

## PROGRAM REQUIREMENTS

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To avoid termination from BHC and to work towards program completion, clients are required to comply with the following conditions:

- Adherence to mental health treatment plan.
- Compliance with all court ordered conditions of BHC participation.
- Compliance with terms of probation and reporting to Probation Officer.
- Attendance at regular court appearances.

BHC is voluntary; and clients may opt out at any time and return to traditional criminal processing.

## GRADUATION

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Graduation for each client is determined on a case-by-case basis by the BHC team. In order to graduate, clients must have participated in BHC for a minimum of one year, demonstrate consistent engagement in treatment, and remain arrest free.

## PARTNERING WITH BHC

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Outside treatment providers and defense attorneys are valuable members of the BHC team. As such, certain expectations must be met:

- Defense attorney attendance at case conferencing and in court is mandatory when the client is on calendar.
- Treatment providers must regularly report on BHC participant compliance and progress.

## BHC CONTACT INFORMATION

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**For complete information about Behavioral Health Court, see the *Policies and Procedures* manual available on the San Francisco Collaborative Courts' web site. The manual includes the *Private Defense Guide to Behavioral Health Court*.  
[www.sftc.org/collaborativejustice](http://www.sftc.org/collaborativejustice)**

### **San Francisco Collaborative Courts**

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**SAN FRANCISCO  
COLLABORATIVE  
COURTS**

**BEHAVIORAL  
HEALTH  
COURT**

SUPERIOR COURT OF CALIFORNIA  
COUNTY OF SAN FRANCISCO

# BEHAVIORAL HEALTH COURT

The mission of the Behavioral Health Court of the Superior Court of California, County of San Francisco is to enhance public safety and reduce recidivism of criminal defendants who suffer from serious mental illness by connecting these defendants with community treatment services, and to find appropriate dispositions to the criminal charges by considering the defendant's mental illness and the seriousness of the offense.

## OVERVIEW

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In November 2002, the San Francisco Behavioral Health Court (BHC) was established to more effectively address the increasing number of mentally ill defendants cycling through the criminal justice system.

BHC is a collaboration of the following agencies:

- Superior Court of California, San Francisco
- Office of the Public Defender
- Office of the District Attorney
- Jail Behavioral Health and Reentry Services
- Citywide Case Management Forensics (UCSF)
- Adult Probation Department
- Department of Public Health's Community Behavioral Health Services
- Sheriff's Department
- Police Department

## CASE IDENTIFICATION & REFERRAL

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Cases may be identified for BHC referral by criminal justice stakeholders, community treatment providers, family members and other community members.

Cases will be referred when a Superior Court judge orders an evaluation pursuant to Penal Code section 4011.6 to determine BHC eligibility.

Jail Behavioral Health and Reentry Services conducts all 4011.6 evaluations for BHC. The Office of the District Attorney reviews all referrals to determine legal eligibility.

A decision about eligibility will be made on a case-by-case basis by the entire BHC team, considering the defendant's mental health diagnosis and history, facts of the incident, criminal history or lack thereof, possibility of placement and appropriate treatment, and other relevant factors.

## CLINICAL ELIGIBILITY

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Defendants must meet all of the following clinical eligibility criteria, as determined by Jail Behavioral Health and Reentry Services. BHC prioritizes defendants with the most serious cases of mental illness.

- **Defendant is currently in-custody** under the supervision of the San Francisco Sheriff's Department.
- Defendant meets the criteria for a serious and persistent mental illness as defined by the current Diagnostic and Statistical Manual of Mental Disorders (DSM-5).
- Defendants with co-occurring substance use disorders are also

accepted where the mental health diagnosis is primary.

- Defendant is amenable to mental health treatment and motivated for participation in BHC.
- Defendant's mental illness has seriously affected their quality of life and likely resulted in their involvement with the criminal justice system.
- Defendant is currently compliant with their in-custody treatment plan.

## LEGAL ELIGIBILITY

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- Defendant has been charged with, convicted of, or is on probation for a misdemeanor or felony offense where the behavior that led to the offense was connected to mental illness.
- Clients who are charged with homicide or sex offenses are not eligible under any circumstances for BHC irrespective of their diagnosis.
- Defendants charged with misdemeanor or felony domestic violence offenses, misdemeanor or felony elder abuse offenses, misdemeanor or felony weapons offenses, or serious offenses (as defined by Penal Code section 1192.7(c)) are not eligible for BHC without the District Attorney's express consent.
- Defendants who have suffered a prior conviction for any offense listed in Penal Code section 1192.7(c) are not eligible for BHC without the District Attorney's express consent.
- Defendants charged with Penal Code 314.1 or 290 may be considered on a case by case basis.