

# INTERFAITH COALITION FOR JUSTICE IN OUR JAILS (ICJJ)

ICJJ

INTERFAITH COALITION  
FOR JUSTICE IN OUR JAILS

a committee of [Faith in Action East Bay](#)

Visit our website at

[www.icjjalamedacounty.org](http://www.icjjalamedacounty.org)

## NEWSLETTER

ISSUE NO 4 | JANUARY 2022

### Who We Are: Mission Statement

The ICJJ seeks to reduce incarceration as a response to social problems in Alameda County, California, and to decrease harmful conditions in the jail.

We advocate to decrease the number of those imprisoned and close the revolving door to jail -- especially for those with mental health or housing needs. The jail must be safe, humane, and supportive of successful reentry into our communities.

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January 2022

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by Urban Strategies  
Council intern  
Sawan Garde

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### Meet Our Congregations!

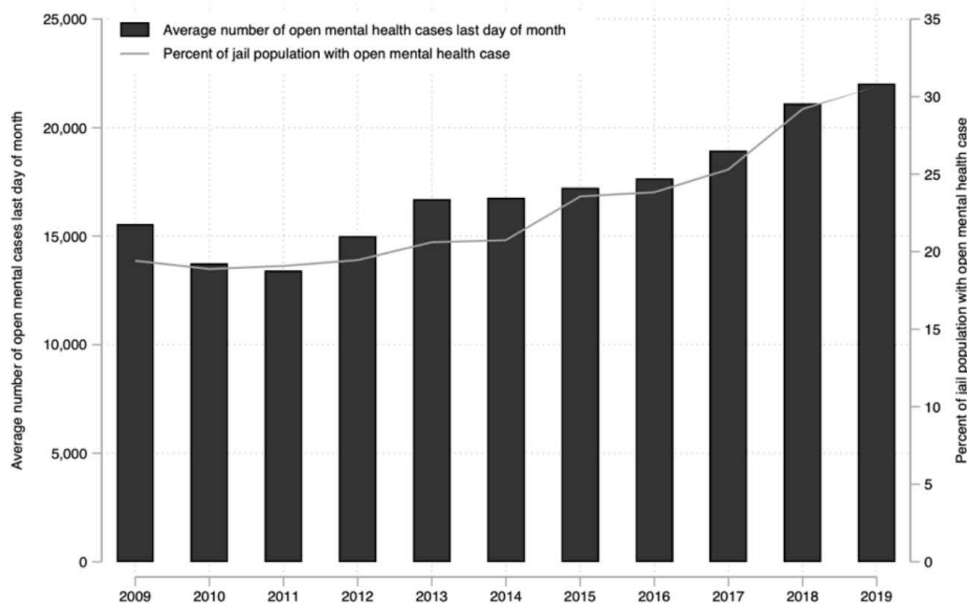
Congregation Netivot Shalom  
First Unitarian Church of Oakland  
Kehilla Community Synagogue  
Lakeshore Avenue Baptist Church  
Montclair Presbyterian Church  
Plymouth United Church of Christ  
Starr King Unitarian Universalist Church  
St. Columba Catholic Church  
Skyline Community Church

# Behavioral Health Court

## Unrecognized and Underutilized Potential: The Behavioral Health Court of Alameda County

by Sawan Garde, intern for Urban Strategies Council  
The College Preparatory School, Oakland, CA  
January 2022

Jails are no place for people with mental illnesses. Yet, with a crumbling public mental health infrastructure, United States' jails have become the largest providers of mental health treatment in the country. In Alameda County's Santa Rita Jail, people with serious mental illnesses make up nearly a quarter of the inmate population, and the jail is woefully unequipped to offer appropriate mental health resources to those people.



*The percentage of individuals in California jails with a mental illness has been steadily increasing over the last decade.<sup>1</sup>*

<sup>1</sup> "The Prevalence of Mental Illness in California Jails is Rising: An Analysis of Mental Health Cases & Psychotropic Medication Prescriptions, 2009-2019," *California Health Policy Strategies, L.L.C.*, February 2020, 6, [https://calhps.com/wp-content/uploads/2020/02/Jail\\_MentalHealth\\_JPSReport\\_02-03-2020.pdf](https://calhps.com/wp-content/uploads/2020/02/Jail_MentalHealth_JPSReport_02-03-2020.pdf).



The Behavioral Health Court (BHC) of Alameda County is one of Alameda County's attempts to combat the over incarceration of individuals with serious mental illnesses. This court program is run in collaboration between the Superior Court of Alameda County and Alameda County Behavioral Health, a division of the Alameda County Health Care Services Agency. BHC follows a collaborative model where judges, lawyers (both defense and prosecution), and mental health professionals work in partnership with the defendant, known as the BHC's client, or partner, to develop a treatment plan for the partner. The program diverts those who qualify for the program out of, most often, pre-trial detention in Santa Rita Jail and into a one- to two-year treatment program with an Alameda County based mental health provider. The partner is closely monitored by the court, and upon successful completion of their treatment plan, the partner's pending criminal case and associated arrest record are sealed.

The BHC has enormous potential to transform the justice system's inhumane handling of mental illness. The purpose of my [report](#) is to investigate this potential for the purposes of informing the mental health advocacy efforts of the Interfaith Coalition of Justice in our Jails, in addition to educating the broader public on this program. Between July and August of 2021, I conducted interviews with ten individuals, all of whom had some personal experience with the Behavioral Health Court, Collaborative Courts, incarceration, or mental health work. Nine of the ten were professionals/county staff; one was a partner in BHC. Through reading and reviewing a multitude of reports and other pieces of literature on the subject of mass incarceration, mental illness, and mental health courts, I was able to support the information gleaned from my interviews with background information, context, and data. The result is a report which strives to illuminate the potential and challenges of the BHC, including necessary reforms to the BHC in order to maximize its positive impact on the issue of over criminalizing people with mental illnesses in Alameda County.



In my analysis of the BHC, I found that by always centering the partner's needs and goals, the BHC is diametrically opposed to the traditional adversarial court model. The BHC is a program representative of true compassion and a focus on individual rehabilitation, not punishment. Not only does the BHC operate in a racially conscious and just manner, but the court also represents a more cost-effective investment in public health and public safety for Alameda County, making it worthy of more attention and resource allocation.

Yet, for the BHC to increase its positive impact, a few things must change (full list of reforms on page 24 of report):

- Alameda County Behavioral Health must improve its transparency, particularly by improving its public facing information and data about its programs.
- More public, political, and fiscal resources must be placed in increasing certain community mental health services in Alameda County which are always at capacity. These mental health services are the "rate limiting factor" of the BHC's caseload.
- BHC should consider expanding its caseload to more violent criminal charges, as there is evidence to suggest that mental health courts have a significant impact on reducing violent criminal recidivism.

*Sawan Garde completed his internship with Urban Strategies Council in August of 2021. Additional editing took place during the Fall 2021 term at The College Preparatory School.*

How to get in touch with Interfaith Coalition for Justice in Jails (ICJJ) about this report:

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