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Breaking the Cycle: Housing Strategies for Justice-Involved Individuals

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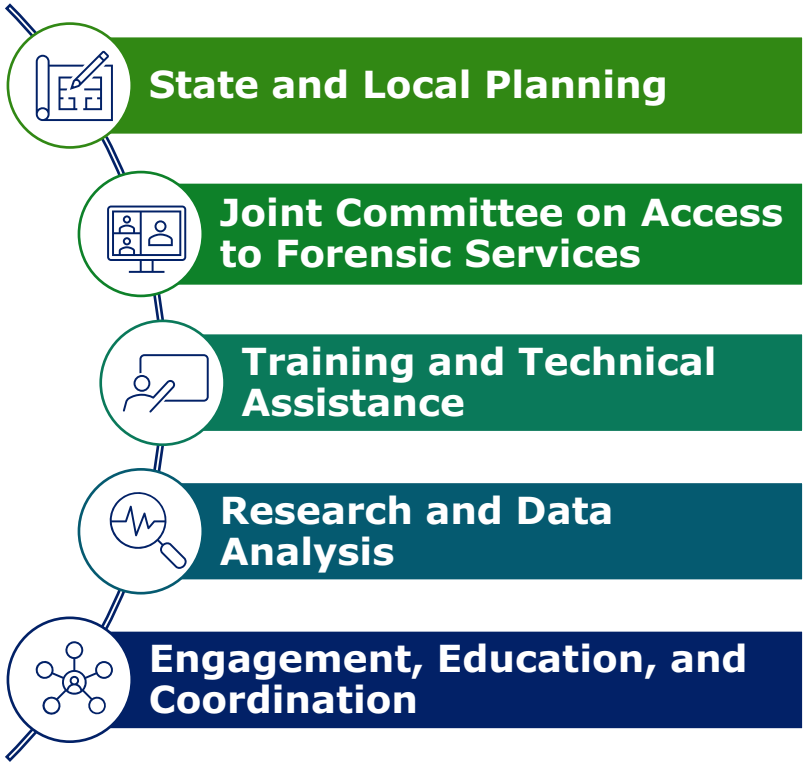
Office of Forensic Coordination

Mission:

Improve forensic service coordination and prevent and reduce justice involvement for people with mental illness (MI) and substance use disorders (SUD) through statewide and cross-agency initiatives that improve collaboration among state and local leaders.



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Presentation Overview

1. Barriers to housing people with justice involvement, housing instability and behavioral health needs
2. Criminal justice system 101
3. Intro to the Sequential Intercept Model framework
4. Strategies and resources to support people with justice involvement, housing instability and behavioral health needs
5. Case example
6. Q & A

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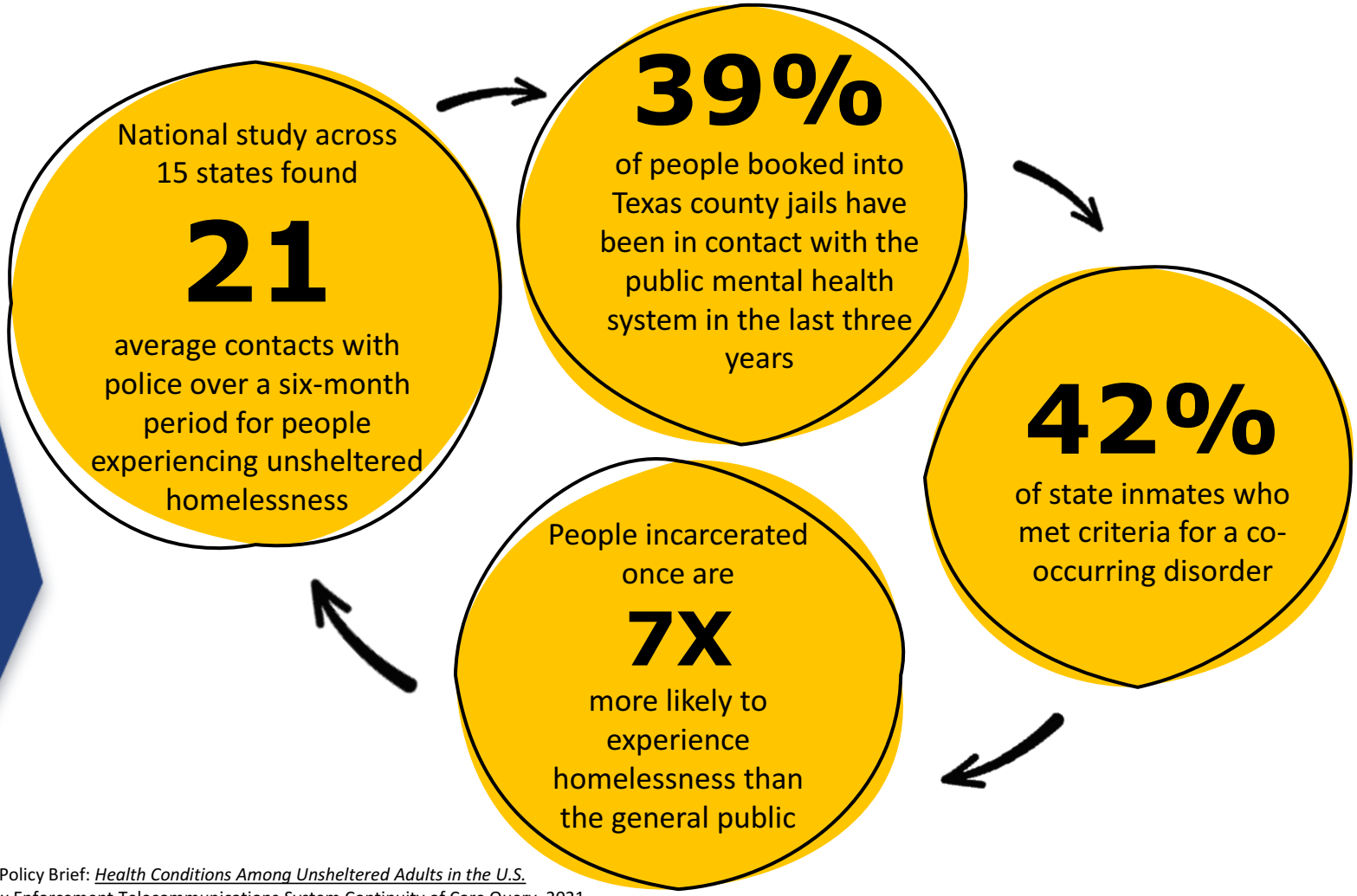
Cycle of Behavioral Health Needs, Homelessness and Incarceration



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CPL Lab. Policy Brief: *Health Conditions Among Unsheltered Adults in the U.S.*
Texas Law Enforcement Telecommunications System Continuity of Care Query, 2021
Prison Policy Initiative. Report: Nowhere to Go: Homelessness among Formerly Incarcerated People.
Source: Corrections Today. *Co-occurring disorders in the incarcerated population: Treatment needs, 2021.*

Barriers to Housing People with Justice Involvement and Behavioral Health Needs

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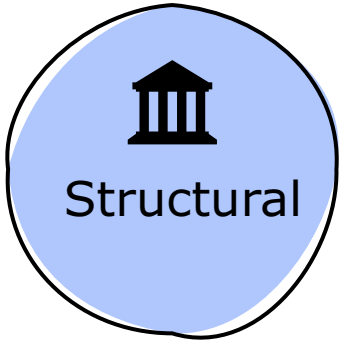
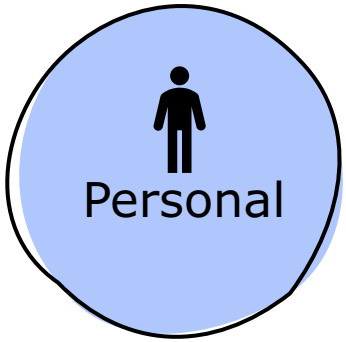


- Public housing lifetime bans
- Public housing authority blanket bans
- Camping bans
- Private landlord practices

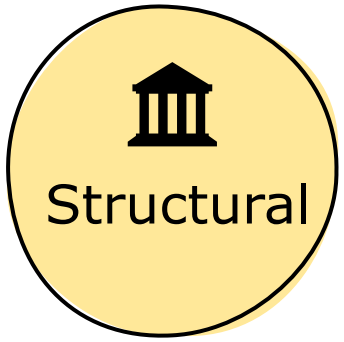


- Application fees and background checks
- Difficulty qualifying for programs
- Program waitlists
- Transportation

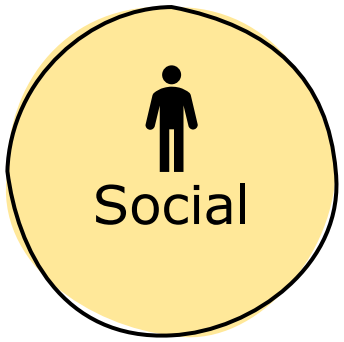
- Competition for few spots
- Communication with clients

National Association of Counties report: *Housing for the Justice-Involved: The Case for County Action*
Code of Federal Regulation, 960.204

Unseen Barriers to Housing People with Justice Involvement and Behavioral Health Needs



- Dual stigma of mental health condition and criminal background



- Institutionalization (lack of structure)
- Life skills to navigate systems and independent living

- Lack of community connections
- Isolation when newly housed

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SAMHSA. *Principles of Community-Based Behavioral Health Services for Justice-Involved Individuals: A Research-Based Guide*
Hogg Foundation. *Policy Brief: Housing for People with Serious Mental Illness*

Understanding the Criminal Justice System (CJS) (1 of 3)

Many people who are CJS-impacted lack formal education about the legal system

- This can result in people making plea bargains or legal decisions they regret.

The process is inherently stressful

- People with charges are required to make complex decisions with far-reaching consequences during a stressful and traumatic period.

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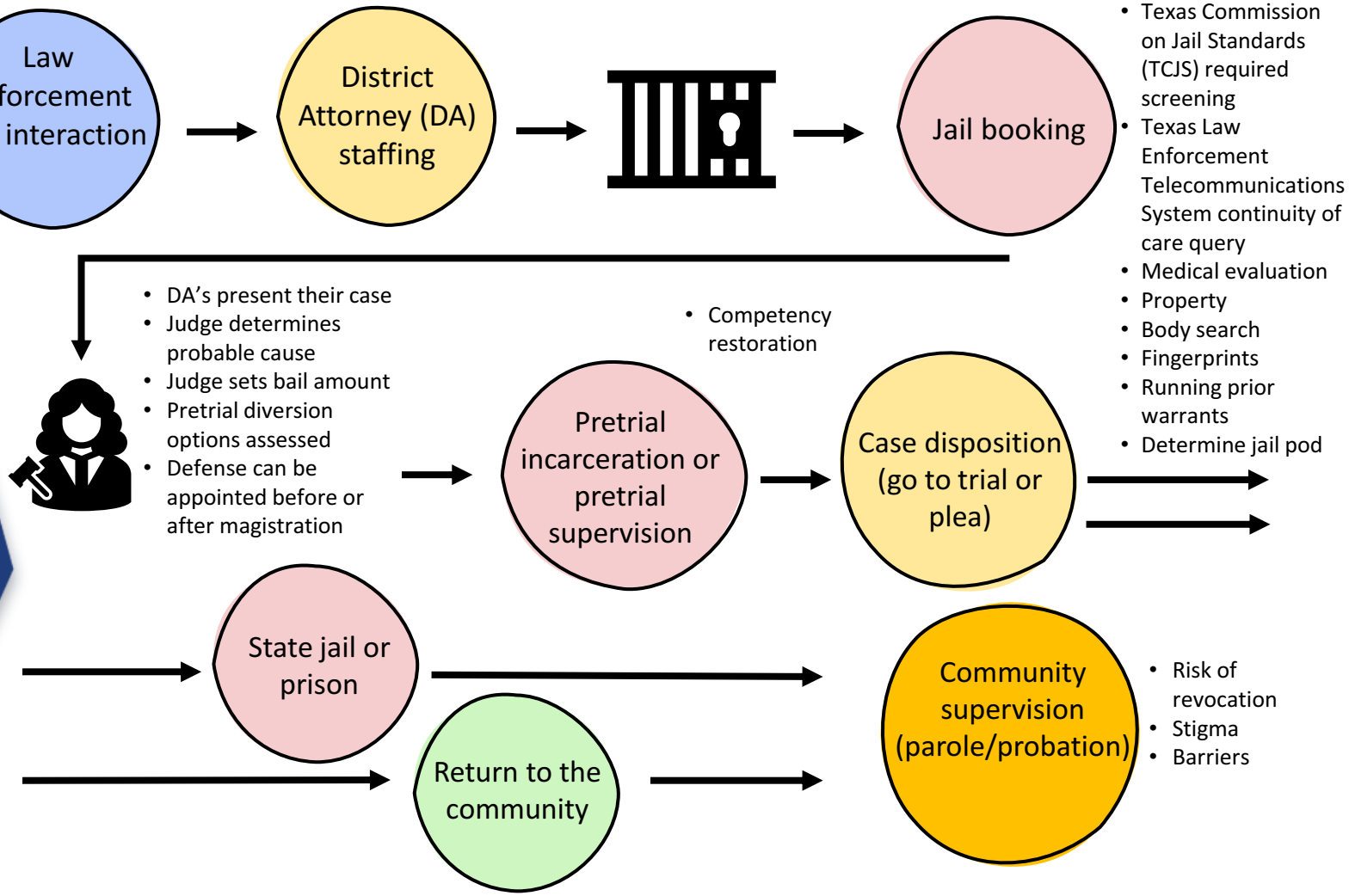
Bureau of Justice Assistance. *Plea and Charge Bargaining Research Summary*.

Understanding the Criminal Justice System (CJS) (2 of 3)



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Understanding the Criminal Justice System (CJS) (3 of 3)

People decide to take plea deals based on a variety of factors:

- Pretrial detention
- Family and work obligations
- Fear of incarceration
- An experience of taking a plea
- Past CJS history
- Potential for harsher penalties for defendants who exercise their right to a trial rather than take a plea

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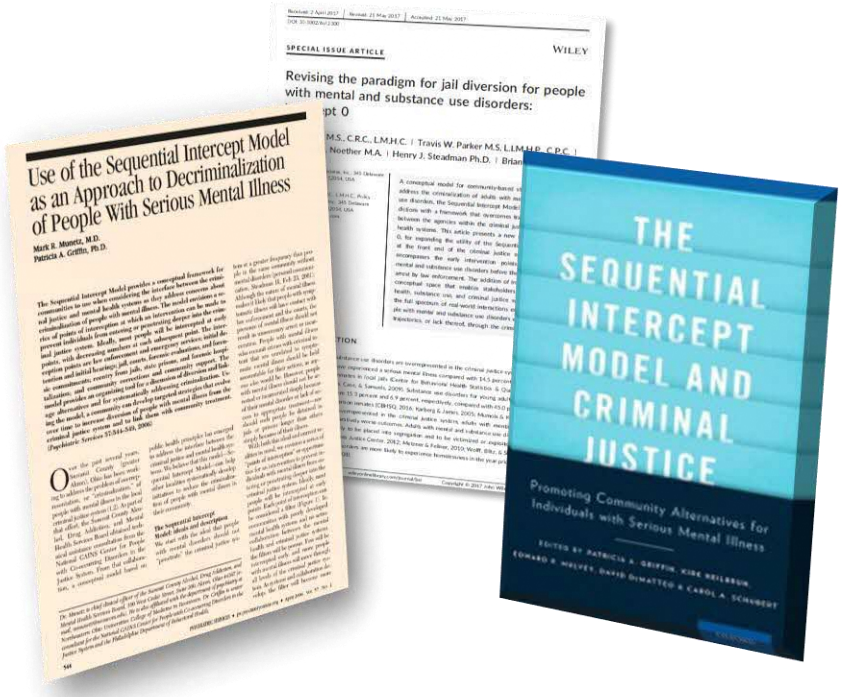
Bureau of Justice Assistance. *Plea and Charge Bargaining Research Summary*.

The Sequential Intercept Model (SIM)

People move through the criminal justice system in predictable ways.

The SIM intercepts illustrate:

- Opportunities for diversion
- Opportunities for treatment
- System efficiency
- Community partnerships



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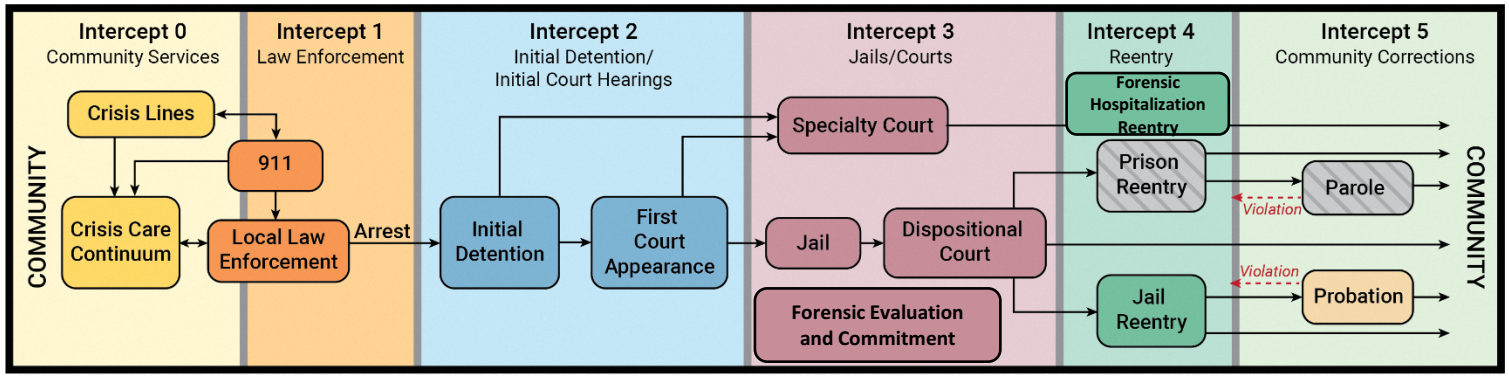
The Sequential Intercept Model (SIM) Framework



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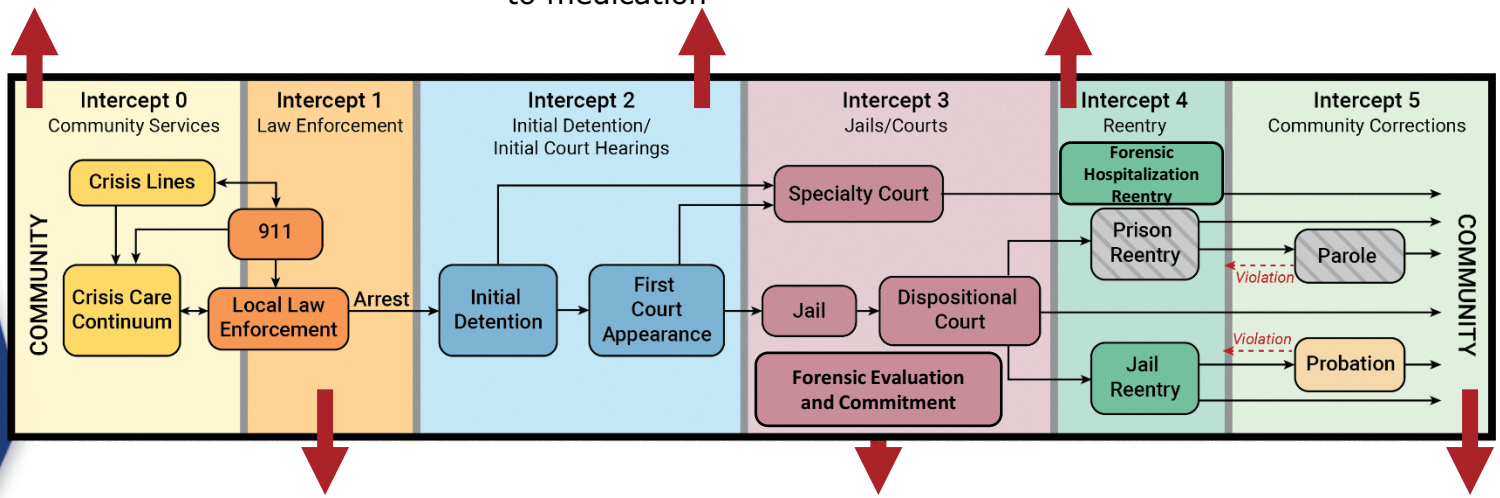
Graphic: Policy Research Associates: *The Sequential Intercept Model*

Housing Instability and Behavioral Health Needs Across the SIM

- Untreated MI and SUD
- Visibility of basic life functions ("quality of life" calls)
- Greater victimization

- Greater chance of pre-trial detainment
- Less diversion opportunities
- Less likely to participate in diversion programs
- Screening and timely access to medication

- Reduced access to employment, housing, shelters due to criminal history
- Limited access to critical documents
- Challenges reinstating benefits



- Community and business concerns
- Frequent LE contact

- Less likely to be referred to outpatient competency restoration
- Less likely to agree to probation if they can't meet the terms

- Increased risk for supervision failures, recidivism due to lack of housing, transportation
- Increased stigma

Graphic: Policy Research Associates: The Sequential Intercept Model
CCJBH's Policy Brief: Improving Outcomes for the Justice-Involved with Behavioral Health Challenges
Center for Justice Innovation: Housing is Justice: Exploring State and Local Innovations

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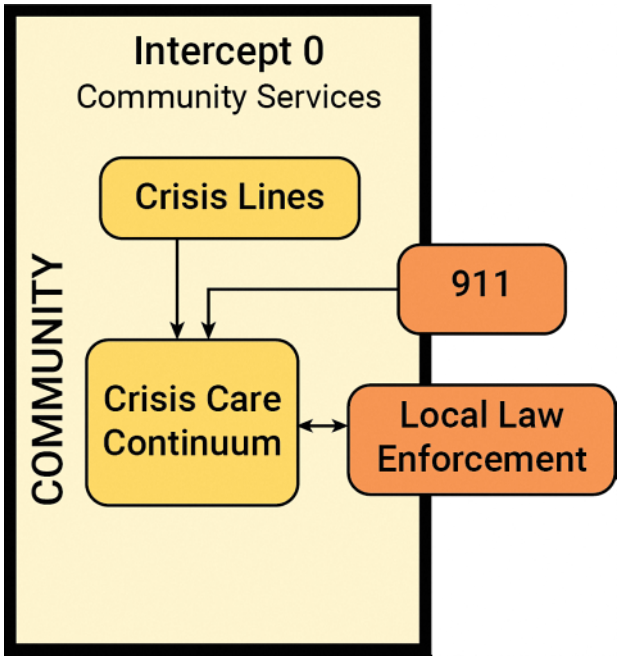
Intercept 0: Community Services



Key Features

Connects people who have MI, SUD, and intellectual or development disabilities (IDD) with services before they encounter the criminal justice system.

Supports law enforcement in responding to both public safety emergencies and mental health crises.

Enables diversion to treatment before an arrest.

Reduces pressure on resources at local emergency departments and inpatient psychiatric beds for urgent but less acute mental health needs.

- **Street outreach teams**
- **Access to harm mitigation**
- **Mobile crisis outreach teams**
- **Mental health centers**
- **Warm lines**
- **Community paramedics**
- **Supportive housing**
- **IDD/MH respite**
- **Coordinated Entry**

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Policy Research Associates: The Sequential Intercept Model

Intercept 0: Housing Considerations

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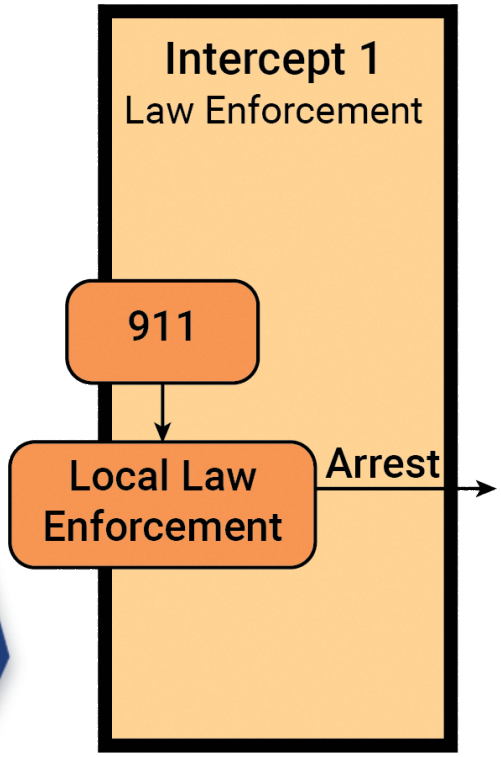
- Access to Local Mental HA/BHA
- Coordinated entry and HMIS
- Access to SSI/SSDI Outreach Access and Recovery
- Frequent User System Engagement (FUSE) initiatives
- Projects for Assistance and Transitions from Homelessness programs
- Housing availability and access
- Length of homeless time

Read about McLennan County's Youth Crisis Respite

Read about Bexar County's Familiar Faces initiative

Intercept 1: Law Enforcement (Pre-Arrest)



Key Features

Begins when law enforcement responds to a person with a MI, SUD, or IDD who is in crisis.

Ends when the person is arrested or diverted into treatment.

Trainings, programs, and policies help behavioral health providers and law enforcement work together.

- **LE co-response**
- **Dispatch training**
- **Remote MH assessment**
- **LE-friendly diversion options**
- **Call coding for behavioral health**
- **Homeless response teams**

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Intercept 1: Housing Considerations

Diversion, crisis and sobering centers

Homeless outreach teams

Encampment sweeps and camping bans

Coordinated entry and HMIS

Housing availability and access

Read about Howard County's Diversion Center

Read about El Paso's Homeless Outreach Street Team

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Audience Poll

Does your organization implement programs at early intercepts that support diversion and access to care?

If yes, consider sharing a bit of background on the program, keys to success, and outcomes to date!

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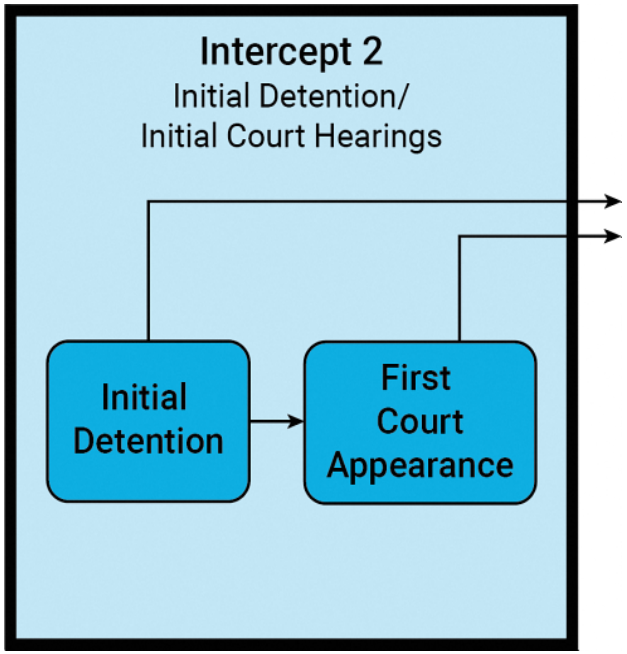
Intercept 2: Initial Detention/Initial Court Hearings



Key Features

Supports early identification and screening to inform decision making around a person's care, treatment continuation, and pretrial orders.

Supports policies that allow bonds to be set to enable diversion to community-based treatment and services.

Includes post-booking release programs that route people into community-based programs.

Represents the moment when the question of competence is first raised.

- **Opportunities for diversion at booking**
- **TCJS required screenings**
- **TLETS continuity of care query**
- **Coordination with LMHA/LBHA**
- **Assessing competency**
- **Access to medications and medical supplies**
- **Safety and specialized units**

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Intercept 2: Housing Considerations

Navigating the jail

Pretrial Services

Bond and bail

Eligibility for permanent supportive housing after long periods of incarceration

Read about Harris County's (Healthcare for the Homeless) Jail Inreach Project

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Navigating the Jail

Who can answer the big questions?

How do you access the jail census?

How do you request jail medical and mental health (MH) records?

Who provides jail medical and MH services?

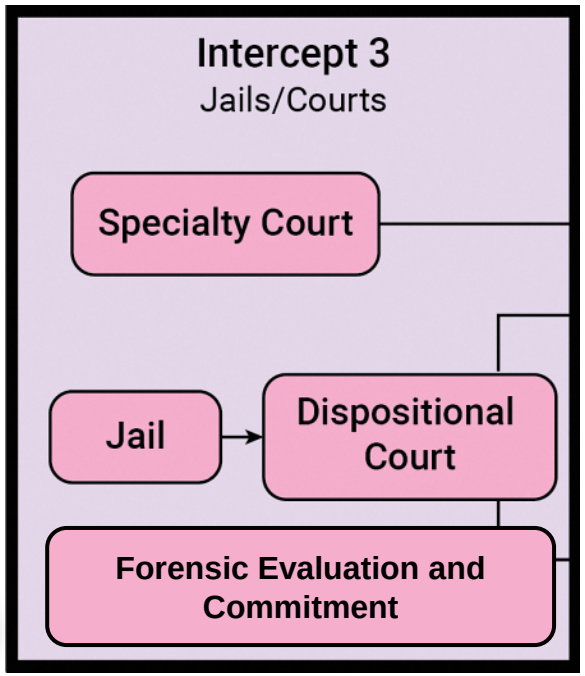
Can the incarcerated person sign anything?

How can you alert the jail to an urgent concern?

What can I bring in to the jail when visiting a client?

What are visiting hours?

Intercept 3: Courts



Key Features

Includes court-based diversion programs that allow the criminal charge to be resolved while taking care of the defendant's behavioral health needs in the community.

Includes constitutional protections such as the right to due process and representation by a defense attorney at no cost if indigent.

Includes services that prevent the worsening of a person's mental health or substance use symptoms during their incarceration.

Can include using criminal charges as treatment leverage.

- **Specialty courts**
- **Distributing Bench Book**
- **Assisted outpatient treatment**
- **Holistic defense**
- **Pre-trial supervision**
- **FACT/ specialized caseloads**

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Intercept 3: Housing Considerations

Knowledge of the legal system and working with someone with pending charges

Collaboration with Specialty Courts

Read about Travis County's community court

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Community court to housing: This Austin pipeline to address homelessness is working, KXAN, 2024.

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Navigating the Courts

Who can answer the big questions?

How do I locate a person in jail?

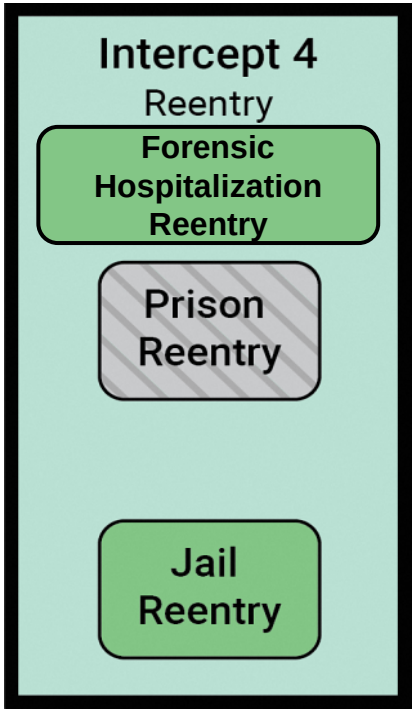
Who is the defense attorney?

What consent forms do I need to talk to the attorney?

Is the public defender's office or assigned counsel part of HMIS?

How can I advocate for the person to avoid relocation?

Intercept 4: Reentry



Key Features

Ensures people have workable plans in place to provide seamless access to medication, treatment, housing, health care coverage, and services from the moment of release and throughout their reentry.

Should be well-planned, intentional, and individual-centric to help set people up for success and avoid lapses in recidivism.

- **Peers**
- **Discharge planning**
- **Warm handoffs**
- **Access to job readiness/employment**
- **Recovery supports**
- **Access to naloxone**
- **Eligibility or reinstatement of benefits**
- **Work with LMHA**

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Intercept 4: Housing Considerations

- Jail in-reach programs
- Barrier-busting funds
- Critical documents
- Access to recovery housing
- State hospital reentry
- Psychosocial rehabilitation
- Benefits reinstatement

Read about multi-county mental health peer support re-entry pilot program

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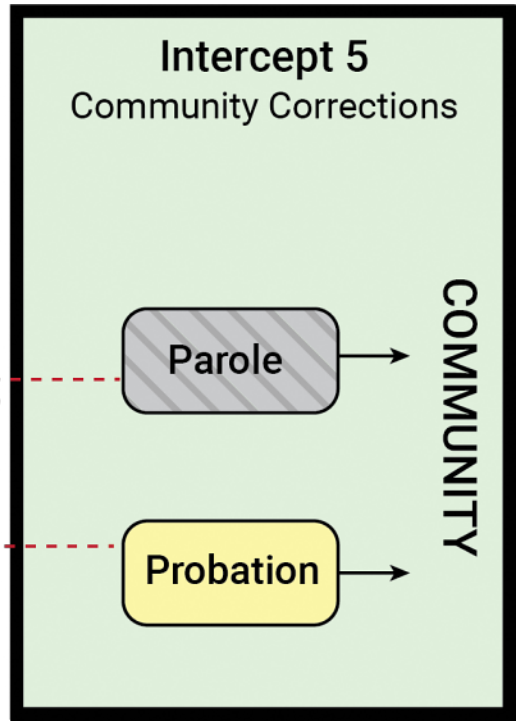
Intercept 5: Community Corrections



Key Features

Strengthens knowledge and ability of community corrections officers to serve people with MI, SUD, and/or IDD.

Addresses the persons' risks and needs.

Supports partnerships between criminal justice agencies and community-based behavioral health, mental health, or social service programs.

- **Training for community corrections staff**
- **Specialized caseloads**
- **Multidisciplinary stakeholder coordination groups**
- **Connection to recovery supports**
- **Peers**

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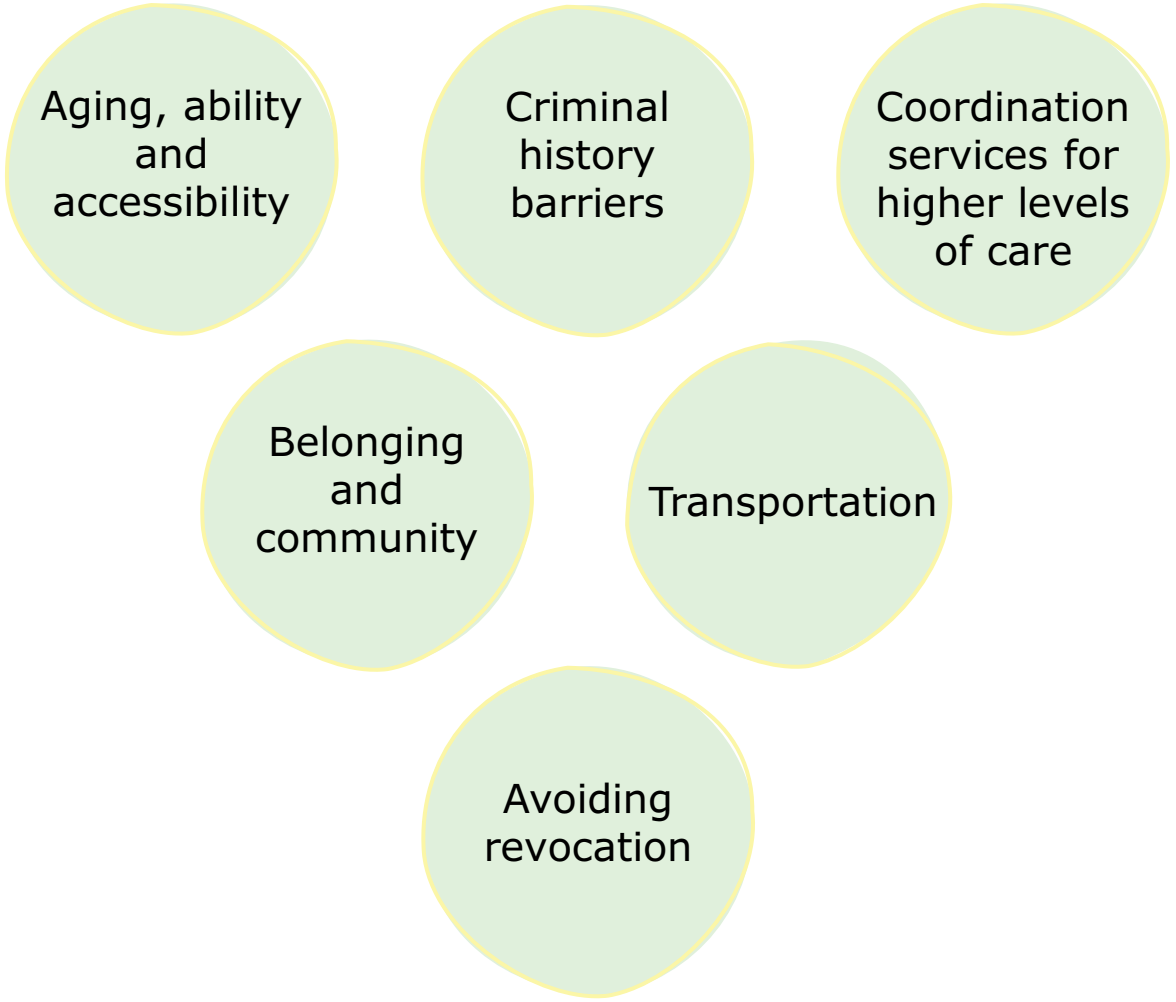
Intercept 5: Housing Considerations



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Audience Perspective

What is working well within your community to support people reentering?

Are there things your organization could be doing to better support this population?

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Important Themes

- Making the Financial Case
- Data Collection
- Coordinated Entry

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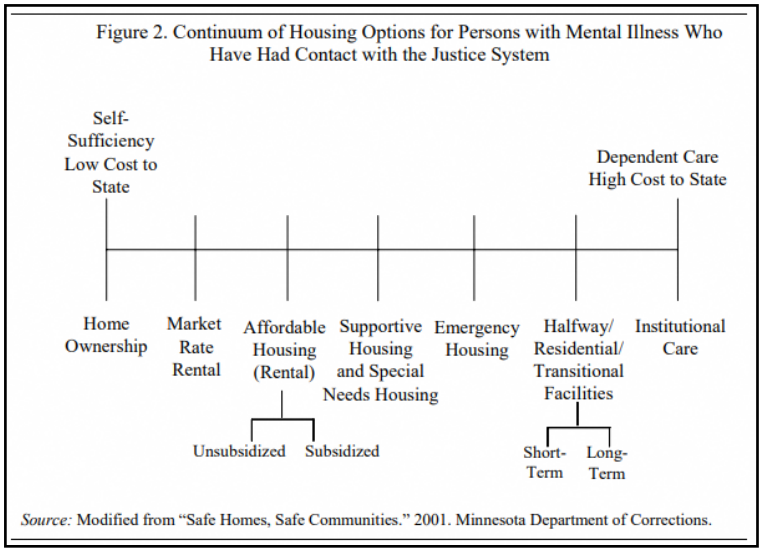
Making the Financial Case



Median Daily Costs

Shelters: **$25.48**

Supportive Housing: **$30.48**

Prison: **$59.43**

Jail: **$70**

Psychiatric Hospital: **$451**

Hospital: **$1,590**

All Texas Access Dashboard Data

Incarceration
- Estimated incarcerations of persons with mental illness
- Estimated costs of incarcerations of persons with mental illness

Mental Illness
- Adolescents with serious emotional disturbance
- Adults with serious mental illness

Estimated Emergency Department
- Events
- Charges

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Urban Institute. *Principles and Practice in Housing for Persons with Mental Illness Who have had Contact with the Justice System*.
All Texas Access Dashboard Data.

Data and Information Sharing

Do housing resources meet the housing need for people with mental health or substance use disorders and justice involvement?

Recommended Variables and Measures:

- Number of units available by type
- Average wait time on housing program lists
- Number of persons experiencing homelessness with self-reported or confirmed MI or SUD
- Number of persons under criminal justice supervision who are experiencing homelessness
- Number of persons housed by payment type
- Average tenure in public housing for persons with MI or SUD versus those without

Increase access to HMIS for greater data sourcing and care coordination

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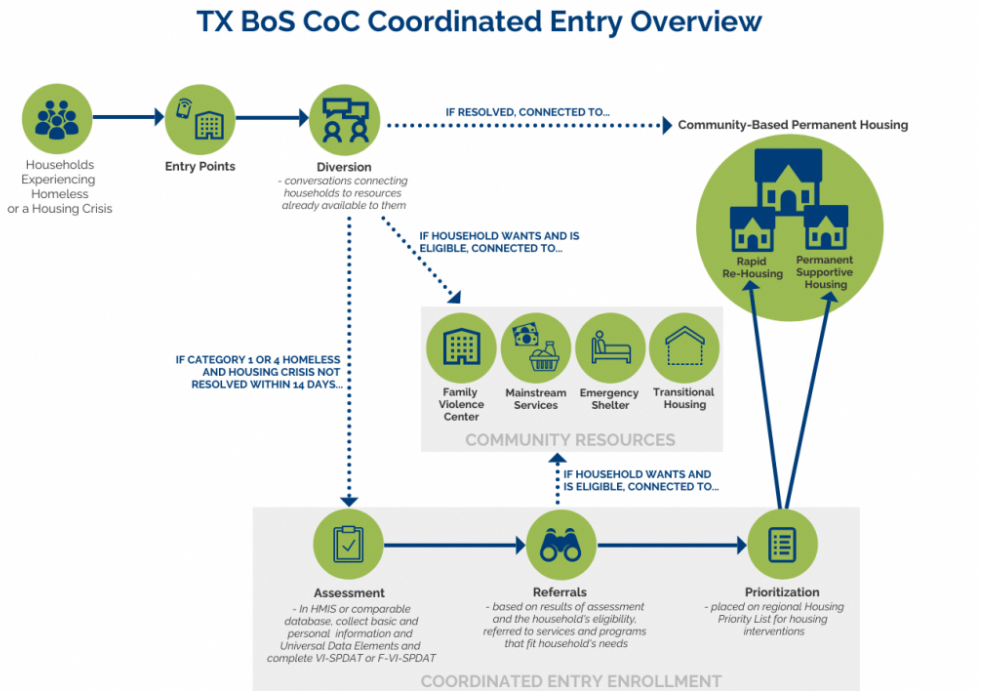
Substance Abuse and Mental Health Services Administration: *Data Collection Across the Sequential Intercept Model: Essential Measures*

Coordinated Entry

Identify opportunities to embed entry points to Continuum of Care (CoC) Coordinated Entry (CE) systems within key justice system touch points such as jails, prisons, courts, diversion, and parole or probation programs



Graphic: Texas Homeless Network: Coordinated Entry

Case Example: Jeremiah

Behavioral Health History

- Diagnosed with schizophrenia as a teen.
- Periods of medication compliance and non-compliance.
- Period of mental health decompensation and poly-substance use.
- Referred to forensic assertive community treatment (FACT) services through LMHA.
- Eventually participates in OCR.
- Receives long-acting injectables from LMHA.

Housing History

- Death of a family member and instability with other family precipitated homelessness.
- Began experiencing homelessness, living in encampments around Houston.
- Declines offer to stay in respite facility for competency restoration.
- HMIS assessment score/history qualifies him for PSH.
- While engaged with MH court, his number comes up for housing.

CJS History

- Frequent encounters with law enforcement.
- Low level charges, short jails stays.
- Eventually, charged with state jail felony for possession.
- Jail identifies mental health history, assigns a specialty public defender at magistration. FACT referral and outpatient competency restoration (OCR), on mental health bond.
- Found competent to stand trial and receives one year deferred adjudication.
- Successfully completes probation.

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Success After 19 Years Chronic Unsheltered Homelessness

- Since December 2023, Jeremiah has been successfully housed in permanent supportive housing.
- He is Medicaid/Medicare enrolled and receives SSDI and SSI benefits.
- Is in a relationship with a person who's never experienced homelessness.

"I'm tired of being on the streets. I'm too old for this"

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Texas Behavioral Health and Justice Technical Assistance Center

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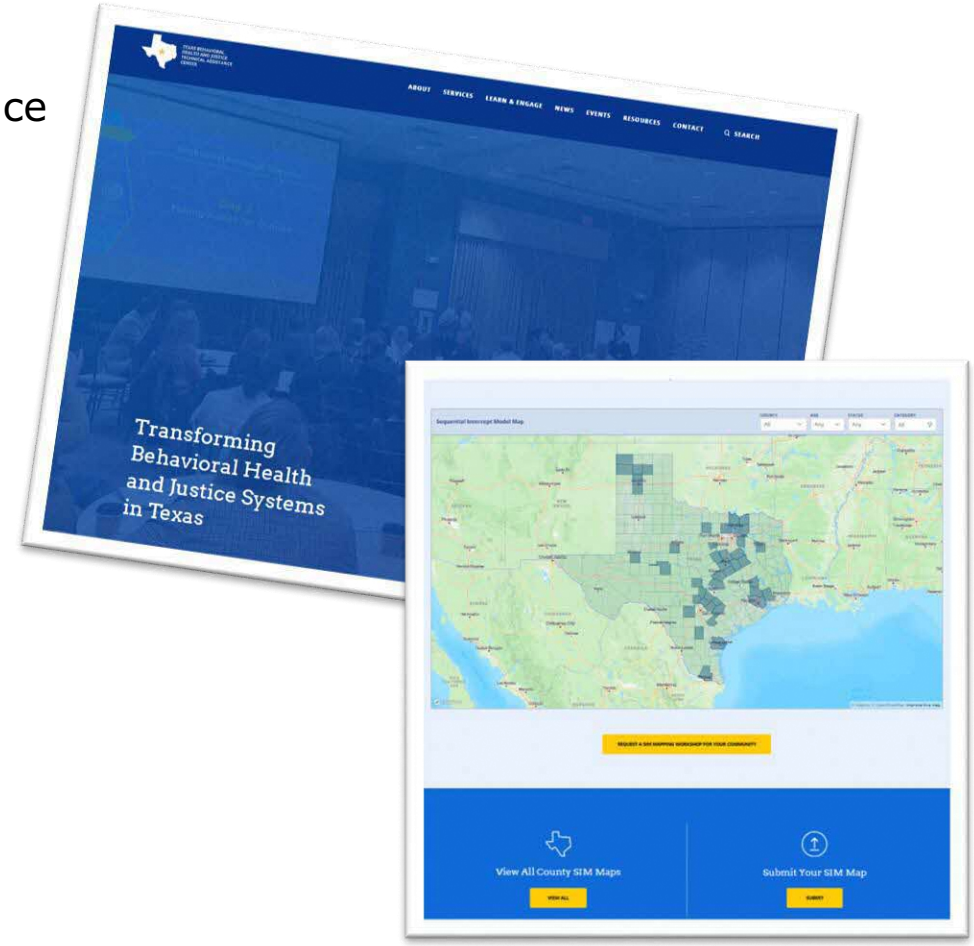
Key Features

- Free technical assistance and support
- Webinar series
- Original publications
- Innovative spotlights
- Connections to other Texas communities
- National research highlights



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Thank you!

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