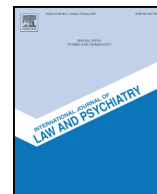




Contents lists available at ScienceDirect

International Journal of Law and Psychiatry



Mental health services costs within the Alberta criminal justice system

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ARTICLE INFO

Available online xxx

Keywords:

Mental health
Criminal justice
Costs
Canada

ABSTRACT

Background: Mental illness has been widely cited as a driver of costs in the criminal justice system.**Objective:** The objective of this paper is to estimate the additional mental health service costs incurred within the criminal justice system that are incurred because of people with mental illnesses who go through the system. Our focus is on costs in Alberta.**Methods:** We set up a model of the flow of all persons through the criminal justice system, including police, court, and corrections components, and for mental health diversion, review, and forensic services. We estimate the transitional probabilities and costs that accrue as persons who have been charged move through the system. Costs are estimated for the Alberta criminal justice system as a whole, and for the mental illness component.**Results:** Public expenditures for each person diverted or charged in Alberta in the criminal justice system, including mental health costs, were \$16,138. The 95% range of this estimate was from \$14,530 to \$19,580. Of these costs, 87% were for criminal justice services and 13% were for mental illness-related services. Hospitalization for people with mental illness who were reviewed represented the greatest additional cost associated with mental illnesses.**Conclusion:** Treatment costs stemming from mental illnesses directly add about 13% onto those in the criminal justice system.

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1. Introduction

Over 300,000 crimes were reported to the police across Alberta (population 3.6 million) in 2010 (Statistics Canada, 2012). Crimes impose a hardship on the victims, in personal and physical terms, and in terms of losses of money and property. Crimes also draw on public resources, for example, police services, prosecutions, public defense, court activities, and punishment as well as private resources such as private legal services. According to a study by Canada's National Department of Justice (Zhang, 2008), resources devoted to crime in Canada in 2008 generated \$15 billion in public criminal justice costs and another \$14 billion in victim costs.

Mental health draws substantial resources both in terms of costs for treatment and opportunity costs due to foregone productive activities of persons with mental disorders (Cohen, Piquero, & Jennings, 2010; Knapp McDaid, & Parsonage, 2011; Mangalore & Knapp, 2007; Rice, Kelman, & Miller, 1992; Zhang, 2012). In addition, persons who have a mental illness have a greater likelihood of interacting with the justice

system (Corrado, Cohen, Hart, & Roesch, 2000; Freeman & Roesch 2012; Hoch, Hartford, Heslop, & Stitt, 2009; Lafortune, 2012; Osypuk et al., 2012). This can generate mental health services costs within the criminal justice system in several ways. If a person is arrested and has a mental illness, the police might divert the case to specially designated diversion programs. If a person with a mental illness is instead charged, then in extreme cases they might be deemed to be unfit to stand trial (UST); or if they do go to trial, they might be found to be not criminally responsible (NCR). In either case, they will be treated in a forensic services unit and periodically reviewed (http://www.justice.gc.ca/eng/pi/rs/rep-rap/2006/rr06_1/p1.html) until they are discharged. And, if a person with a mental illness is tried and sentenced, in prison or in the community, he can be referred to the forensic psychiatry service and treated while undergoing his sentence. Although there is an overall estimate of the economic costs of crime in Canada (Zhang, 2008, 2012), analysts in Canada have not measured the contribution of mental illness to the criminal justice economic burden (Statistics Canada, 2012). Without an economic characterization of the criminal justice process, and the role which mental illness plays in it, however, it is difficult to determine the public costs that are generated because of mental illness. In this paper, we aim to estimate the costs of mental health services that are incurred within the criminal justice system.

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2. Methods

2.1. The model

In line with the academic exploration of similar activities in mental health and criminal justice (Blumstein & Larson, 1969), we have developed a model which includes people who are charged for a crime through the criminal justice system, identifying the resources used as they progress, adjusted for the probabilities of progressing or using specific services, of both a psychiatric and general criminal justice nature. The outcomes of the model are the system's costs of services used at each stage. We can then use the model to calculate the expected costs of general criminal justice and mental health services within the criminal justice system in Alberta. The expected cost of all services used is obtained by multiplying the probability of receiving a service times the cost of providing that service.

The model is shown in Fig. 1 and follows investigated cases through four successive stages of the criminal justice system—police, prosecution, courts, and corrections (see (Munetz & Griffin, 2006) for a similar approach). Mental health or psychiatric services are included at each stage. Our characterization is similar to that of Blumstein (Blumstein & Larson, 1969) but we have added a prosecution stage because resources are separately determined at that stage, and we have included mental health or psychiatric services at each stage. We use data from Alberta wherever this was available.

The model starts with persons who have been charged for a crime at the police stage. In our model, we do not consider un-cleared incidents where offenders are not charged or diverted. Following their investigation of a crime, police might lay charges or, if there is a mental illness issue, they might send the chargeable person to a diversion program (Cowell, Broner, & Dupont, 2004).

Next comes the prosecution stage where charged persons are dealt with. There might be more than one offender in a court case, or one offender might be responsible for multiple court cases, but we will assume that there is a one-to-one correspondence due to data limitations. In this component, the charges can be dropped, the case can proceed through the court system, or charged persons can be assessed for a severe mental illness by a mental health consultant and the person can be determined to be unfit to stand trial (UST). A person who is judged to be UST will be sent to a forensic psychiatry unit and will be periodically reviewed by a Review Board.

In the courts stage of our model, we divide offenders into three groups: (1) those who are found guilty and sentenced; (2) those who are found guilty but are potentially not criminally responsible (NCR); and (3) all others who are released. Potential NCR cases are also sent to the forensic psychiatry unit and are reviewed by a board.

Persons who are found guilty and sentenced are sent to corrections. These persons can receive a community sentence or they can be incarcerated. Persons who are incarcerated for less than two years are sent to provincial institutions. Those who are sentenced for more than two

years are sent to federal penitentiaries. Convicted persons can also receive psychiatric services, both on inpatient (imprisoned) or outpatient (community sentence) bases.

2.1.1. Transitional probabilities of the model

Transitional probabilities—the likelihood of moving between nodes—are based on the proportion of people who pass through the event (e.g., a trial) (Table 1) and go on to further events (e.g., a sentence). For example, if 1000 people are charged or diverted, and 200 go to trial, then the conditional probability is 20%. Data were based on 2010/2011 values for Alberta.

We start with the police stage. Although police will report criminal events in terms of the number of crimes, we express activities in terms of number of people who have been deemed by police to be chargeable. We assume one charge per person. This allows us to make a one-to-one correspondence between police, prosecution, court, and corrections activities.

In the police stage, as shown in Table 1, 94.8% of people who are chargeable are charged, and 5.18% are diverted from prosecution. The next stage is prosecution, and probabilities are expressed in terms of those who have been charged. As shown in Table 1, 59.96% of charged persons are processed in court, 39.87% are not processed (mostly through dropped charges), and a small number, 16/100 of one per cent (0.16%), are deemed unfit to stand trial and are referred to the Review Board.

We have information on the total number of people who are UST or NCR, but we could not separate these and we therefore assume all such cases are in the UST category. Of the remainder who proceed through trials, 60.8% are found guilty and 39.2% are not. We combined all non-guilty cases together, though these cases fall into a number of categories; however, they are common in terms of resources used, as none are sentenced.

At the final, corrections, stage, convicted persons can be sentenced to provincial or federal incarceration, or to a community sentence. Some in each group (13.21%) will also receive forensic psychiatry services. We note that some people in this category were NCR. For purposes of estimating costs, they were considered as UST, as UST and NCR use similar amounts of resources.

2.1.2. Costs in the model

As the charged persons proceed through the criminal justice system, they will generate costs. We take a public or government perspective, which means that we exclude private costs such as defence attorneys and external costs such as damages to victims. This analysis takes a forward-looking perspective and examines the incidence costs (i.e., costs of new cases). In our analysis, future year incarceration and mental

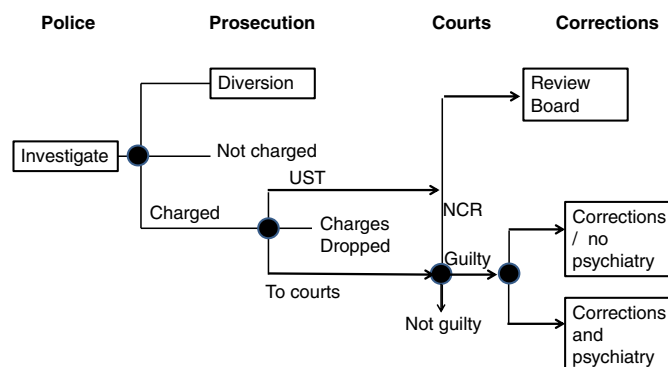


Fig. 1. Criminal justice system with mental health.

Table 1 Number of people proceeding through the criminal justice system, Alberta, 2010/11.

Node	Branch	Number	Per cent of node	Source
Police node	Adults charged (to prosecution)	70,628	94.82%	(a)
	Diverted	3861	5.18%	(b)
Prosecution node	Processed at court (to court)	42,352	59.96%	(c)
	Not processed through	28,160	39.87%	
	Review	116	0.16%	(d)
Court node	Guilty (to corrections)	25,749	60.80%	(c)
	Not guilty	16,603	39.20%	
	Review—UST	0	0.00%	
	Forensic psychiatry	3401	13.21%	(d)
Corrections node	Not to psychiatry	22,348	86.79%	

Sources:

- (a) Statistics Canada. Incident based crime statistics, annual (number). CANSIM 252-0051 2010/2011
- (b) Alberta Solicitor General and Public Security
- (c) Statistics Canada. Adult criminal courts, number of cases and charges by type of decision. CANSIM 252-0053, 2010/2011
- (d) Alberta Health Services, Addictions and mental health division

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