

**Statement of Senator Patrick Leahy (D-Vt.) for the Record**  
**Ranking Member, Senate Judiciary Committee,**  
**Hearing on “Breaking the Cycle: Mental Health and the Justice System”**  
**February 10, 2016**

Dealing effectively with mental illness in this country is essential to the functioning of our criminal justice system, and to our society as a whole. It is widely known that those suffering from mental illness are far more likely to be arrested, and to keep getting rearrested if they do not get the treatment they need. Our prisons and jails too often serve as warehouses for people who are sick - we can and must do better.

In Vermont, we are proud of the work done by the Chittenden County Mental Health Court, which began operating in January 2003. The Mental Health Court is a collaborative effort among the Vermont Superior Court, the State’s Attorney’s Office, Public Defender’s Office, and the Howard Center, the region’s mental health service organization. The program serves adults who have been charged with a crime and are suffering from severe and persistent mental illness. Their offenses are often for minor crimes like disorderly conduct, trespass, or retail theft. Each participant works with a case manager and a mental health team as assigned by the court.

A 2013 evaluation conducted by Vermont Center for Justice Research found the Mental Health Court showed promising results in reducing recidivism. The reconviction rate was 50 percent lower for those who completed the program as compared to those who did not. This is the type of program we should be replicating around the country.

No one understands this better than Senator Franken, who authored a bill earlier this Congress with Senator Cornyn, the Comprehensive Justice and Mental Health Act which authorizes treatment and aims to improve interactions between the mentally ill and law enforcement by supporting training programs for police and correctional officers. This is crucial to preventing unnecessary violence and getting much-needed services to those in need. This bill was reported favorably by this Committee in April and passed by the full Senate in December - I look forward to seeing it pass the House and be signed by the President quickly.

There are other improvements that have been made in our approach to mental health, and it is important that we continue to support them.

The Second Chance Act, which I have introduced with Senator Portman, reauthorizes grants proven effective at ensuring that those returning to our communities stay healthy and on the right track. Many people coming out of jail have never sought treatment before, and do not know how to find it when they return home. At this critical juncture, too many fall through the cracks of our justice system, succumb to their illness, and find themselves back behind bars. The Second Chance Act helps provide case managers to plan for their release, including finding doctors who will continue to treat them. This kind of commonsense planning saves money, keeps our communities safe, and helps those who are suffering from mental illness heal. I am hopeful that Chairman Grassley will soon list the Second Chance Act for this Committee’s consideration.

Another improvement in our treatment of mental illness was passage of the Affordable Care Act. This law has expanded the reach of mental health parity requirements to ensure that mental illness is treated just like any other sickness by most insurance companies. And yet the House of Representatives has voted *more than 60 times* to repeal its provisions. Fortunately they have not succeeded, and Americans continue to enjoy increased access to health care services, including mental health treatment.

I am glad to see the Committee holding a hearing on this important topic and I look forward to the testimony of our witnesses today.

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