

# BROWARD COUNTY'S MISDEMEANOR MENTAL HEALTH COURT 25<sup>TH</sup> ANNIVERSARY NEWSLETTER

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June 2021

## *THE NATION'S FIRST MENTAL HEALTH COURT – 17TH JUDICIAL CIRCUIT, BROWARD COUNTY, FLORIDA.*

### Historical Timelines

- 1994, Ad Hoc CJ/MH Task Force Chair, Judge Mark A. Speiser (Ret.) established to respond to jail revolving door, and over-representation of persons arrested with mental illness & co-occurring disorders.<sup>ii</sup>



- Task Force represents the first-time a diverse array of community stakeholders, and inter-governmental agencies collaborate to seek CJ/MH solutions.
- Howard Finkelstein, Ret. Broward Public Defender

## *MENTAL HEALTH COURT - HOLIDAY PARTIES*



Represents Aaron Wynn the catalyst for Grand Jury Investigation of Broward's Mental Health System. <sup>iii</sup>

- 1994 Broward Grand Jury releases 153-page scathing report. <sup>iv</sup>

- 1996, Howard Finkelstein, "Takes a Leap of Faith" and recommends a specialized mental health court. <sup>v</sup>

- 1996, Judge Lerner-Wren elected to County Court with specialized training in mental health, advocacy, and disability rights. <sup>vi</sup>

- June 6, 1997, Chief Judge Dale Ross issues Administrative Order establishing nation's first mental health court. appoints Judge Ginger Lerner-Wren to oversee.



## **Members of Broward's Criminal Justice/Mental Health Task Force gather for the 10-Year Anniversary**

### **Roundtable Discussion "On the Record"**

**Facilitated by Dr. Brenda LaVar**

### ***"Reflections of a Community Creating Change"***



- June 1997, Associated Press reports on the court, intense media coverage begins CNN, NPR, Good Morning America, and others.
- 1999, Court featured at White House Conference on Mental Health.
- 2000, Congress passes American Law Enforcement and Mental Health Project, to pilot Mental Health Courts in the U.S. <sup>vii</sup>
- 2000, U.S. Dept. of Justice BJA, publishes report on Mental Health Courts, Emerging Judicial Strategies. <sup>ix</sup>
- Court wins County Award for diversion 1000 persons from jail a year. <sup>x</sup>
- 2000, Human Rights Watch visits, re: report on criminalization



#### Message from the Mental Health Court Judge

**I wish to recognize the exceptional leadership of Chief Circuit Judge Jack Tuter, Court Administrator, Kathleen R. Pugh, Broward Clerk of Courts, The Broward Sheriff's Office, Broward Public Defender's Office, Broward State Attorney's Office; and thank all Judges of the 17<sup>th</sup> Judicial Circuit for their dedicated support.**

**Sadly, the 25<sup>th</sup> anniversary of the court coincides with immense economic, and emotional challenges, loss, and grief due to the COVID-19 Pandemic. I am pleased to report that during this time, the mental health court continued to advance jail diversion through collaboration with First Appearance Court, with the capacity to hold emergency (in-custody) hearings.**

**Moreover, the court has broadened its focus regarding social determinants of health, to ensure mental health court consumers and their families have access to a wide range of community resources. For example, information on where to get food, financial assistance, and other social services is made available on the 17<sup>th</sup> Judicial Circuit website, and in court to Broward 2-1-1, The United Way of Broward County, Broward NAMI, Broward County Family Success Centers, NSU Trauma Resolution & Integration Program, Henderson Behavioral Health Centralized Receiving System, Walk-In Center, and mobile crisis team to prevent crisis, and promote suicide prevention.**

**In 1996, the members of Broward's Ad Hoc Criminal Justice-Mental Health Task Force, chaired by Judge Mark A. Speiser (Ret.) with former Public Defender, Howard Finkelstein, as the brainchild of the court, understood the need to transform how the criminal justice system responds, and intervenes on behalf of persons arrested with serious mental illness, and co-occurring disorders.**

**Twenty-five years later, with no federal or state grants, and over 20,000 people served; Broward's Mental Health Court remains a national, and global model for the application of therapeutic jurisprudence and promotion of dignity. To all our partners, and community stakeholders, your willingness to support the court has transformed lives and demonstrated what a community can do, when it has a thirst for justice, and abiding belief in the creed, that treatment works.**

**Congratulations,**

**Judge Ginger Lerner-Wren**



of mentally ill  
in U.S. prisons  
and jails.<sup>xi</sup>

- 2001, Research Evaluation, USF Mental Health Institute and MacArthur Foundation.<sup>xii</sup>
- 2002, Judge Lerner-Wren Appointed by President George W. Bush, President's New Freedom Commission on Mental Health.<sup>xiii</sup>
- 2003, Broward's Felony Mental Health Court opens.
- 2006, Broward County Commission hosts National Association of Counties, to support Jail Diversion.
- 2013, Judge Lerner- Wren Finalist, HiIL Foundation, Innovative Justice Awards, The Hague, The Netherlands.
- 2015, Broward County



## By Choosing Treatment Over Prison For The Mentally Ill, A New Broward Court's Revolutionary Approach Is Saving Lives. by Susan R. Miller



At 26, Andrea already has learned more about life's hardships than most people twice her age. She dropped out of school in the eighth grade, ran away from home and has been in and out of jail for something she can't control, mental illness. For the last five years Andrea Ochoa didn't want her last name used; lived on the streets of Fort Lauderdale. Her body racked by crack cocaine, the former Miami Sound's she's now up to 110. "I guess I was rebellious," she says with a nervous fumble. At the urging of her fiancé and with the help of a Fort Lauderdale cop whom she knows only as Jeff, Andrea says she's ready to take a second shot at life and maybe one day regain custody of her daughter, age eight and nine, their names that chance. Thanks to Broward's new

the criminal justice system for people who were arrested and who suffered from mental illness," says Lerner-Wren. Since its inception, several other states have begun to use Broward's mental health court as a prototype for their own programs.

### HOME IS WHERE THE CELL IS

It's estimated there are more 5,000 homeless people in Broward and another 10,000 in Miami-Dade. Most like Andrea, are hard-core street dwellers lured for big, public, intoxication and disorderly conduct. Many are mentally ill. And most, including Andrea, have spent their fair share of time behind bars, costing taxpayers hundreds of thousands of dollars while being warehoused in jails instead of getting the help they desperately need.

Andrea found herself before Judge Lerner-Wren north of this year arrested for trespassing. "I said to the judge, 'I can't care about crack any more, just get me off the street.' When I think about today, I just think about work."

Commission  
adopts The  
Stepping Up  
Initiative.<sup>xiv</sup>

- 2015, Judge  
Lerner-Wren,  
Receives  
Excellence in  
Advocacy  
Award,  
National

Council on  
Behavioral  
Health<sup>xv</sup>

- 2017, U.S.  
Rep. Alcee  
Hastings  
honors the  
Court's 20<sup>th</sup>  
Anniversary  
Congressional  
Record.<sup>xvi</sup>

- Feb 2020,  
Court hosts  
the Japanese  
Federation of  
Bar  
Associations.



**Welcome, Japanese Federation of Bar Associations to  
Mental Health Court. The last mental health court forum  
due to the Pandemic. Looking forward to our next event  
& better days ahead!**

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<sup>i</sup> Bergal, J., "New Voluntary Court System Helps Mentally Ill Inmates Get Their Lives Back on Track", Nov 24, 2002, <https://www.sun-sentinel.com/sfl-mhcourtnov24-story.html>

<sup>ii</sup> Lerner-Wren, G., "A Court of Refuge Stories from the Bench of America's First Mental Health Court" Beacon Press, 2018.

<sup>iii</sup> "A New Justice System for the Mentally Ill", *Frontline website*, with link to "The New Asylums," broadcast May 5, 2005, [www.pbs.org/wgbh/pages/frontline/sows/asylums/special/courts.html](http://www.pbs.org/wgbh/pages/frontline/sows/asylums/special/courts.html).

<sup>iv</sup> Florida Grand Jury, *Mental Health Investigations*, interim report, Spring Term, November 19, 1994.

<sup>v</sup> Bergal, J., "New Voluntary Court System Helps Mentally Ill Inmates Get Their Lives Back on Track", Nov 24, 2002, <https://www.sun-sentinel.com/sfl-mhcourtnov24-story.html>

<sup>vi</sup> Ibid.

<sup>viii</sup> Senate Bill 1865, "The Law Enforcement and Mental health Project," 106<sup>th</sup> Congress, (1999-2000)

<sup>ix</sup> Goldcamp, J.S., et al. "Emerging Judicial Strategies for the Mentally Ill in the Criminal Caseload: Mental health Courts in Fort Lauderdale, Seattle, San Bernardino, and Anchorage: A Report on Community Justice Initiatives," Office of Justice Programs, Bureau of Justice Assistance, Washington DC, Department of Justice, April 2000.

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<sup>x</sup> Paula McMahon, "Court Stand on Mental Illness Wins High Marks," Sun-Sentinel, September 8, 2000.

<sup>xi</sup> Human Rights Watch, "Ill-Equipped: U.S. Prisons and Offenders with Mental Illness," 2003.

<sup>xii</sup> Petrila, John, et al., "Preliminary Observations from an Evaluation of the Broward Mental Health Court", Court Review, winter 2001. {See also, Norman G. Poythress et al., "Perceived Coercion and Procedural Justice in the Broward Mental Health Court, "International Journal of Law and Psychiatry 25 (2002): 517-33.}

<sup>xiii</sup> The New Freedom Commission on Mental Health was assembled by President George W. Bush. The Commission's mission was to study the U.S. mental health service delivery system and recommend improvements to enable adults with serious mental illness, to live, work, learn, and participate fully in their communities. For the Final report to the President, *Achieving the Promise: Transforming Mental Health Care in America*, See, <http://govinfo.library.unt.edu/mentalhealthcommission/reports/reports.htm>.

<sup>xiv</sup> See Website, The Stepping Up Initiative: "A National Initiative to Reduce the Number of People with Mental Illnesses in Jails" CSG Justice Center, NACO, American Psychiatric Foundation, <https://stepuptogether.org/>

<sup>xv</sup> 2015, National Council Awards of Excellence, Advocacy Leadership, Elected Service <https://www.thenationalcouncil.org/about/awards/2015honorees/>

<sup>xvi</sup> Congressional Record Extensions of Remarks Articles (2021), <https://www.congress.gov/congressional-record/2017/06/13/extensions-of-remarks-section/article/E817-1>.