

NATIONAL SHERIFFS' ASSOCIATION



Resolution

2004-6

SUPPORT OF TREATMENT FOR MENTALLY ILL OFFENDERS

WHEREAS, the National Sheriffs' Association (NSA) and the Accreditation, Detention & Corrections Committee of NSA realize the serious impact inmates with severe mental illnesses have on the nation's jails and local correctional facilities; and

WHEREAS, many public and private agencies have embarked on the mission to eliminate barriers to treatment for Americans who suffer from, but are not being treated for, severe mental illnesses such as schizophrenia and manic-depressive illness; and

WHEREAS, 40% of individuals who suffer from severe mental illnesses are not being treated at any given time, primarily because the illness affects their ability to recognize that they are ill and they therefore refuse treatment; and

WHEREAS, one of the most serious consequences of failing to treat severe mental illnesses is that there are now more than twice as many mentally ill individuals in jails and prisons than there are in state psychiatric hospitals, and more than one million individuals with severe mental illnesses admitted each year to jails, and according to a Department of Justice report, these individuals comprise as much as 20% of the population of jails; and

WHEREAS, the most significant barrier to treatment for the most severely mentally ill are laws that prevent the treatment of individuals who refuse treatment until they are an immediate danger to themselves or others and laws that prevent a court from ordering individuals to take medication while living in the community; and

WHEREAS, the consequences of non-treatment, including incarceration, suicide, homelessness, worsening symptoms, victimization and violence, can be prevented by having laws that require treatment based on a "need for treatment" rather than just "dangerousness" for those who refuse it; and

NSA Resolution No. 2004-6, Page 2

WHEREAS, the consequences of non-treatment can also be prevented by having laws that allow a court to order treatment in the community for individuals who are in need of treatment but refuse it (also known as Assisted Outpatient Treatment); and

WHEREAS, requiring treatment pursuant to “need for treatment” criteria combined with the use of Assisted Outpatient Treatment has been proven in numerous studies and jurisdictions to reduce the consequences of non-treatment for those most at risk because of severe mental illness, including in New York State whose Office of Mental Health reports that of the individuals placed in a program centered on these legal reforms, 77% fewer experienced hospitalization, 85% fewer experienced homelessness, 83% fewer were arrested, and 85% fewer were incarcerated.

THEREFORE, BE IT RESOLVED, that the National Sheriffs’ Association and the Accreditation, Detention & Corrections Committee of NSA hereby share and approve of the missions of these agencies and support laws that require treatment based on a “need for treatment” rather than just “dangerousness” for those who refuse it and laws that allow a court to order treatment in the community for individuals who are in need of treatment but refuse it (also known as Assisted Outpatient Treatment).

***Adopted at a meeting of the General Membership
on the 28th day of June, 2004, in Seattle, Washington***