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Mental Health Court making a difference

Nashua is one of three New Hampshire communities attempting to develop a new model for the treatment of nonviolent criminals with a mental illness. The city's Mental Health Court, also in place in Keene and Portsmouth, was the topic of a four-part series published last week in The Telegraph.

The series made a good case for recently approved legislation (HB 171) that will create a statewide commission to evaluate the existing mental health courts and establish statewide standards.

The experience so far demonstrates that the program is effective in reducing the burden on an already overcrowded court system, while providing a better alternative than jail time for offenders whose mental illness causes them to run afoul of the law.

Nonviolent offenders arrested for misdemeanor crimes can avoid court and jail time and instead enter a court-supervised therapy program. Once the team of doctors, social workers and other professionals determine that an offender qualifies, he or she is required to stay out of further trouble and maintain a set schedule of counseling and rehabilitation. The program has an impressive success rate and is widely applauded by police, prosecutors, judges and the people it serves. Approximately 250 have enrolled in the program since it was established in 2006, and only five have failed to complete the terms of their enrollment. Had those same people ended up in jail, the costs to the state would have been much higher and the likelihood of recovery much lower.

Dr. Hisham Hafez, executive director of the Greater Nashua Mental Health Center at Community Council, is among the many professionals involved in the program.

"It allows people to avoid jail but not accountability for their actions," he said. "It's not a free pass."

The Nashua experiment is well structured to provide a model for the state with its two-track approach. In track one, the case is usually continued and eventually scheduled to be dismissed if the defendant complies with the terms of his or her contract.

The second track, usually taken by people with previous criminal records or more serious offenses, starts with a guilty plea and a deferred sentence, pending successful completion of the program.

Such diversion programs are desperately needed so that our overtaxed criminal justice system can focus its limited resources where they are needed most. The program saves tax dollars and achieves better outcomes. It's a model that should be applied statewide.

As our series reported, nationally an estimated 14 percent of male inmates and 31 percent of female inmates have a mental illness, according to a recent study by the Council of State

Governments Justice Center. The estimates for New Hampshire juvenile offenders with a mental illness range from 68 percent to as high as 80 percent.

There has to be a better alternative for many of these people than an endless cycle of petty crime and incarceration – and the Nashua Mental Health Court provides that alternative.

Every effort should be extended to fully fund and broaden the program throughout the state. It will only save money, and lives, in the long run.