

Presidential Task Force Should Seek to Prevent Law Enforcement Encounters for People with Mental Illness

The Judge David L. Bazelon Center for Mental Health Law is urging the President's Task Force on 21st Century Policing to include recommendations in its final report that encourage states to adopt strategies to reduce encounters with the criminal justice system for people with mental illness and help states pay for the necessary services and supports, including with funds available through Medicaid expansion. Bazelon also calls on the task force to back community-based services that help people with mental illness from having confrontations with law enforcement in the first place.

A letter to the task force from Bazelon President and CEO Robert Bernstein praises recommendations in the group's interim report calling for increased law enforcement use of practices such as Crisis Intervention Teams (CIT) training and Mobile Crisis Teams (MCT) to ensure that police officers are better prepared when they encounter people experiencing a mental health crisis. The letter says the task force can build on its good work so far by adding the following recommendations in its final report to the president:

- The federal government should provide clear guidance and technical assistance to states about how to use Medicaid funding for Mobile Crisis Teams that allow a mental health professional to accompany police responding to a call involving a person with mental illness.
- States should ensure that there are both law enforcement-based and mental health system-based Mobile Crisis Teams available on a statewide basis and in sufficient numbers to respond to mental health crises.
- States should expand access to services proven to decrease encounters with law enforcement including mental health crisis services, ACT teams, and supportive housing.
- States should ensure that there are diversion programs that include mental health crisis services, ACT teams and supportive housing.
- In order to prevent recidivism, states must also provide these services as part of reentry programs for individuals who are transitioning back into the community after incarceration.
- The federal government and Congress must work to ensure that there is sufficient funding for states to implement these recommendations.

The letter cites cost savings communities are seeing from reduced incarceration and hospitalization of people with psychiatric disabilities as a result of law enforcement using tools such as CIT and MCT coupled with criminal justice diversion programs that redirect people with mental illness to community-based services such as supportive housing, substance abuse treatment, Assertive Community Treatment (ACT), supported employment and others Bazelon wants the task force to recommend.

“Police departments across the country are implementing modifications to traditional policing practices that can increase the safety of officers and of people with mental illness during police encounters,” Robert Bernstein writes. “To be truly successful, though, strategies such as

enhanced police training and mobile crisis teams must be coupled with community-based mental health and addiction services—those that help individuals with mental illness avoid police encounters in the first place and those that help reduce the risk of recidivism upon release from police custody or incarceration.”