



## **FELONY MENTAL HEALTH COURT PARTICIPANT HANDBOOK**

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# PIERCE COUNTY SUPERIOR COURT FELONY MENTAL HEALTH COURT

This handbook is designed to provide you with information regarding the Felony Mental Health Court (FMHC) program. This handbook does not constitute a contract between you and the FMHC program. These are guidelines to explain general policies and procedures. The Court reserves the right to change these guidelines and to decide any matter based upon individual facts and circumstances.

# WELCOME TO FMHC

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With the help of our community and justice system partners, we are able to join mental health and chemical dependency treatment services with housing, transportation and medication assistance in an effort to end the revolving door to jail and prison for the mentally-ill defendants in our program.

**51 GRADUATES SINCE 2015**

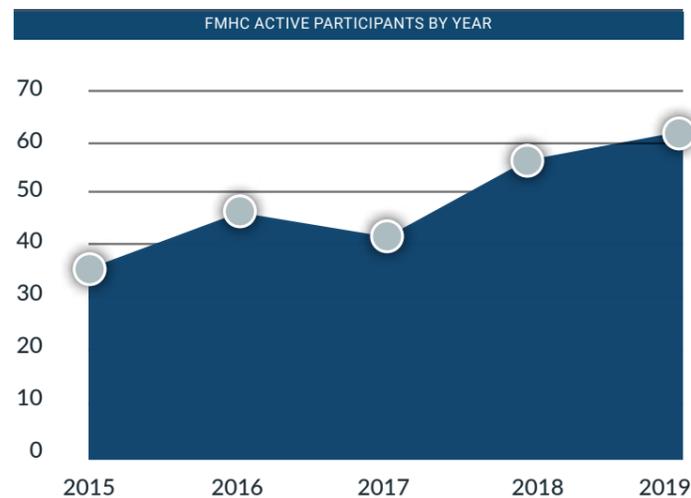
## STARTING IN 2015

Pierce County Superior Court Felony Mental Health Court began in 2015 under the direction of Judge Ed Murphy. FMHC was the second of our Therapeutic Courts. Drug Court began in 1994.

Welcome to the Pierce County Felony Mental Health Court (FMHC) program! This therapeutic court program is a partnership between the criminal justice system and the behavioral health treatment system. The program was created to give offenders with serious mental illness and/or co-occurring disorder issues the opportunity to enter into treatment and address their treatment challenges, while simultaneously addressing their legal issues.

Instead of jail or prison, participants have the opportunity to address problematic areas of their life and gain stability. We may be able to offer the following: mental health and substance use treatment, clean and sober housing, education and employment opportunities, transportation assistance, assistance with obtaining benefits, assistance with handling other legal issues, parenting classes, help with child care, a dismissal of your felony case, and more.

This program requires commitment and dedication to be successful. This is a team approach, everyone wants the participant to succeed and create a healthy, stable and satisfying lifestyle.



### EVERY GRADUATE WILL LEAVE WITH THE FOLLOWING:

- A recovery plan
- Stable housing
- Engaged in pro-social activities
- Minimum of 18 months of treatment
- Improved legal status

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Judge Grant Blinn  
FMHC Judge 2019-2020

## What Is Felony Mental Health Court?

FMHC offers eligible participants the opportunity to better their lives through treatment; if their case is pre-disposition, the case is dismissed upon graduation. The FMHC team is comprised of the Judge, Prosecutor, Defense Attorney, Treatment Staff, and Coordinator. FMHC partners with Greater Lakes Mental HealthCare to provide its treatment services. Greater Lakes uses a Forensic Assertive Community Treatment (FACT) treatment model for FMHC; this model has been specifically developed to provide treatment for people with serious mental illness who are involved in the criminal justice system. FACT has multidisciplinary staff, staff with both mental health and/or substance use expertise, medication providers, nursing staff, certified peer staff, and FMHC participants also have 24/7 access to a phone line to directly reach FACT staff. FACT is a team approach and aims to help the participant get more stable in the community. The treatment plan is individualized based upon each participant's needs and the participant's goals. The Veteran Administration is another treatment option for eligible veterans.

FMHC participants are required to appear at regular hearings, often appearing in court weekly to begin, participate in recommended treatment, medication management, and random urine analysis testing. The court may determine which housing is suitable for the participant. FMHC requires a minimum of 18 months before a potential graduation; the participation may be longer, depending on the circumstances of the case and progress in the program.

Upon graduation, a ceremony is held to commemorate the participant's work and progress. Family members, friends, alumni, and treatment staff are invited to come for the graduation. Several months before graduation, treatment will work with the participant to complete a transition plan to ensure that the participant continues their recovery journey after graduation.

Alternatively, a participant may have their participation terminated by the FMHC Judge. This is often due to dishonesty, a new offense, disengagement in treatment, or lack of progress in treatment.

## THE MISSION

Pierce County Felony Mental Health Court promotes public safety, reduces criminal activity associated with justice involved mentally ill participants, enables the program participants to access treatment and be productive and law-abiding members of our community, by holding them accountable and treating them with dignity and respect. We serve the community as a partnership between government and community mental health.

# ELIGIBILITY & EXCLUSIONS

# EXPECTATIONS & BEHAVIOR



## ARE THERE EXCLUSIONS?

Yes. Potential participants for FMHC will be disqualified if:

1. The Prosecuting Attorney's Office does not agree to program participation for the case(s);
2. The offender has been convicted of a serious violent offense (as defined in RCW 9.94A.030) and/or sex offense; or a charge resulting in substantial or great bodily harm;
3. The offender is currently charged with an offense:
  - That is a sex offense
  - That is a serious violent offense
  - That involved the use of a firearm
  - That caused substantial or great bodily harm or death to another person.
  - That included a firearm sentencing enhancement.
  - Defined as traffic offenses. Attempt to Elude charges are considered on a case-by-case.

## AM I ELIGIBLE?

A potential participant must meet the below criteria:

1. Have a serious, diagnosable Axis I mental illness, with or without a co-occurring substance use disorder.
2. The criminal behavior is related to or caused by the individual's mental illness.
3. Is considered competent and able to fully understand the expectations and conditions of the FMHC program and contract.
4. Does not have any outstanding warrants, jail holds or pending charges that may interfere with treatment at the time of admission.
5. Participates in screening interview; is truthful and forthcoming in the screening process, at all FMHC proceedings and in treatment.
6. Is willing and able to participate in mental health treatment provided by Greater Lakes Mental Health.
7. Is a Pierce County Resident.

CLEAN AND SOBER HOUSING IS AVAILABLE TO PARTICIPANTS

professionals who knew how to provide me with the tools I needed to change my ways of thinking. My life now is glorious. I feel like I gained my family and friends respect back, and I wake up each day and look forward to going through it without the undue stress and all of the worry that I had before." [Alumni Derek R](#)

**"MY LIFE** prior to Felony Mental Health Court was one that was consumed by worry, stress, sadness and was fragmented. I chose this program because I knew it was time for me to work on building a stronger foundation for my life and myself. I knew that the only way to do that was to get help from

## PROGRAM EXPECTATIONS

- FMHC is a serious commitment. It is expected that you will put your court hearings and treatment (thus yourself) as top priority.
- Court hearings will be frequent, every week to start. Your review hearings will decrease in frequency based upon your compliance and progress.
- Bench Warrants may be ordered if you do not appear for your scheduled hearings or if you leave treatment and your whereabouts are unknown.
- It is expected that you will respect the confidentiality of other program participants this is important to maintain the integrity of group therapy sessions.

- You are expected to be fully honest.
- Maintain law-abiding behavior
- Comply with all treatment recommendations
- Take all medications as prescribed
- Maintain housing and follow all rules of residence
- Comply with all urine analyses tests
- Sign releases of information as requested
- If you have restitution on your case, it is required that it be fully paid before you will be allowed to graduate
- Comply with court orders

## COURTROOM BEHAVIOR

- You are expected to behave appropriately in the courtroom and the courthouse. You are expected to abide by the following:
- No talking, eating, drinking or sleeping in the courtroom
- No tobacco use or gum chewing in the courthouse
- Turn off all electronic devices
- Be on time for your court hearing
- No hats unless worn for religious purposes
- Appropriate dress, shoes and shirts are required, no sunglasses or tanktops should be worn
- Skirts are to be mid-thigh or longer
- No drug, alcohol, violence or sexual advertising on clothing
- Sagging/baggy pants are to be worn around your waist

## PUTTING IN THE HARD WORK

Since inception of the Felony Mental Health Court Program, participants have completed 2946 of 3030 hearings or

# 97%

DO YOU HAVE WHAT IT TAKES TO GET YOUR LIFE BACK ON TRACK?

## Random Drug Testing & Dilute UAs

FMHC is a recovery based program, and participants are required to provide random, observed urine samples for testing to verify their sobriety. Additionally, participants may be drug tested to ensure they are taking their prescribed medication. All urine analysis (UA) samples will be tested by the laboratory for relative water concentration (creatinine). If the concentration falls below a specific level (i.e. a "dilute" UA sample), it will be considered positive. This is because a dilute specimen can conceal recent drug use. Participants are advised to limit all fluids 2-3 hours prior to their UA sample to be sure the water level (creatinine) is in the proper range for the UA test. It may also help to eat regular, nutritionally well balanced meals (with protein) prior to taking the UA. Participants are responsible to provide adequate drug tests.

## Sanctions and Incentives

Sanctions and incentives are used by the court to motivate each participant's compliance with their recommended treatment plan. If compliant with treatment, the participant receives encouragement and incentives. If the participant is not compliant, a sanction may be imposed, this could be due to not taking meds as prescribed, a relapse on drugs/alcohol, a dilute UA, missing treatment, or a new offense. The Judge ultimately decides the outcome of the hearing.

Participants must call in as required for random drug tests; missing a UA is typically a sanction. Do your best to attend all your treatment sessions, as missing treatment can also lead to a sanction. Keep in close contact with treatment and let them know what is going on, they are there to help but cannot help you if they don't know what is going on. Be honest with treatment and the court.

## Incidental Exposure

Participants are responsible for what they put into their body. There are many different things that can influence urine analysis test results.

1. Substances containing alcohol can make urine analysis samples test positive. These substances are not allowed while participating in FMHC. This includes "Near Beer" such as O'Doul's or Sharps, as they do contain .5% alcohol; this is enough to result in a positive test and is not allowed. Candy, mouthwash, or cough syrup with alcohol is not allowed. Choose an alcohol-free version.
2. Poppy seeds may cause urine samples to test positive for opiates. Do not consume poppy seeds while in FMHC.
3. Medications with addictive properties must be prescribed by a provider that has reviewed, discussed and signed the Narcotic Prescription Agreement. A copy of the Narcotic Prescription Agreement is available at treatment and will be discussed at the orientation with the Mental Health Court Coordinator.

## Examples of Sanctions

- Community Service Hours
- Writing assignments
- Increased court hearings
- Daily Check Ins
- Jail
- Termination of FMHC participation



## Greater Lakes Mental Healthcare - Felony Forensic Assertive Community Treatment

FMHC partners with Greater Lakes Mental HealthCare (GLMHC) for its treatment services. GLMHC uses a Felony Forensic Assertive Community Treatment (FFACT) treatment model for FMHC; this model has been specifically developed to provide treatment for people with serious mental illness who are involved in the criminal justice system. FFACT has multidisciplinary staff, staff with both mental health and/or substance use expertise, medication providers, nursing staff, and peer staff. These different types of disciplines form a diverse treatment team that can offer a range of services, case management, meds, therapy, group therapy, medication monitoring, staff also help participants get their basic needs met and aim to improve the

participant's independent living skills. Both mental health and substance use treatment are accessible at Greater Lakes on an outpatient (or intensive outpatient) basis. FMHC offers a range of group therapy options including Dialectical Behavioral Therapy (DBT), Moral Reconciliation Therapy (MRT), depression and anxiety group, rising above co-dependency group, creative coping, and more. FMHC participants also have 24/7 access to a phone line to directly reach FFACT staff to get support. FMHC can also assist participants get stable, clean and sober housing, and assist them in getting benefits and resources to help the participant get more stable in the community. The treatment plan is individualized based upon each participant's needs and the participant's goals.

## Examples of Incentives

- Decreased court hearings
- Move towards beginning of court docket
- Verbal reinforcement
- Winning the fishbowl coffee card (Every participant that is in full compliance for 30 days is entered into a coffee card drawing weekly)
- Certificates of Achievement
- Graduation

# PHASES & GRADUATION

# SUCCESS STORIES

## Phase I (Approx. 90 days)

While in Phase I, required tasks are:

- Enroll in benefits
- Complete FMHC orientation
- Complete Medication Evaluation (if required)
- Complete Chemical Dependency Evaluation and begin treatment recommendations (if required)
- Obtain Primary Care Physician
- Have 100% medication compliance
- Have attended 85% of appointments
- Quash warrants in all other jurisdictions
- Complete a budget
- No new criminal law violations
- Review hearings every 1-3 weeks
- Minimum 60 days clean and sober in order to apply for Phase II

## Phase II (Approx. 180 days)

While in Phase II, required tasks are:

- Completion of Phase I of Chemical Dependency treatment (if required)
- Completion of Phase I of DV treatment (if required)
- Begin Parenting classes (if required)
- Have 100% medication compliance
- Have attended 85% of appointments
- Begin making payments on restitution (if required)
- No new criminal law violations
- No FTAs for court
- Review hearing every 4-6 weeks
- Minimum 90 days clean and sober in order to apply for Phase III

## Phase III (Approx. 180 days)

While in Phase III, required tasks are:

- Completion of Chemical Dependency treatment (if required)
- Completion of Domestic Violence treatment (if required)
- Complete Parenting classes (if required)
- Address NCO (i.e. amendments, rescission, or none)
- Employed/Volunteered/Education for at least 20 hours
- Have 100% medication compliance
- Have attended 85% of appointments
- Continue making payments on restitution (if required)
- No new criminal law violations
- Review hearings every 7-8 weeks
- Minimum 120 days clean and sober in order to apply for Graduation

## Graduation Requirements

- Clean and sober for at least 120 days
- 18 month minimum commitment for the entire program duration
- Restitution balance paid off
- Transition plan (coordinated by FACT)
- Relapse Prevention Plan and/or Mini Wellness Recovery Action Plan (determined by FACT; not shared in court)
- Reflection on FMHC journey (questions provided in advance of graduation to be shared in court at graduation)



Judge Ed Murphy and Judge Frank Cuthbertson present Eldrina H. her graduation plaque

Before I came to mental health court, I was a mess, I was using drugs, homeless, and had a restraining order with my mom cause I wouldn't stop using drugs. I had untreated mental health issues. I ruined all ties with my family cause I wouldn't stop getting high. I was a liar and a manipulator, all because of my drug use and I didn't know the tools to acquire to stop using drugs. I also needed help in addressing my mental health issues.

I chose mental health court because I had to start somewhere, and I knew I could get the tools I needed to be sober, my motivation was my family, I needed to figure out a way to make it up to them for all the wrong I had done. I have been taught tools to stay sober and now I have mended the relationships with my mom, dad and sisters.

My life now is amazing, I have a great relationship

with my family, and have a supportive place to live that keeps me sober. I volunteer with the food bank to help feed the homeless, I continue to go to classes at Greater Lakes to improve who I am, and I enjoy life today. I recently accepted the opportunity to be a site manager at recovery foundations, to use my tools and experience to help others as a clean sober house manager. I've completed 18 months of mental health and substance use treatment, and I plan to continue treatment. I have 22 months clean and sober.

I want to continue to go to meetings and continue to rebuild a strong foundation with my family. I am really grateful for the program.

**Alumni Eldrina H.  
Graduated October 2018**

"Before Mental health court, my life was in a tailspin of hopelessness and self-destruction. I chose mental health court because I was afraid to get the help I needed on my own accord, I needed a push. I was more than a number on a list, they only asked me to tell the truth, follow their rules and be in it for the long haul. Today my life is peaceful. I don't have to worry, I don't have to prove myself to others, I'm working again towards a career and I'm repairing relationships." [Alumni Jordan M.](#)

# SUCCESS STORIES

I began having mental health problems when I was in my mid-twenties. I was in the military and began having disciplinary problems. Because of the discipline problems I began drinking alcohol excessively and started experimenting with other drugs too.

I was out of control and I felt completely helpless. In 2006 I had my first run-in with the law and I received my first DUI, and in 2009 I received my second. In 2013, I became homeless and found myself living on the streets in Los Angeles. It was unquestionably the scariest experience of my life. I eventually made it back to Washington State absolutely in the worst condition of my life. I was broke, homeless, in debt, had numerous fines and warrants, no friends, an alcohol and drug addiction, a growing criminal record and some very serious mental health issues that were not being addressed properly. In June of 2015 I was arrested once again. Through some chance of fate this was around the same time that Felony Mental Health Court began. I got on medication, began counseling, I received 18 months of mental health and drug and alcohol treatment and I did everything else I was instructed to do to the best of my ability. It was very hard work and took a lot of time and effort. With the support of others and my will to want to turn my life around, things began to get better for me and those around me.

My life has completely turned around for the better. I have taken care of most of my debts and all my outstanding fines. I now have a driver's license and I own a car once again. I graduated from Tacoma Community College with an Associate's degree last summer and am now attending the University of Washington here in Tacoma for a bachelor's degree in economics. Today I have some very close relationships with some good people and have made amends with most of my family. I have also been clean and sober for over three years and I continue doing work in the clean and sober community to try to help other's recover from their addictions. Most importantly I have found my home and a new and healthy direction in life that I continue to follow today.

What I learned most from Felony Mental Health Court is that there are people who care, that the system can work for you and the most important thing to getting better is to be willing to accept help when you need it. I also know now that recovery is a never-ending road and that I must continue to work hard to continue to get better. I graduated from Felony Mental Health Court in April of 2017. My experience with this program unquestionably changed my life for the better in so many ways. I have the highest regard for all the staff members on the FACT team and the Court, and everyone else that helped me through this difficult time in my life.

Chris K., Felony Mental Health Court Alumni



"I chose to enter FMHC because I needed help and the hope offered seemed a lot better than the alternative. The program, the court and the FACT team has proved an indispensable source of motivation and support. I never left from a court date without feeling a renewed sense of hope. The program put me back on my feet, and my relationships with my family have been restored. My plans are to work as a peer counselor and becoming more involved with mental health advocacy in the community."

Alumni Jaylund S

"The impact this program has had on my life is that it gave me another chance. Before I felt like I was going to be nothing the rest of my life, but through FMHC I regained myself and feel my future is much better."

Alumni Jermane E

"My life prior to mental health court was a mess, I became a person I wasn't and I wasn't surviving at all. I chose mental health court because I didn't want to go to prison and my motivation was to get myself back on track. I've changed to become a better person, this program had a big impact on my life, and I make healthier choices. My life is free from drugs and drama. I feel better about myself in all aspects of my life."

Alumni Lori D

"I didn't want to do the program at first, but decided it would be a good idea. I wanted to stay out of prison and it wouldn't hurt if I tried it. I am taking medication, and it has made me happier and I feel better. My relationship with my mom has improved, and I have more positive thinking. I'm honest, caring and more reliable."

Alumni Philip D

"I chose Felony Mental Health Court because I heard of how it helps people who are struggling through life. Not only does it help dismiss charges, but more importantly, it introduces you to the FACT team. The FACT team helps you dissect the root of your problems that caused you to make mistakes in the first place. The program has impacted my life in terms of how I analyze situations, the DBT group taught me how to manage each of my emotions for what they are and how to let go of certain emotions. After learning how to manage my emotions and keep my depression at bay, I can face life's challenges without that burden. I have set goals to get my license and a car and accomplished these goals. I've gone back to work and set a schedule that works with my life instead of taking away from it. I have been able to repair friendships. I plan to stay focused on my goals and ask for help when I need it."

Alumni Tia D

Graduation from FMHC is a great accomplishment. Alumni are encouraged to participate in the monthly alumni group to stay connected to treatment, peers and the court, and plan fun clean and sober activities.

We hope this handbook has been helpful in giving general overview of the FMHC program. If there are further questions, contact the Felony Mental Health Court Coordinator at 253 798 3642.



2019-2020 PRESIDING JUDGE GAROLD E. JOHNSON

## **PIERCE COUNTY SUPERIOR COURT**

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