 05009
Phone: 802-295-9363 X 5681