

**COLLABORATION BETWEEN MENTAL HEALTH
AND DEVELOPMENTAL DISABILITIES SYSTEMS IN
SERVING FORENSIC INDIVIDUALS**

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Historical View

- **Monitoring status Law passed 1997**
- **Initially seldom applied to DD individuals**
- **Most frequently applied with MH individuals**
- **Written from MH perspective – no process developed for implementation within DD system**

Challenges for DD System

- **Adopting forensic monitoring rule to apply to practices and procedures typical of DD behavior management model**
- **Education of DD service providers to:**

Courts expectations of the treatment/service provider

Nature of the authority of the Team

Need for traditional rules of behavior management to comply with forensic monitoring rules and criminal court expectations

Therapeutic nature of status

Barriers to Collaboration

- **Diagnosing mental health in individuals with DD**
- **Lack of knowledge/understanding of each others systems**
- **Differences**
 - Terminology**
 - Perception of behavior**
 - Responsible party for service**
 - Eligibility for service**
 - Focus of service**
 - Case Managers vs Support Administrators**
 - Placement**
 - State facilities**

Cuyahoga County Model

- **CCBDD Forensic Services Unit**
- **Comprised of 5 staff: 2 work with municipal courts, 3 with common pleas court- 1 with probation, 1 with prisons and pre-adjudication process and 1 with county jail and forensic individuals**
- **Initial CCBDD consumer in forensic status May 2006**
- **Currently have 16 consumers in forensic status (ISTU-CJ and NGRI)**
- **Established goals for serving consumers in forensic status**
- **Established expectations for residential providers serving forensic consumers**
- **Memorandum of Understandings**
- **Collaborate with MH Forensic Monitor, Northcoast Behavioral Health Care System, Warrensville Developmental Center**

Goals of DD System

- To ensure health and safety of forensic consumers in least restrictive setting consistent with public safety and consumer's needs.
- To ensure compliance with Individual Service Plan (ISP), Conditional Release Plan and Behavior Plan
Staff must follow plans approved by Court in complete detail
ISP must address offending behavior within treatment format
Staff cannot minimize any behavior that the Court could potentially view as a violation
- To recognize consumer's mental health symptoms and/or offending behavior triggers or patterns prior to consumer re-offending or decompensating and to address them in the least restrictive setting.
- To work collaboratively with forensic monitor and any other agencies or providers to coordinate services and to ensure all providers are aware of consumer's conditional release status and how it may affect service delivery systems

CCBDD Expectations for Residential Providers

- **Working effectively with persons involved or at risk for involvement with the criminal justice system requires more than a willingness to support the individual. A “willing and able provider” realizes that the individual’s success correlates strongly with the provider’s understanding of the serious challenges associated with this status. The support needs will be intense and a failure to consistently provide adequate and appropriate levels of support can have serious, although unintended, consequences.**

Therefore, willing providers must be able to insure that the following can and will occur:

Notification to CCBDD regarding any consumer contact with the legal system

CCBDD Expectations for Residential Providers

Consumer compliance with any mandated parole, probation or other legally required reporting conditions

Frequent, consistent and timely feedback to the assigned SA regarding UIs, MUIs, any behavioral concerns

Ongoing communication with mandated authorities per their request

Management presence at Court hearings and other essential meetings when requested by Forensic Liaison

Compliance with and timely implementation of behavior strategies, guidelines and Behavior Support Plans (BSP), including data collection when required by clinician

Monthly contact with CCBDD clinician regarding BSP or risk assessment and on the same day in cases of significant changes in risk level as defined by the clinician involved.

CCBDD Expectations for Residential Providers

Timely enrollment into employment and treatment as determined by the team

Direct care staff receives training on implementation of behavior strategies, behavior plans and other pertinent information, including basic knowledge about the criminal justice system. Agency must document that training has been completed.

Locate and secure rental properties that reflect an understanding of community dynamics, compliance with any legal codes and community's capacity to tolerate the consumer's presence

Follow through to insure legal, programmatic and clinical appointments are kept

CCBDD Expectations for Residential Providers

Follow through to insure individual's participation in mandated and/or recommended treatment and vocational services

Management will regularly review role boundaries and job responsibilities with direct care staff

Cooperation with CCBDD, when needed, to increase community understanding and cooperation

Agency participation in CCBDD sponsored trainings to increase their competency

CCBDD will continue to offer provider support through ongoing trainings and access to our Behavioral Health Dept, Forensic Liaisons and community partners (i.e. Forensics Community Mental Health Provider) working with these consumers

Conditional Release Planning

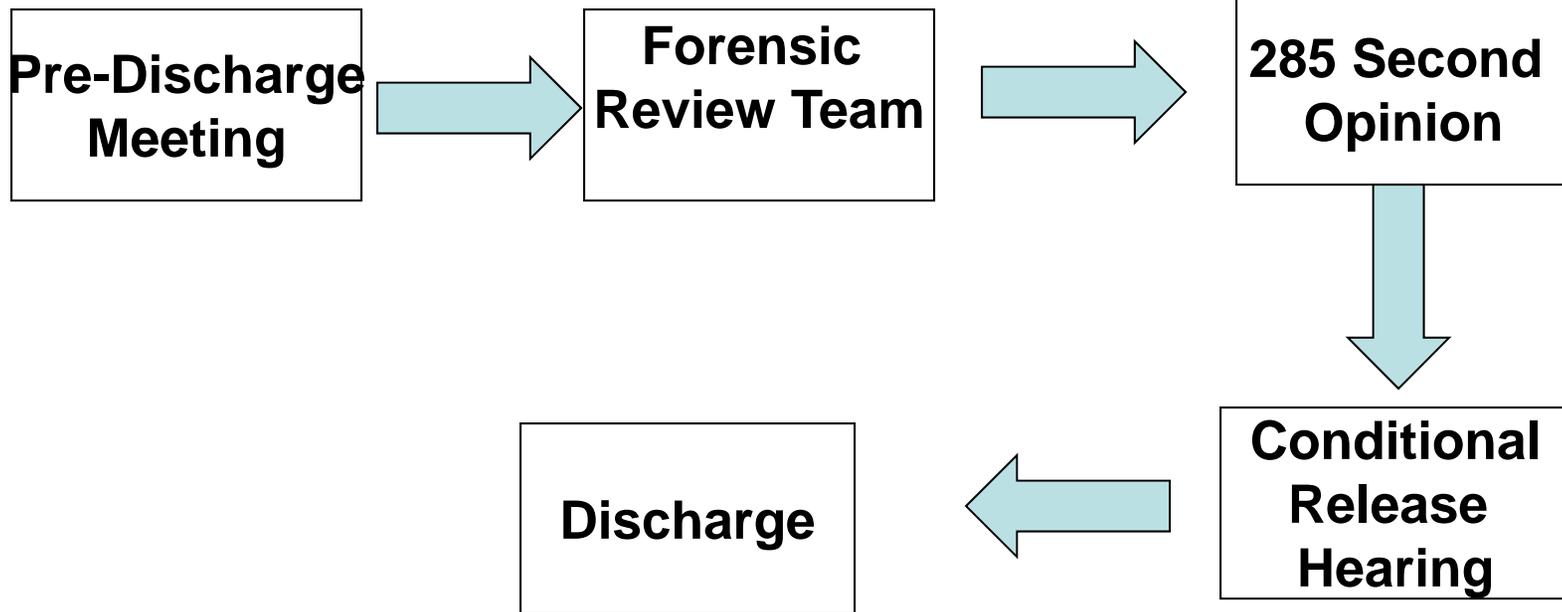
Upon recommendation from the consumer's treatment team at the State Hospital the community provider assesses and engages consumer, prior to participating in the pre-discharge meeting to create the consumer's conditional release plan.

For DD consumer, CBDD SA or designated individual should become involved at this point.

If DD consumer in Developmental Center, Forensic Monitor should relate to consumer's Qualified Intellectual Disability Professional and his habilitation team as well as CBDD SA or designated individual.

Delineation of services- who is doing what should also be decided during this process.

Conditional Release Process



Conditional Release Plan

- **A Conditional Release (CR) Plan is a comprehensive individual service plan that addresses treatment needs and risk issues for consumers that have been found NGRI or ISTU-CJ.**
- **Conditional Release Plan addresses:**
 - Psychiatric**
 - Medical**
 - Vocational/Educational**
 - Legal**
 - Housing**
 - Substance Abuse**
 - Financial**

Reporting Requirements

- **Reporting requirements are based on:**
 - Treatment needs**
 - Risk factors**
 - Journal Entry**
- **The Court can add additional requirements.**

When Violations Occur

- **Consumer's team discusses the violation and determines an appropriate course of action**
- **A letter is submitted to the Court by Forensic Monitor requesting a hearing and a capias/warrant if necessary**
- **A hearing can be held to determine the next steps and address the least restrictive setting**
- **All decisions are up to the consumer's Judge, but the Forensic Monitor, CCBDD SA, Forensic Liaison and provider will offer recommendations to the Court**