



# Mental Health : Lived Experiences



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Online at:



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jennyclarke848 to 22333 to  
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# Mental Health: Lived Experiences

PRESENTED BY:

HON. LAWRENCE BROWN – *SUPERIOR COURT OF SACRAMENTO*

TRINA HATLER – *PROGRAM COORDINATOR, TSCORE*

# Session goals

1

Learn about and from the experiences of court users with mental illness

2

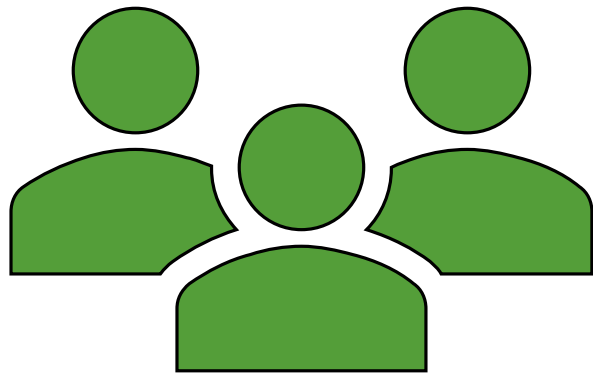
Improve public trust and confidence in the courts

3

Identify court behaviors that might indicate a mental health crisis

4

Discuss effective strategies for communicating with all court users

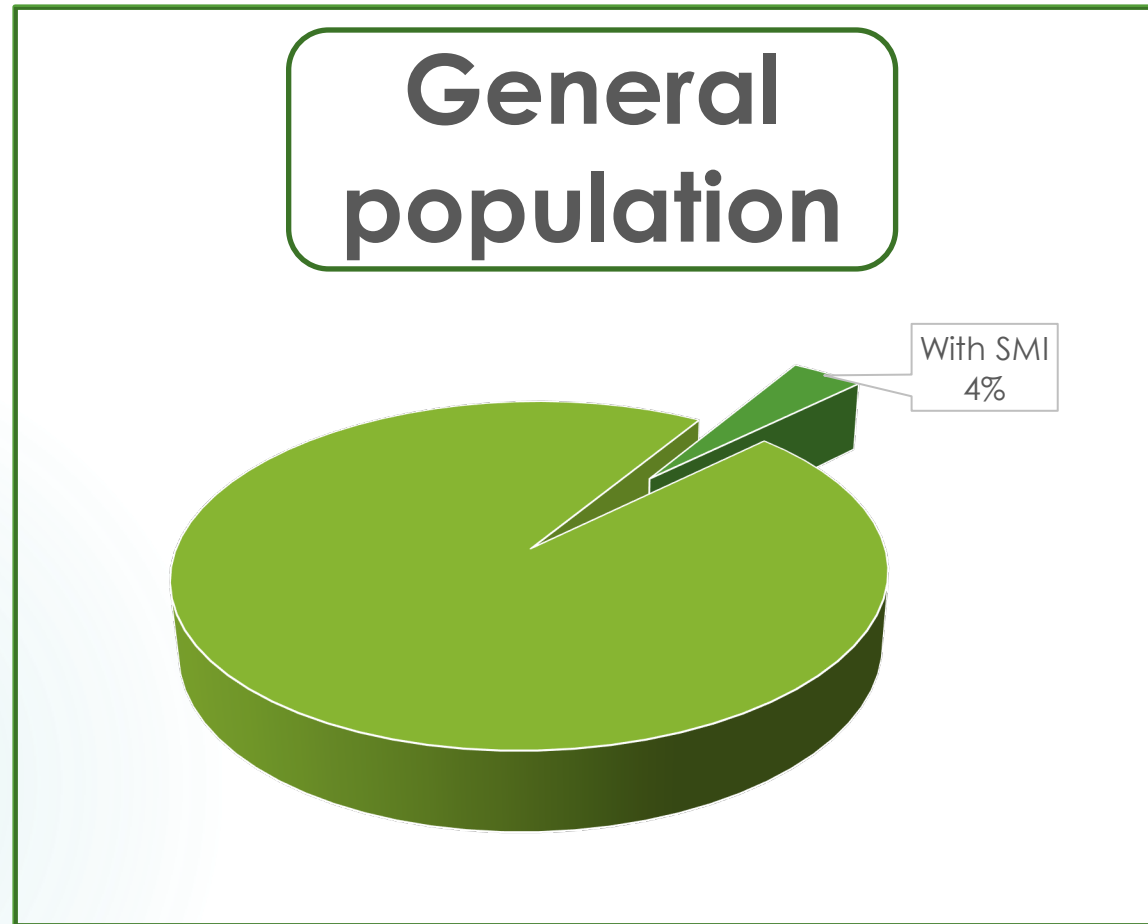


# Who is this webinar for?

- ❖ JUDGES
- ❖ COURT STAFF
- ❖ COLLABORATIVE COURT COORDINATORS



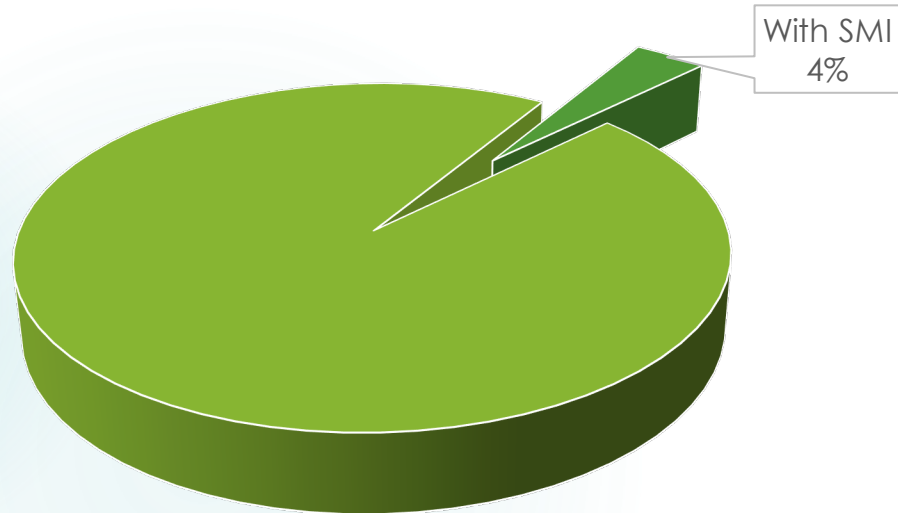
# Prevalence of serious mental illness in the US



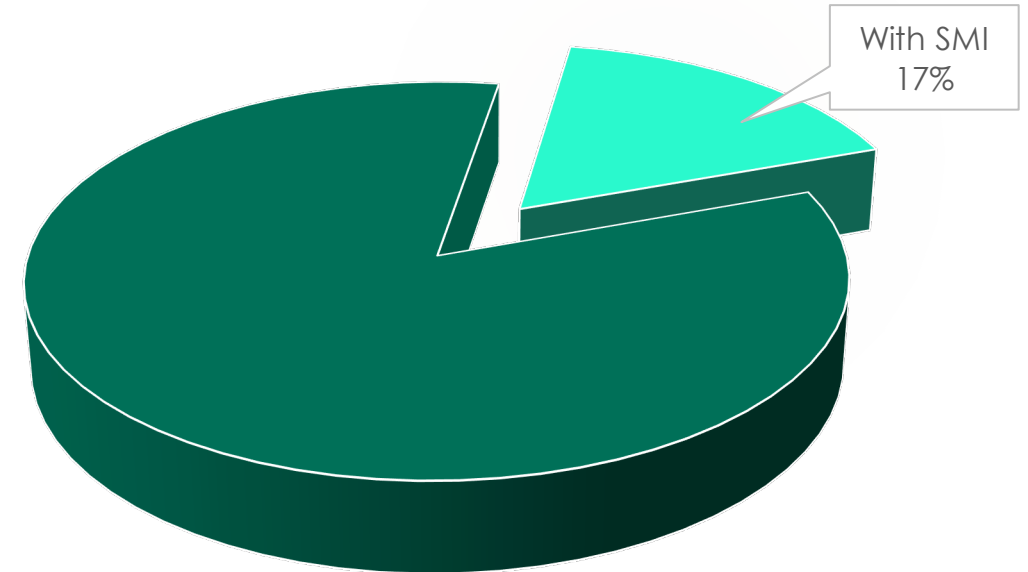
Supra, note 1; Substance Abuse and Mental Health Services Administration, Center for Behavioral Health Statistics and Quality, Key Substance Use and Mental Health Indicators in the United States: Results from the 2016 National Survey on Drug Use and Health(2017) (HHS Publication No. SMA 17-5044, NSDUH Series H-52) 36.

# Prevalence of mental illness in the US

## General population



## Jail population



Supra, note 1; Substance Abuse and Mental Health Services Administration, Center for Behavioral Health Statistics and Quality, Key Substance Use and Mental Health Indicators in the United States: Results from the 2016 National Survey on Drug Use and Health(2017) (HHS Publication No. SMA 17-5044, NSDUH Series H-52) 36.

What do people want when they appear in court?

**VOICE**

**NEUTRALITY**

**RESPECT**

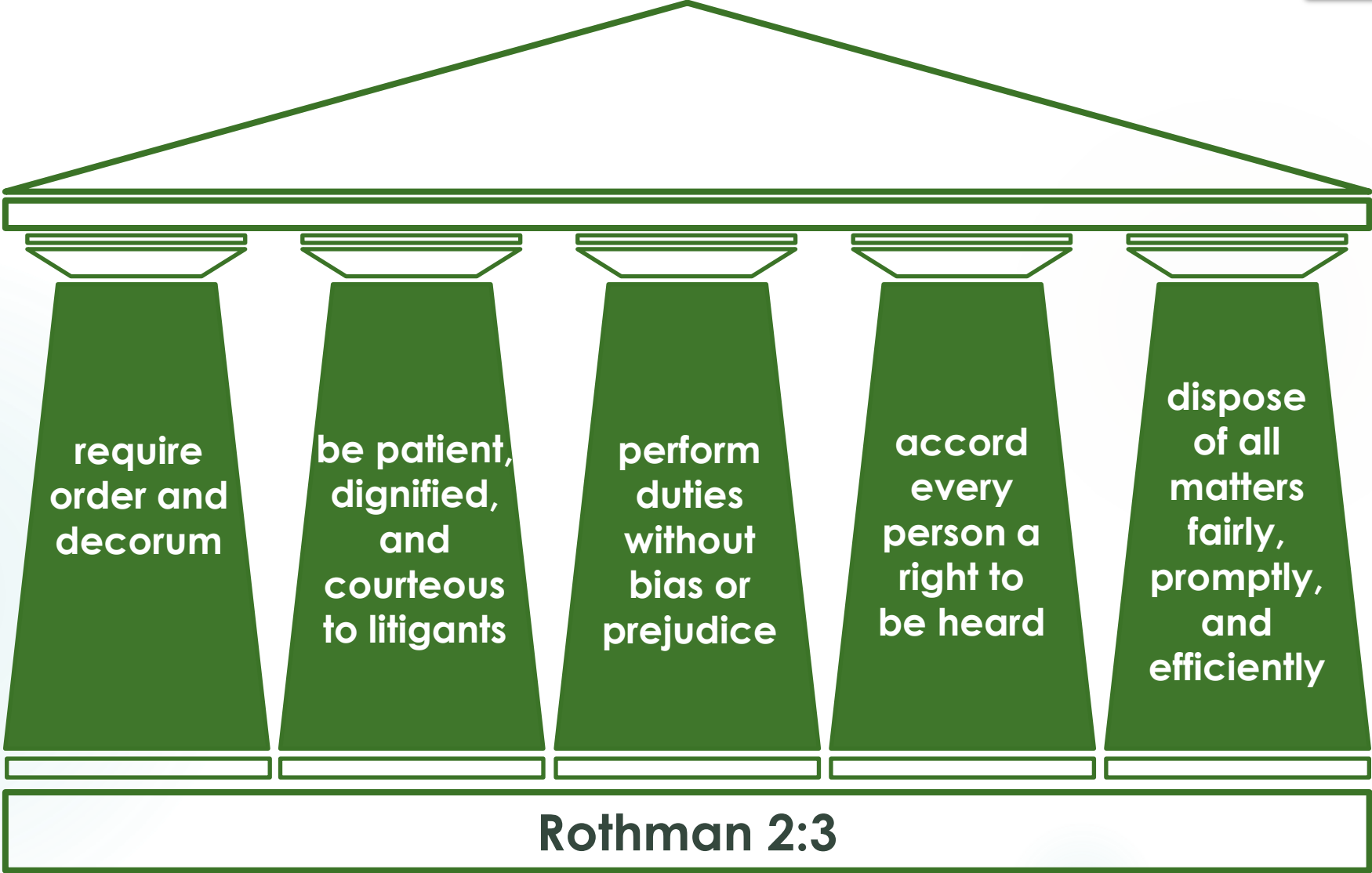
**TRUST**

**UNDERSTANDING**

**HELPFULNESS**

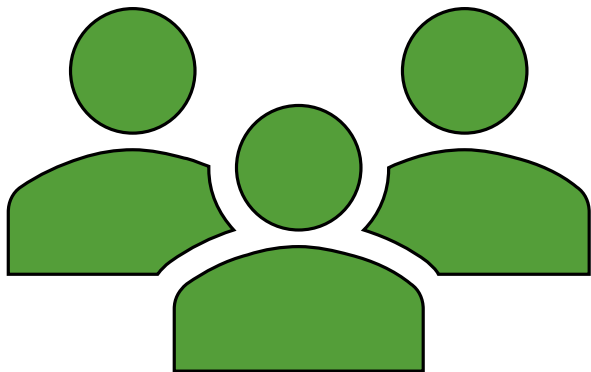
# Role of the Judge

The Judge Shall: 





# Lived Experiences



*Michael, Barbara, Damon*



As part of the Behavioral Health Education series, Criminal Justice Services staff partnered with PEERS – a community mental health organization in Alameda - to ask people about their experience with the criminal justice system.



Community  
Mental Health  
Empowerment  
#WeArePeers

# Lived Experiences



*Michael, Barbara, Damon*



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Community  
Mental Health  
Empowerment  
#WeArePeers



MICHAEL

“REAL FAST”



Lived  
Experiences



BARBARA

“REALLY  
LISTEN”



Lived  
Experiences



# Judges' Guide to Mental Illness in the Courtroom



The Judges' Guide to Mental Illnesses in the Courtroom is a **two-page bench card** to help judges recognize the signs of possible mental illnesses among individuals in the courtroom and to respond sensitively and productively.

<https://csgjusticecenter.org/publications/judges-guide-to-mental-illnesses-in-the-courtroom/>

# Contextualizing Observations

## Judge's Guide to Mental Illness in the Courtroom



Appearing in court is an anxiety-provoking experience.

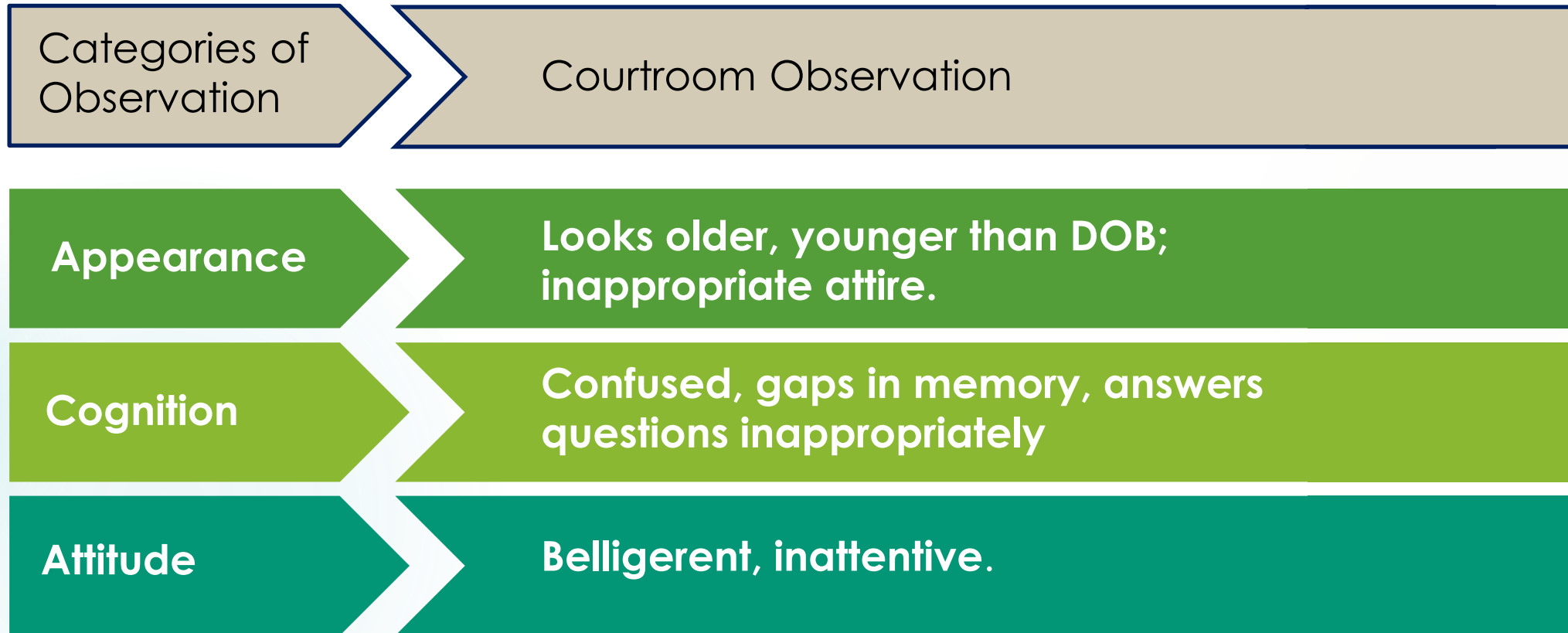


Individuals may not be prepared to navigate complexities and demands of justice system.

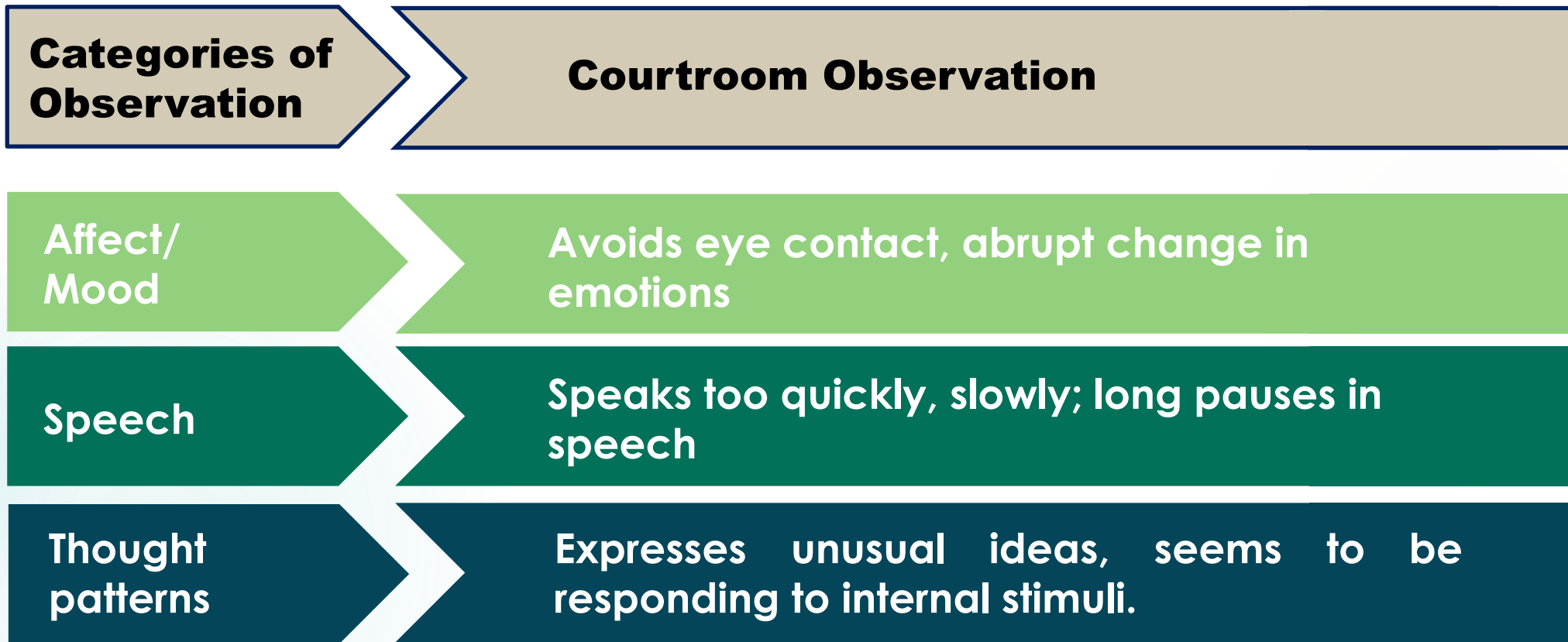
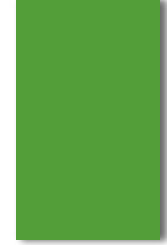


Individuals may exhibit skills that have allowed them to survive in their communities (toughness, argumentativeness, silence), but are poor fits for interacting with the court.

# Will we know it when we see it?



# Will we know it when we see it?





# What can we do?

01

**Create an expectation/openness** of wanting to be informed of mental illness before interacting, when possible.

02

**Bailiff, court attendant** are both ambassador and information source.

03

**Defense counsel** are also an important source of information.

04

If not notified, **but become aware**, no harm asking counsel to approach to get information.

05

**Ask who is in the courtroom with them?**  
Acknowledge family members, social workers

06

Consider whether this is the best moment to hear a case? Trail until a break when **courtroom less crowded?**

# While Interacting with a Court Participant...

## Courtroom situations: Examples of commonly observed scenarios

Mental illness is affecting a person's appearance in the courtroom

## Immediate Responses: Recommendations for immediate situation management

- Speak slowly and clearly
- Avoid jargon
- Explain what's happening
- Provide written instructions with dates/times
- Treat individual with the respect you would give other adults
- If appropriate, use principles of **Motivational Interviewing**:
  - Express empathy
  - Point out discrepancies between goals and current behavior - Roll with resistance
  - Support self-efficacy
  - **Stay curious**

# While Interacting with a Court Participant...

<b>Courtroom situations: Examples of commonly observed scenarios</b>	<b>Immediate Responses: Recommendations for immediate situation management</b>
<i>Loss of hope - When the person appears sad, desperate</i>	<ul style="list-style-type: none"><li>➤ Instill hope in positive end result</li><li>➤ Establish a good personal connection. (Learn something about their personal life and keep track of it, if possible...)</li></ul>
<i>Loss of Perspective – when the person appears anxious, panicky</i>	<ul style="list-style-type: none"><li>➤ Seek to understand</li><li>➤ Reassure and calm</li><li>➤ Deflect concerns</li></ul>
<i>Loss of control – when the person appears angry, irritable</i>	<ul style="list-style-type: none"><li>➤ Listen, diffuse, deflect</li><li>➤ Ask why they are upset</li><li>➤ Avoid threats and confrontation</li></ul>

DAMON

“I’M NOT  
ALRIGHT...”



Lived  
Experiences



DAMON

“CULTURE”



Lived  
Experiences

# Race, Gender & Ethnicity

According to NAMI and California Mental Health Services and Oversight and Accountability Commission (2007), the lived experiences vary by race, gender, ethnicity and sexual orientation.

Experience compounded when they come into contact with the criminal justice system.







# Trauma and trauma-informed justice system

A trauma-informed approach acknowledges the **prevalence and impact** of trauma and attempts to create a sense of safety for all participants, whether or not they have a trauma-related diagnosis.

Questions



# Tools and Resources

- ❖ [Trauma Training for Criminal Justice Professionals](#)
- ❖ [National Center for State Courts](#)
- ❖ [Procedural Fairness](#)
- ❖ [California Association of Collaborative Courts Conference, September 2-4, 2021](#)



# References:

Topic	Web address
Prevalence of mental illness in the US	<a href="http://www.chcf.org/wp-content/uploads/2018/03/MentalHealthCalifornia2018.pdf">www.chcf.org/wp-content/uploads/2018/03/MentalHealthCalifornia2018.pdf</a> <a href="https://www.nimh.nih.gov/health/statistics/mental-illness">https://www.nimh.nih.gov/health/statistics/mental-illness</a> <a href="http://www.nami.org">www.nami.org</a> <a href="http://www.mhsoac.ca.gov">www.mhsoac.ca.gov</a>
Procedural Fairness	<a href="http://www.proceduralfairness.org">www.proceduralfairness.org</a>
Trauma	<a href="https://nasmhpd.org/sites/default/files/DRAFT_Essential_Components_of_Trauma_Informed_Judicial_Practice.pdf">https://nasmhpd.org/sites/default/files/DRAFT_Essential_Components_of_Trauma_Informed_Judicial_Practice.pdf</a>
Race, gender, Equality	<a href="http://archive.mhsoac.ca.gov/docs/Stigma_and_Discrimination/StigmaAndDiscriminationReport07Jun12.pdf">http://archive.mhsoac.ca.gov/docs/Stigma_and_Discrimination/StigmaAndDiscriminationReport07Jun12.pdf</a> <a href="http://archive.mhsoac.ca.gov/docs/Stigma_and_Discrimination/StigmaAndDiscriminationReport07Jun12.pdf">http://archive.mhsoac.ca.gov/docs/Stigma_and_Discrimination/StigmaAndDiscriminationReport07Jun12.pdf</a>