

Defendants with intellectual disabilities and mental health diagnoses: faring in a mental health court

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Abstract

Background Begun in the late 1990s, mental health courts are specialty criminal courts developed to address the needs of persons with mental illness.

Methods As many persons with intellectual disabilities (IDs) may overlap in the mental health court system, we used mental health court records to examine the phenomenology and outcomes of 224 defendants with and without co-occurring IDs in the mental health court. This study had two goals: (1) to examine the prevalence of defendants with IDs in the court and (2) to compare defendants with dual diagnoses with defendants with lone mental health disorders.

Results Approximately 11% of defendants in the mental health court also had IDs. Compared with individuals with mental health disorders alone, individuals with dual diagnoses were more likely to be younger, male, African-American and less well-educated; these defendants were also more likely to show externalising, 'turning-against-others' symptoms, less likely to show internalising, 'turning-against-self' symptoms. Defendants with IDs (vs. those without) more often received behavioural, vocational rehabilitation and other services,

although the two groups did not differ on most outcome variables.

Conclusion Directions for future research are discussed.

Keywords intellectual disability, mental health, personality disorders, psychiatric disorders

Compared with defendants without disabilities, defendants with intellectual disabilities (IDs) are more likely to have low-socioeconomic backgrounds and limited educations, as well as to be unemployed, male and young (Hayes 1996). Furthermore, compared with defendants without IDs, persons with IDs also seem to be incarcerated at greater rates (Hodgins 1992; Holland *et al.* 2002). These defendants with IDs may also have co-occurring mental health disorders. To date, we know little about defendants with co-occurring disorders (IDs and psychiatric disorders), including their prevalence, demographics and treatment options within the criminal justice system. By better understanding these defendants, we can create better interventions to decrease their rates of recidivism.

Although rates vary across studies, as many as 40% of individuals with IDs may also have mental illness (Dykens 2000). Similarly, within the criminal justice system, persons with IDs have high rates of

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