

Testimony to the Assembly Committee on Corrections

Shel Gross, Director of Public Policy

Mental Health America of Wisconsin

AB51/AB52

Mental Health America of Wisconsin (MHA) urges your support for both AB51 and AB52 which were forwarded to the Legislature by the Legislative Council Study Committee on Problem-Solving Courts, Alternatives and Diversion. MHA recognizes that people with mental illnesses are over-represented in the criminal justice system, often due to a lack of treatment options for them in the community. For individuals whose criminal justice involvement is secondary to the symptoms of their mental illness, incarceration is often not helpful and can, in fact, be detrimental. The evidence shows that individuals who come into contact with the criminal justice system and who can be diverted to appropriate services and supports are much less likely to reoffend. However, some of the rules associated with the Treatment Alternative and Diversion program (TAD) have limited the number of people with mental illnesses who are able to participate in these programs. The recommendations from the study committee make reasonable modifications to these rules and will facilitate the program serving additional individuals who can benefit from it. Specifically:

- AB51 provides new dispositional alternatives for families who have come under the jurisdiction of the juvenile court due to parental problems related to mental illness or substance abuse. MHA operates a program called Strong Families/Healthy Homes, which works specifically with families where the primary caregiver has a mental illness (usually accompanied by a substance use disorder). We have worked with the Bureau of Milwaukee Child Welfare to successfully reunify such caretakers with their children, who had previously been removed from the home. Unfortunately, the juvenile court system has lacked the ability to promptly address the needs of such caretakers.
- AB52 expands who may participate in TAD programs. Specifically it allows a project to specify whether or not certain violent offenders will be allowed to participate. In the past violent offenders were not allowed to participate in the program, although evidence shows they are able to benefit. Certain individuals with mental health disorders have been excluded as a result. Additionally the bill requires each project to use evidence-based eligibility criteria to determine who may participate in the project and to tailor its services to the needs of each participant or target population. We understand this to include individuals who have only a mental illness without a co-occurring substance use disorder. Again, such individuals are currently excluded from participation despite the fact that they have been successfully served in similar problem-solving courts.

Thank you for your consideration.