

In a crisis, people with mental illness have few options beyond arrest. Can CARE Court help?

By Chloe Jones Updated June 10, 2024 12:49 PM

Read more at: <https://www.sanluisobispo.com/news/health-and-medicine/article287561525.html#storylink=cpy>

Dawn Marie Anderson and Jackie Hartman call themselves “bookend advocates.”

Anderson’s son has been in and out of jail and mental health treatment in San Luis Obispo County countless times in almost two decades, while Hartman’s son is currently on mental health diversion for his first offense, which she said occurred during a mental health crisis.

Through their sons, both said they have learned about the significant gaps in mental health resources available in San Luis Obispo County, leading to a situation where — for many — the only way to find help is to first get arrested.

“Believing the process and just ignoring my son is not in my DNA,” Anderson told The Tribune in April, adding she felt like her son can only receive help from law enforcement if “something really bad happens.”

Anderson and Hartman aren’t alone in their concerns.

For decades, families and advocates for people with severe mental illness have asked for more resources to help their loved ones here.

One such resource could soon be on its way later this year as the county rolls out a program to help people receive crucial mental health care without first getting into trouble.

Gov. Gavin Newsom [signed the law](#) creating Community Assistance, Recovery and Empowerment Court — [or CARE Court](#) — in September 2022. The court’s goal is to help people with severe mental illness find another pathway to receive support and care.

The program will also help San Luis Obispo County Behavioral Health contact severely mentally ill residents they haven’t been able to connect with previously. “Some people will engage after an arrest.

Some people engage as diversion from court,” said Teresa Pemberton, Behavioral Health’s division manager for justice services. “(CARE Court) is early in that process before law enforcement and before court. It gives us more tools.”

San Luis Obispo County is in the second group of counties to implement the program. The first group, which included Glenn, Orange, Riverside, San Diego, Stanislaus and Tuolumne counties and the city and county of San Francisco, all [rolled out their programs in 2023](#).

Both Anderson and Hartman said a CARE Court program could help their sons in their battles with mental illness.



*San Luis Obispo County Behavioral Health division manager for justice services Teresa Pemberton talked about the new Care Court planning on April 10, 2024.
David Middlecamp dmiddlecamp@thetribunenews.com*

HOW DOES CARE COURT WORK?

CARE Court is a civil court process meant to provide another avenue for people with severe mental illness to receive help.

Specifically, it is directed at people with schizophrenia and other psychotic disorders. People who are experiencing psychotic symptoms as a result of traumatic brain injury, dementia or Alzheimer's wouldn't qualify. Participants have to be at least 18 years old, unlikely to survive safely in the community without supervision, or substantially deteriorating, said Samantha Parker, Behavioral Health program supervisor for justice services. People who are likely candidates may have been placed on a 5150, or involuntary 72-hour hold.

"It'll be a full-service partnership, which is intensive services," Pemberton said.

Each person will have a case manager, therapist, psychiatrist and medicine manager.

"They'll be surrounded by a whole team that will interact with them on a regular basis three to four times a week," Pemberton said.

Once a petition is filed, the court and Behavioral Health will be in contact regarding mental health assessments. After the person is assessed and a judge approves a treatment plan, Behavioral Health will take over the management of the treatment.

Each person will have a case manager, therapist, psychiatrist and medicine manager.

"They'll be surrounded by a whole team that will interact with them on a regular basis three to four times a week," Pemberton said.

Once a petition is filed, the court and Behavioral Health will be in contact regarding mental health assessments. After the person is assessed and a judge approves a treatment plan, Behavioral Health will take over the management of the treatment.

The services CARE Court will offer are not very different from what the county already has, Pemberton said. Rather than creating a new service, she said, CARE Court is expanding what already exists so the agency can serve more people.

CARE Court also ensures the participant has safe housing, Pemberton said.



San Luis Obispo County Behavioral Health director Star Graber talked about the new Care Court planning on April 10, 2024.

David Middlecamp dmiddlecamp@thetribunenews.com

Behavioral Health received a grant to create 16 transitional supportive housing beds for participants to live in through the entirety of their program, Pemberton said. The beds will be assigned on a first-come basis, and if no beds are available, participants will be prioritized for housing when it opens up.

If a participant is waiting for housing to open up, the program could connect them with temporary housing in sober living or other nonprofit resources currently available.

CARE Court is completely voluntary, so there is no penalty if someone does not want to participate or attend court to respond to the petition.

“It is not a criminalization of mental illness,” Pemberton said. “It is not because they’ve broken any laws. It’s a civil process.”

Pemberton said CARE Court gives Behavioral Health “the ability to encourage people into treatment, to identify them.” It also helps them contact people that they otherwise might not have been able to, she said.

The goal is to provide another touch-point for people with severe mental illness to have the opportunity to receive services. It also allows the Department of Behavioral Health to connect with people in need and provide them services without using the CARE Court system.

Because the program is voluntary, someone participating in the program can change their mind and will not be penalized if they do not follow the treatment plan provided.

“Medications can’t be mandated,” Parker said. “It might be part of the treatment plan that is presented, but the person still has the ability to refuse medication. They still have their civil liberties, which is very important.”



*San Luis Obispo County Behavioral Health program supervisor for justice services Samantha Parker talked about the new Care Court planning on April 10, 2024.
David Middlecamp dmiddlecamp@thetribunenews.com*

HOW TO FILE A CARE COURT PETITION

Someone can be referred to CARE Court through a petition filed by someone known to the person. That person can be a friend, family member, a law enforcement officer or a judge.

Once a petition is filed, someone will serve the petition to the person it is being filed for. There is no penalty if someone does not show up to court on the date their petition asks them to.

Petitions are filed using the form CARE-100. Petitioners will also need to either submit a mental health declaration or show evidence that the person they are petitioning for was detained for at least two periods of intensive treatment, the most recent being within 60 days prior to the petition being filed.

Forms are currently available on selfhelp.courts.ca.gov/care-act/how-to-file, and will also be available on the online portal the county creates once the program rolls out.

WHAT TO EXPECT FOR CARE COURT IN THE COMING MONTHS CARE

Court is in its beginning stages of planning, Pemberton said, and still has a way to go before its roll-out in December.

In April, the team was working on understanding how the new court process will work and ensuring they have mechanisms in place to work with filing and receiving court documents and meeting court deadlines.

They are also figuring out how to connect with public defenders and get integrated with the court’s self-help system.

Judges who will hear CARE Court petitions will receive training through the Judicial Council of California, Pemberton said.

So far, Pemberton said, the progress is positive.

“Between a legal system and behavioral health system, it’s matching up pretty well,” she said.

The team is wrapping up its first phase this month, and expects to begin the next phase of the roll-out in June: connecting with the public, local partners and stakeholders to determine what the community wants from CARE Court.

MOTHERS ADVOCATE WHILE WAITING FOR CARE COURT

Though both Anderson and Hartman anxiously await CARE Court’s local roll-out, they are also working to advocate for other resources that could help those with severe mental illness.

That includes trying to introduce a new communication style that can help people connect with someone suffering from severe mental illness — and even help the person accept treatment.

LEAP is an acronym for listen, empathize, agree and partner. It’s a communication style outline by Dr. Xavier Amador in the book “I am not sick — I don’t need help!,” which Anderson credited to helping her understand her son’s illness.

Anderson’s son experiences anosognosia — a symptom of severe mental illness where a person who is experiencing delusions or hallucinations believe that they are not sick.

In the book, Amador shares his own experience with his brother who had a similar diagnosis and symptoms to Anderson’s while working as a psychologist.

Amador told The Tribune that anosognosia is another symptom of a severe mental health illness, like delusions or hallucinations.

“You never tell somebody with a hallucination, “Hey, just cut it out,”” he said. “But with my brother and with many patients I was working with as I developed this program, that’s what we were all doing.”

Amador said the goal is to validate the person’s experience rather than argue with it, adding that validate doesn’t mean agree that it is real, but rather understanding that it is their experience and not judging it. He added that empathizing with the feelings the person is having can also help them feel heard.

When someone feels validated and heard, Amador said, they will feel like they can trust the person trying to help them. That trust can help someone persuade their loved one to receive treatment.

Before the book, Anderson said, she thought her son was just being difficult and uncooperative. But learning about anosognosia helped her understand that her son was operating in his reality, and helped her realize a new way to communicate with him.



Jackie Hartman and Dawn Marie Anderson are advocates for LEAP training, a way to establish trust and communicate with those who suffer from mental illness.

David Middlecamp dmiddlecamp@thetribunenews.com

“There was never an argument anymore,” Anderson said, referring to her use of LEAP with her son. “He felt heard. We established a relationship — something we haven’t had.”

Hartman said the book has also changed her approach with how she communicates with her son.

“My responses probably aren’t as emotionally charged as they used to be,” she said. “It’s coming from a different place.”

Hartman said the book has helped her understand where her son is at, rather than being frustrated that he won’t accept help.

“I felt so alone and so isolated,” Hartman said. “Then you read a book like this and you realize, you’re not alone and other people can relate and have the same thing. Then there’s tools to help you.”

Now, Anderson and Hartman are meeting with local leaders to try to integrate LEAP into more county services, like Behavioral Health and law enforcement agencies.

Brian Atwell, a Behavioral Health program supervisor, told The Tribune he learned about LEAP training through Anderson and Hartman, and hopes to get more service providers in Behavioral Health trained in the program.

“Understanding and accepting that a person’s perception of reality is real to them — even if I can’t see or hear what they experience — helps me build a relationship with them,” he said.

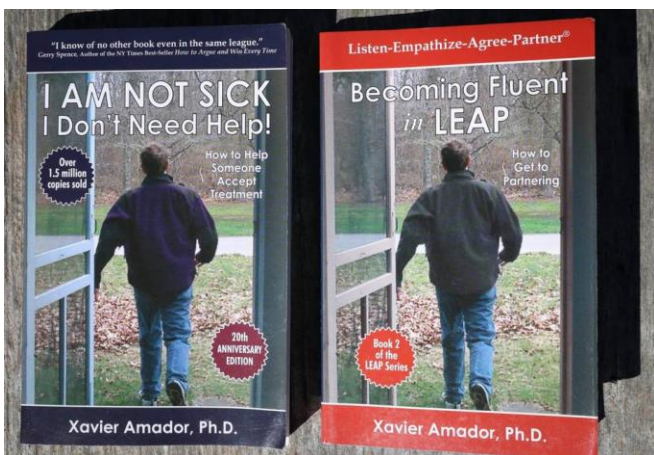
He said the steps of LEAP are what many service providers do anyway, but it can be fragmented. LEAP training can help someone structure their conversations and understand why the conversations work the way they do.

Amador said anyone could benefit from LEAP training, from family members to service providers to law enforcement.

“For law enforcement, the incidents of violence — either toward the person who needs the support or toward law enforcement — goes way down because LEAP is inherently a de-escalation technique,” he said.

Anderson and Hartman said they both hope to continue meeting with local leaders and family groups to share LEAP, so that the severely mentally ill community in San Luis Obispo County can be better served.

They said they are also in the process of giving feedback on the CARE Court website and portal, so they can help the Behavioral Health Department curate a website that is easy to use for parents like themselves.



LEAP training is a way to establish trust and communicate with those who have mental illness but resist intervention. Xavier Amador has authored books on the subject.

This story was originally published June 10, 2024, 12:40 PM.