

Harris County Felony Mental Health Court Overview

Harris County District Courts, Criminal Division

The Harris County Felony Mental Health Court (FMHC) is a collaborative, problem-solving court in which probationers living with a mental illness adhere to a judicially supervised Re-Entry Plan developed and monitored by mental health professionals

FMHC Program Description

- **Voluntary** entry – client will be advised of program requirements and will be encouraged to review benefits and any perceived detriments of participation with counsel
- Clients admitted to the court receive **deferred adjudication or probation**
- Client must be willing to undergo a **clinical evaluation** and agree to adhere to an **individualized Re-Entry Plan**
- **Individualized, graduated incentives and sanctions** are applied in order to encourage adherence to the Re-Entry Plan and to modify behavior leading to potential criminal activity
- Must complete **at least 18 months in the court**; Judge will consider early termination of probation as allowed by law
- **Referrals** into the FMHC are generated by other courts, counsel and other sources

Inclusion Criteria (All criteria must be met)

- Diagnosis of a Serious and Persistent Mental Illness
 - Schizophrenia/Schizoaffective Disorder
 - Bipolar Disorder
 - Major Depressive Disorder
 - *May* have a co-occurring substance abuse disorder
- Legally competent;
- Identified relationship between the mental illness and the behavior which resulted in the criminal charge;
- Felony offense;
 - Assaultive offenses and offenses involving possession or use of a firearm will be considered on a case by case basis
- Willing to engage in a risk assessment and clinical evaluation, on-going mental health treatment and, if needed, substance abuse treatment and comply with terms of Community Supervision

Exclusion Criteria

- Past or current charge of a sex offense
- More than one (1) previous DWI offense
- Primary diagnosis of a substance abuse disorder
- Currently on parole

For acceptance into the FMHC, ***appropriate community resources must be available*** to address identified treatment needs. If a candidate is determined to be ineligible, the FMHC will ensure that the referring court or attorney is provided with a written explanation and, if indicated, a recommendation for a specific type of treatment and/or a referral to a more appropriate specialty court.

The mission of the Harris County Felony Mental Health Court is to divert defendants living with mental illness from incarceration and instead facilitating linkage to appropriate treatment and community resources