

My name is Bryce Abbott. I am a Judge for the City of Wichita Municipal Court. I have served in this capacity for approximately ten years. Prior to becoming a Municipal Court Judge I was a District Court Judge in the 18th Judicial District. My experiences in these courts led me to organize and implement the first and only Mental Health Court in the State of Kansas. Until recently our Mental Health Court program included both a Diversion Track and a Probation Track. The Diversion Track had to be discontinued because of funding cuts for Comcare which had been providing screening and Case Management services as a care and treatment provider.

I would like to share our experience with the committee to help with the public understanding of what such a program can mean. The criminal justice system in Kansas has become the de facto dumping ground for persons with serious and persistent mental illness. When they end up in the criminal justice system they have usually burned most family support bridges, many are homeless and many need case management services to complete activities of daily living that the rest of us take for granted. Studies have proven that once in the system they are in it longer than the average person, they end up in jail more often and for longer periods of time because of the inability to make bail and they are by far the most expensive population while in jail because of medical and supervisory issues. As a result there have been efforts around the country to implement different forms of Therapeutic Jurisprudence to better utilize services already available in the community to defer the mentally ill away from our jails and to those community based services.

Our Mental Health Diversion and Probation programs were implemented as part of an over-all strategy to deal with the non-violent population of individuals with serious and persistent mental illnesses that we were seeing on a repetitive basis in our court. In our community substantial efforts have been made to train patrol officers and booking personnel to identify candidates for the program. They are referred either by these officers or by Court personnel to Comcare for evaluation for services and hopefully directed to services and away from the jail. Those who are charged with petit offenses are directed to the Mental Health Court program where they received enhanced monitoring and coordination of services. We believe that the savings resulting from these programs have been in the millions of dollars based on the significant reduction in the number of jail days alone. An additional benefit is cutting the various jail's exposure to medical and medication expenses which can be significant. Some courses of psychotropic medications can cost \$400-\$600 per day per inmate.

Our experience is that the population we serve work very hard to comply with our requirements. A criminal might chose to be a criminal but the mentally ill do not chose to be mentally ill. Continuation of and appropriate funding of Diversion programs would be helpful because such programs allow us to continue the monitoring necessary to develop appropriate relationships between defendants and service providers. It takes time to develop the trust that make these relationships work. Diversion programs keep the importance of making appointments with Doctors and Therapists constantly in front of the Defendant and help them remain accountable and compliant with treatment. With the option of dismissal after completing the program we can help preserve the employability of persons who already find it difficult to find work. Such programs help to reduce the effects of the criminalization of mental illness and allow us to positively impact lives, reducing recidivism and the costs to the taxpayer. Therapeutic jurisprudence is now being implemented all over the United States and this would be a great first step for Kansas. We are slowly learning that while the cost of "doing it right" can be high, the cost of not doing it, both in terms of human suffering and financially to the taxpayer, is even greater.

Judge Bryce A. Abbott
Wichita Municipal Court
455 N. Main, 3rd Floor
Wichita, KS 67202
(316)268-4629

House Corrections and Juvenile Justice
Committee
2012 Session
Date 2-1-12
Attachment # 2-1