

Department of Mental Health

Mississippi State Hospital Forensic Services

Why is Mississippi State Hospital requesting a new Forensic Services facility?

MSH has requested in its capital improvement plan submitted to the Department of Finance and Administration planning costs for a new Forensic Services facility. The new facility is needed because the current 35 bed facility, which was built in 1955, does not provide the required level of security and safety. The proposed Forensic Services facility construction project includes planning costs of approximately \$500,000.

The relatively small bed capacity of the current Forensic Services facility is also a significant factor contributing to delays in conducting evaluations of defendants throughout the state.

What is Forensic Services?

MSH is the only state-operated program that provides forensic mental health services in the state. Forensic Services provides pre-trial evaluations and treatment for criminal defendants from Circuit Courts in all 82 Mississippi counties. The bed capacity of the Forensic Services facility is 35 beds. Of those, 15 beds are dedicated for inpatient evaluation,

treatment, and competency restoration of pre-trial Circuit Court defendants. The remaining 20 beds are for the treatment of individuals who have been found Not Guilty by Reason of Insanity or who must be treated on the unit due to specific safety or security concerns.

Forensic Services is currently staffed with only two forensic psychiatrists and two psychologists qualified to perform forensic evaluations. MSH also utilizes three forensic psychologists who perform community-based screening forensic evaluations on a contractual basis. However, any party may contract with any mental health provider of their choice in order to receive a forensic evaluation.

How are evaluations scheduled?

Before an evaluation can be scheduled, MSH Forensic Services issues a request for information and documentation necessary for the evaluation, such as prior psychiatric history, medical history, or other legal documentation. These requests for information are now issued to both the defense and prosecution counsel, regardless of which party requested the evaluation.

What causes delays in completing the evaluations?

There are three significant factors which contribute to delays in completing evaluations:

- It is not uncommon for there to be significant delays in MSH receiving the necessary information from the parties seeking the evaluation.
- The limited number of beds available for individuals who need inpatient observation and treatment to complete forensic evaluations and to provide the requested expert opinions.
- The limited number of psychologists and psychiatrists employed and contracted by MSH who are trained and credentialed to perform forensic evaluations.

If the requested documentation has been provided, the court order contains the necessary language, and a case is otherwise ready for evaluation, cases can still incur a delay while the defendants await available bed space. Generally, once all requested information is received and reviewed and there is an available bed, evaluations are scheduled within a matter of weeks.

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How many people were served in FY16 through Forensic Services?

In FY 16, the Forensic Service at Mississippi State Hospital conducted 210 pre-trial evaluations to determine a defendant's competency to stand trial.

The service admitted 37 people for competency restorations, as well as one admission who had been found by a Court to be Not Guilty by Reason of Insanity.

Of those evaluations, 161 were performed in a jail setting and 49 were performed on an inpatient basis at the hospital.

What services can contract forensic psychologists provide?

Contract forensic psychologists do evaluations only; they do not provide treatment. They also are often unable to provide evaluations in cases involving significant lack of cooperation, more extensive records review, or prolonged monitoring or testing. One exception to that is a forensic psychologist who handles many capital cases, does extensive record reviews, and completes testing data analysis in coordination with investigative, testing, and evaluation input from MSH Forensic Service staff.

In what situations does an evaluation occur at MSH instead of in jail?

There are several reasons an evaluation may require inpatient services:

- When a person is so uncooperative that a single interview does not result in enough information to provide a basis for an expert opinion.
- When the evaluation requires more extensive records investigation and review due to the person's history or condition.
- When the person has already been evaluated on an outpatient basis and has been found to be either not competent or his/her competency is not readily determinable.
- When testing or a time period of monitoring and observation are required.
- When it appears from the initial pre-screening that the person will be not competent and will more obviously need treatment for restoration purposes.

How are MSH and the Forensic Service addressing these issues?

Mississippi State Hospital is seeking partnerships with counties and Community Mental Health Centers to provide jail-based competency restoration services.

The hospital and Forensic Services are also providing training opportunities for psychologists and psychiatrists to perform forensic competency evaluations.

These efforts are ongoing in order to increase the availability of evaluation and competency restoration services to counties and Circuit Courts throughout the state.

**For more information, contact
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