

**Prepared Statement by Senator Chuck Grassley of Iowa**  
**Chairman, Senate Judiciary Committee**  
**Hearing titled “Breaking the Cycle: Mental Health and the Justice System”**  
**February 10, 2016**

Today we are here to discuss mental health and the justice system. I will open up the hearing and will later turn the gavel over to Senator Cornyn.

We will hear a broad perspective from our witnesses today about a complex problem. There was a time when people with severe mental illnesses, like schizophrenia and bipolar disorder, were institutionalized. Times have changed and people with these illnesses are no longer routinely hospitalized.

New medications and therapies have been developed. For some people, these new treatments work. For others, however, the new treatments have not worked – because the medicine didn’t work or because the person simply stopped taking their medicine. In fact, many of these folks end up homeless or in the criminal justice system or both - without any treatment at all.

I want to extend a special thank you to our witness, Mr. Pete Earley for sharing his experience with his son Kevin. On a daily basis, individuals like Kevin are literally, running into the criminal justice system or a very broken mental health system. And it seems that with the broken mental health system, many will eventually end up in the justice system.

An Urban Institute report published last year confirmed what law enforcement throughout the country tell us. The report concluded that severe mental illness (SMI) affects nearly one-quarter of the U.S. correctional population. Only a very small percentage of these receive any kind of care for their mental illness. Even more troubling, those who receive mental health services show little change over time. Once incarcerated, a person with SMI faces conditions which often exacerbate mental illness – including overcrowding and abuse.

But, there is another side to this discussion - public safety. Many people have discussed their concerns with me regarding people with mental illness who commit mass murders. Columbine, Virginia Tech, and Sandy Hook are names that have been at the heart of these concerns and push us to prevent future tragedies.

As Chairman of the Judiciary Committee, I’m committed to finding bipartisan solutions to these concerns. Our job is twofold. First we must break this mental health/criminal justice cycle. Secondly, and just as importantly, we must provide for public safety.

To accomplish these goals, we must be open-minded to solutions. We need all the cards on the table. We need more information about SMI. We need to understand that SMI often begins before adulthood.

On a side note, one of the reasons I pushed to reauthorize the Juvenile Justice and Delinquency Prevention Act is because this law is the single most influential piece of federal legislation to protect youth who come into our criminal justice system.

We need to understand that the treatment of SMI requires well trained specialists who are committed to the long term care of these people. We need to understand that SMI and drug and alcohol problems go hand in hand. We need to understand what therapies work and what therapies do not work. We need well-trained law enforcement and first responders to recognize and manage crisis situations when they occur.

I am open minded about this issue. I think it will take many different ideas to find solutions. Furthermore, I don't think we can solve these problems by reducing them to silos or sound bites.

In order to accomplish criminal justice reform we must tackle the mental health crisis, including the shortage of psychiatric beds. We must confront the opioid epidemic in our nation. And we must work together to solve the difficult issues that are at the intersection of mental health and the criminal justice system. By doing this, we will meet the needs of people with SMI and we will keep Americans safe on the streets.

Today we will look at Senator Cornyn's legislation, the Mental Health and Safe Communities Act.

- This bill reauthorizes and strengthens the National Instant Criminal Background Check System. It allows state and local governments to create pre-trial screening and assessment programs to identify offenders with mental illness.
- It requires the Attorney General to direct federal judges to operate mental health court pilot programs.
- It requires state and local governments to use drug and mental health court funding to develop specialized programs for those with co-occurring mental health and substance abuse problems.
- It will mandate specialized training and the use of new technology to ensure that those who work in the criminal justice system are properly equipped to respond to individuals with mental illness and mental illness crisis.

I support this legislation and encourage my colleagues to do so as well.