

The Criminalization of Mental Illness: Crisis and Opportunity for the Justice System

Risdon Slate, W. Wesley Johnson

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For a myriad of reasons the criminal justice system has become the de facto mental health system, with the three largest inpatient psychiatric institutions in America being jails--not hospitals. This book explores how and why this is the case. Sensationalized cases often drive criminal justice policies that can sometimes be impulsively enacted and misguided. While there is a chapter that examines the insanity defense and competency, the primary focus of the book is on the bulk of cases that clog the criminal justice system with persons with mental illnesses (pwmi). Criminal justice practitioners are often ill-equipped for dealing with pwmi in crises, and this may even result in the emergence of mental disabilities for criminal justice professionals. However, via application of therapeutic jurisprudence principles some agencies are better preparing their employees for such encounters and attempting to stop the inhumane and costly recycling of pwmi through the criminal justice system. Coverage runs the gamut from specialized law enforcement responses, to mental health courts, to jails and prisons, to discharge planning, diversion, re-entry, and outpatient commitment. Also, criminal justice practitioners in their own words provide insight into and examples of the interface between the mental health and criminal justice systems. Throughout the book the balance between maintaining public safety and preserving civil liberties is considered as the state's police power and parens patriae roles are examined. Lastly, collaborative approaches for influencing and informing policies that are often driven by crises are discussed.



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