New mental health initiatives in the Criminal justice system are quickly emerging in Georgia and the Office of the Mental Health Advocate (OMHA) recently had the opportunity to witness the Honorable Kathlene F. Gosselin of the Hall County Mental Health court administer justice and address the unique needs of its mentally challenged defendants. The Governor’s Pilot Mental Health Diversion program was implemented as a result of concerns by sheriffs from various jurisdictions about providing services for people with mental illness or mental retardation while being detained at the local jails. The collaboration includes representation from the Governor’s Office, Bill Kissell of the Georgia Department of Corrections, the Georgia Department of Human Resources, the State Board of Pardons and Paroles, the local Sheriff, the District Attorney, County Solicitor and the Hall County Superior Court. Pictured: Governor Sonny Purdue and the HELP team

The Governor's pilot program in Gainesville is also referred to as the Health, Empowerment, Linkage and Possibilities (HELP) program and is funded by the Byrne Grant which helps to eliminate cost to local services. The program's mission is to provide alternatives to incarceration in the Hall County jail by providing community-based treatment services for those defendants with mental health needs. The goal is that this program will be implemented statewide and help to prevent recidivism and deter prolonged involvement with the criminal justice system. Pictured: Judge Kathlene F. Gosselin

The HELP program accepts referrals made by attorneys, court officials and other agencies. However, the bulk of the referrals come from Hall County detention officials such as Captain Avery Niles, Lt. Danny Woods and Sergeant Wheeler who are many times the first ones to identify the mentally ill inmates. The Hall County Sheriff’s Department is invaluable in identifying the mentally challenged inmates and contacting the courts and pretrial officers to divert from the criminal justice system.

Once a referral is received by HELP, a case manager such as Erika Johnson the Program Director conducts an evaluation to determine the person’s eligibility for the program. The criteria for being accepted into the program are based on the mental health needs of the defendant and the severity or nature of the charge(s). Pictured L-R Melin Foscue, Erika Johnson, Devona Stalnaker, Dr. John Kent (part-time psychologist - not featured)
The Governor’s Pilot Mental Health Diversion Program: The HELP Program, A Hall County Initiative

The referral is then forwarded to Judge Gosselin and the District Attorney who reviews the criminal charges and defendant’s clinical history. If an individual is eligible for the program, then the individual has the option to accept the program and proceed through mental health court or decline and proceed through the normal appropriate criminal court.

At this point, the defendant, case manager and community-service providers create an Individualized Case Plan (ICP) for the defendant to follow. The individual then proceeds through mental health court with periodic status checks. However, if the defendant is non-compliant with any portion or all of the plan, appropriate sanctions such as performing community service, phase reduction, suspension, or expulsion may be imposed.

OMHA had just such an opportunity to witness both these scenarios during our visit in which one person was removed from the program and another person proceeded forward. Judge Gosselin, heard two cases that morning with defendants and family members in attendance. One case involved an eighteen (18) year old mentally ill man, who has been diagnosed with Attention Deficit/Hyperactivity Disorder and was being processed through the Mental Health Court with his mother present for support. The mother stated that she and her son have benefitted from this court because of the personalized support they have received and that people who have mental health challenges such as her son have difficulties grasping the complicated legal system and often times end up “falling between the cracks.” According to the mother, her son, like so many other mentally challenged defendants, are victimized by their limited mental capabilities. This population is a sitting target, both inside the jail and outside. In addition to her son’s case being handled by a Judge that is knowledgeable about mental health issues, she finds that the case workers, probation officers and all of the staff associated with the Mental Health court have worked to ensure that her son will never come back to jail.

"I'm proud of it and I think it's the right thing to do." Bill Kissell, Director of Health Services for the Georgia Department of Corrections