Criminalization of Serious Mental Illness

What is criminalization?
- Criminalization is the process by which persons with serious mental illness (SMI) become over-represented in all facets of the criminal justice system.\(^1\)

What is trans-institutionalization?
- Prior to the mid-1950's, individuals with mental illness often were involuntarily hospitalized to manage their behavior.\(^2\)
- Now, these behaviors are handled in part by the criminal justice system, driving up rates of incarceration.
- Today, 1 in 5 people in jails and prisons have a mental illness.\(^3\)

Most offenders with mental illnesses commit crimes for the same reasons people without mental illness commit crimes.\(^1\)

Some risk factors that may influence individuals to participate in criminal activities include: \(^1,2,4\)
- Difficulties attaining educational achievement
- Unstable housing
- Lower socioeconomic status
- Social circles with criminal association
- Peer pressure
- Substance use

Several theories explore the relationship with serious mental illness and criminal justice involvement: \(^1,4\)

Life Course Perspective
- Life transitions, events, or factors that affect offending patterns, e.g.:
  - Parental discipline impacting child's self control
  - Limited educational opportunities
  - Adverse childhood experiences

Local Life Circumstances
- Short-term changes may trigger individuals to engage in criminal activity, e.g.:
  - Availability of treatment and rehabilitative services
  - Drug and alcohol use
  - Divorce
  - Unemployment

Routine Activities
- Daily lifestyle may influence individuals to participate in criminal behavior, e.g.:
  - Poverty
  - Unstructured time
  - Lack of employment opportunities
  - Unstable housing
The Sequential Intercept Model (SIM)

The Sequential Intercept Model is used to address the over-representation of adults with serious mental illness in the criminal justice system. This model aims to identify gaps within the community and better apply available resources to assist and/or divert individuals at various points within the legal system.  

**Intercept 0: Community-Based Mental Health Services and Crisis Response**
- Advocate for specialty outreach teams and peer support specialists
- Collaborate with community behavioral health partners

**Intercept 1: Law Enforcement**
- Partner with local law enforcement to improve interactions with community members
- Train call center dispatchers to recognize mental health crises

**Intercept 2: Initial Detention/Initial Court Hearing**
- Provide mental health screenings during first court hearing and jail booking
- Foster relationship between legal system and community behavioral health center

**Intercept 3: Jails/Courts**
- Work with courts to determine appropriate treatment and services
- Provide continuous access to behavioral health services and medical care

**Intercept 4: Reentry**
- Improve transitional programs and formal hand-off from legal system to mental health providers and case managers
- Anticipate possible challenges and locate appropriate resources

**Intercept 5: Community Corrections: Probation and Parole**
- Strengthen community supervision following prison to reduce recidivism
- Support individual in addressing barriers and challenges to accessing housing and employment opportunities

Source: