

*Psychiatric Labels in the New York City
Pre-Trial Criminal Legal System:
What Really Happens*

**Report from the First Annual Symposium of the
Justice-Involved Behavioral Health Workgroup**

June 13, 2023



**New York State
Psychiatric Institute**



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COLUMBIA UNIVERSITY
DEPARTMENT OF PSYCHIATRY

Executive Summary

This report summarizes the proceedings of the Justice-Involved Behavioral Health Workgroup’s symposium, "Psychiatric Labels in the New York City Pre-Trial Criminal Legal System: What Really Happens," held on June 13, 2023. The event brought together people with lived experience, mental health providers, advocates, law enforcement, legal professionals, family members, and researchers to discuss an early intersection between the mental health and criminal legal systems – the point at which a person under arrest is labeled as having a mental illness.

Keynote speakers Dr. Ann Marie Sullivan, Commissioner of the NYS Office of Mental Health, and Judge Toko Serita, Statewide Coordinating Judge for Problem Solving Courts in the New York State Unified Court System, opened the symposium, followed by panels covering three key pre-trial settings: police involvement, arraignment, and pre-trial detention in jail. Panelists explored the central question, “What behaviors suggest someone might have mental health needs or be in crisis?”

The event's discussions illuminated the complexities of how psychiatric labels are assigned, communicated, and acted upon across various stages of the criminal legal process. Recommendations and reflections emerged throughout the day, contributing to an ongoing dialogue about the impact of these labels on people and how the system can better serve those with mental health needs.

Key themes:

- The difficulty in assessing mental health needs in pre-trial settings, where operational and clinical judgments are often based on superficial observations.
- Barriers to diagnosis, including time constraints, environmental factors, and stigma associated with psychiatric labeling.
- The need for expanded research to inform best practices for mental health assessments in the criminal legal system.
- The critical role of incorporating the voices and expertise of people with lived experience at all levels of decision-making.

Recommendations:

1. Practice empathy to better understand the experiences of others.
2. Reevaluate the necessity of psychiatric diagnoses or classification (e.g., “serious mental illness,” or “SMI”)for accessing support and services in the criminal legal system.
3. Prioritize research on evidence-based best practices for diagnosing mental health conditions in the pre-trial legal context.
4. Implement cross-system training for mental health providers and criminal justice professionals
5. Include people with lived experience at all levels of research, education, policy development, and clinical care

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