

# Strategies for Serving Individuals with Frequent Justice System Involvement

**A Joint Meeting of the  
City of San José Public Safety, Finance, and Strategic Support Committee  
and the  
County of Santa Clara Public Safety and Justice Committee**

February 15, 2024

## 2.b. Strategies for Serving Individuals with Frequent Justice System Involvement: Strategies After Detention



# Strategies After Detention

## Presenters

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County of  
Santa Clara





# Mental Health Treatment Court (MHTC)

(Collaborative Courts @ Family Justice Center – Department 60-62)

- **WHAT IS IT:** Supervision and judicial oversight of treatment for all mental health (MH), substance dependent, and co-occurring justice involved individuals in Santa Clara County receiving services locally. All programs in MHTC involve collaboration between District Attorney's Office (DAO), Public Defender's Office (PDO), Behavior Health Services Department, Program Providers, Probation, and the Courts.
- **GOALS:**
  1. Ensure public Safety through evidence-based practices that show treatment improves outcomes over incarceration.
  2. Promote rehabilitation through Individualized, sustained and flexible Wraparound services to those in need.
  3. Reduce recidivism in a collaborative setting that affirms individual rights and dignities.



# Programs in MHTC

- ✓ **MH Probation:** Probation with Mental Health supervision component.
- ✓ **MH Diversion (TRACK 1) (Penal Code [PC] 1001.36):** Pre-plea diversion program for MH clients
- ✓ **TRACK 2:** Felony 1368 (incompetent) client who is not sent to Dept. State Hospital (DSH) to regain competency, but rather diverted to MHTC.
- ✓ **TRACK 3:** All misdemeanor 1368 cases in SCC now go directly to MHTC for treatment and supervision.
- ✓ **Veterans/SARC Court (PC 1001.8 & PC 1001.20)**– Supervision and diversion programs for Veterans and Developmentally Disabled clients.
- ✓ **YADEJ (PC 1000.7)** – “Young Adult Deferred Entry of Judgment,” is a diversion program supervised by probation for clients under the age of 22, charged with non-serious/non-violent felonies.
- ✓ **AOT** – “Assisted Outpatient Treatment” (Laura’s Law)
- ✓ **ARC** – “Accountability, Recovery, Community,” is a diversion program for low level drugs cases.



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FY2023

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Annual Clients Served

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Track 1, Track 2 and  
Track 3





# MHTC by the Numbers

## AB 1810 Summary

### Track 1

Status	Count	Description
Track 1 Granted	377	Total number of clients granted Track 1 in court since start of program
Track 1 Denied	70	Clients who were denied Track 1 in court
Track 1 Graduated	189	Clients who have completed Track 1
Track 1 Currently in Program	188	Clients who have been granted Track 1 but have yet to graduate

### Track 2

Status	Count	Description
Track 2 Pending Amenability	0	Clients pending amenability for Track 2
Track 2 Granted	181	Total number of clients granted Track 2 in court since start of program
Track 2 Graduated	92	Clients who have completed Track 2
Track 2 Currently in Program	89	Clients granted Track 2 in court

### Track 3

Status	Count	Description
Track 3 Granted	430	Total number of clients granted Track 3 in court since start of program
Track 3 Graduated	125	Clients who have completed Track 3
Track 3 Currently in Program	305	Clients granted Track 3 in court

Track 1 and Track 2 data updated on 01/25/2024

Track 3 data updated on 01/25/2024



# PDO & DAO Efforts to Increase Early Representation



## PARR

Pre-Arrest  
Representation & Review Unit



## CAMP

Custody Alternatives &  
Mental Health Programs

- ✓ Public Defender meets with individuals booked in jail w/in 24-48 hours of arrest. PDO gets a personal history, medical & mental health history, & begins to develop a release plan that will support the individual and protect public safety
- ✓ Public defender contacts DAO for PARR Consideration – agreement upon release, review of the filing decision, mitigating factors, so work can be done outside busy arraignment calendar
- ✓ District Attorney receives referrals of recently arrested individuals from PDO, Law Enforcement Agencies, and Behavior Health; Reviews cases for potential early release, filing determinations, and expedited referrals to collaborative court prior to arraignment.

## • GOALS:

- ❖ Target appropriate treatment and alternative custody programs early in process  
Create individualized release plans that will support a safe release from custody
- ❖ Reduce unneeded incarceration after arrest





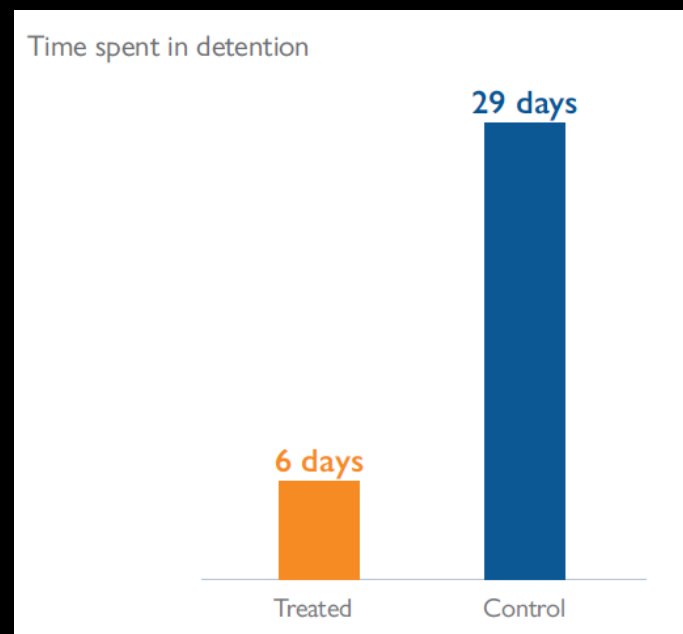
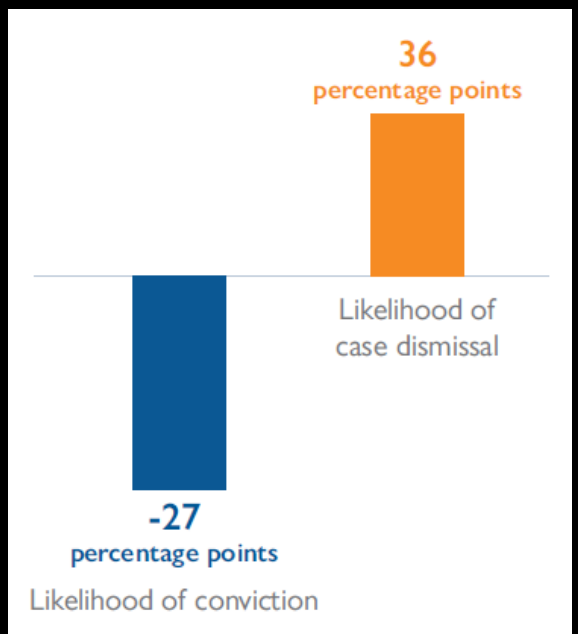
# COMPARATIVE OUTCOME ANALYSIS

## PARR vs. Non-PARR Treatment

California Policy Lab, UC Berkeley



**27% Less Likely to Be Convicted**  
**36% Higher Chance of Case Dismissal**



**PARR Participants spend 23 FEWER days in jail**

<https://www.capolicylab.org/providing-early-legal-counsel-reduces-jail-time-and-improves-case-outcomes/>



# Establish an Early-Intervention Mental Health Courtroom



With Collaboration by  
Public Safety & Justice System Partners



# Safety Through Wellness Mental Health Courtroom

## GOALS:

- ❖ At the outset of case, provide interdisciplinary intervention for our most vulnerable clients
- ❖ Reducing the incarceration of individuals due to mental illness
- ❖ Provide WRAPAROUND services earlier in court process that focuses on stabilization, medication compliance and public safety
- ❖ Safely return incarcerated mental health clients to the community with improved lives and prospects for community engagement
- ❖ Achieved by SCC system partners working together (PDO, DAO, Behavioral Health, Custody Health, Pretrial Services, and the Superior Court)

