

# Legal Involvement as a Social Determinant of Health

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# Financial Disclosures

- The following presenters do not have any financial disclosures
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# Learning Objectives

Understand how the legal system intersects with opioid use disorder within a social determinants of health framework

Define the different components of the legal system, including substance use diversion programs

Learn how to assess for legal involvement in patients with opioid use disorder

Figure 1

# Social Determinants of Health

<b>Economic Stability</b>	<b>Neighborhood and Physical Environment</b>	<b>Education</b>	<b>Food</b>	<b>Community and Social Context</b>	<b>Health Care System</b>
Employment Income Expenses Debt Medical bills Support	Housing Transportation Safety Parks Playgrounds Walkability Zip code / geography	Literacy Language Early childhood education Vocational training Higher education	Hunger Access to healthy options	Social integration Support systems Community engagement Discrimination Stress	Health coverage Provider availability Provider linguistic and cultural competency Quality of care

**Health Outcomes**  
Mortality, Morbidity, Life Expectancy, Health Care Expenditures, Health Status, Functional Limitations



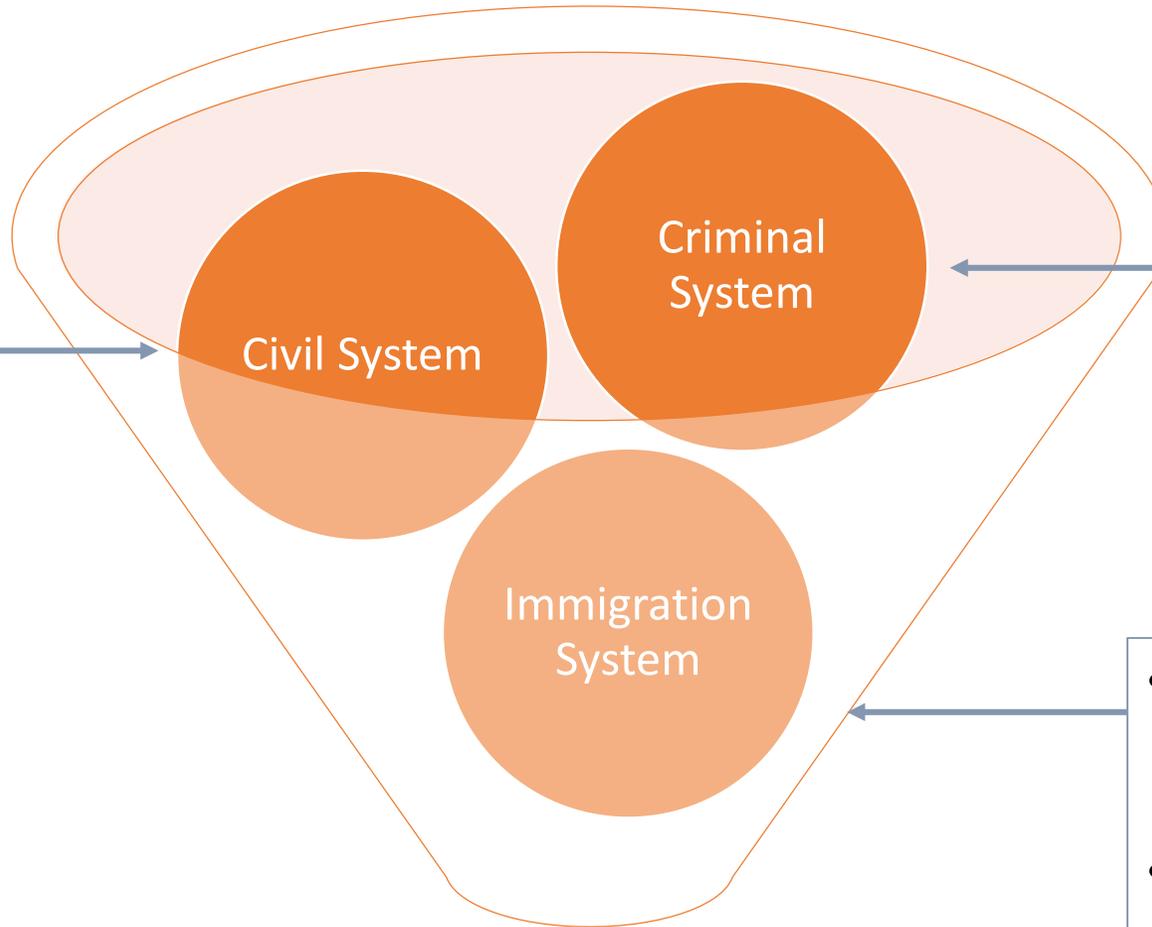
# Opioid Use and Legal Involvement

- Individuals with opioid use disorder have **high levels of criminal legal involvement**, with **likelihood of recent legal involvement increasing** among people with severe opioid use disorders (Winkelman et al., 2018)
- **More than half** of state inmates and **two-thirds** of jail inmates met criteria for a substance use disorder according to the 2007-2009 National Inmate Survey (Bronson et al., 2020)
- As of October 2021, **nearly 27,000** people have enrolled in **New Jersey's drug court program** (New Jersey Administrative Office of the Courts, 2021)
- In Newark Community Solutions, a low level diversion program, approximately **two-thirds of participants endorse problems with substance use**

When considering legal involvement, the statistics fall short.



- Landlord/Tenant Claims
- License Suspension
- Child Support
- Divorce Proceedings
- Custody
- Record Expungement
- Claims Court



- Law Enforcement
- Federal, State, and Local Courts
- Disorderly Persons Offenses, Indictable Offenses, and Traffic Violations
- Jails and Prisons
- Probation and Parole

- Immigration and Customs Enforcement
- Orders of Removal
- Citizenship Applications
- Asylum Seekers
- Parole Status

# American Legal System

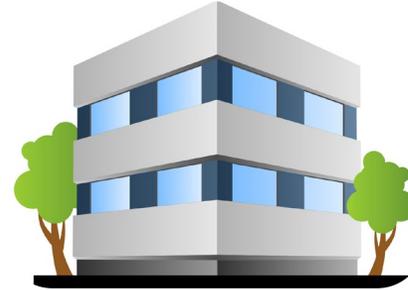
# Collateral Consequences of Legal Involvement



Housing



Employment



Public Benefits



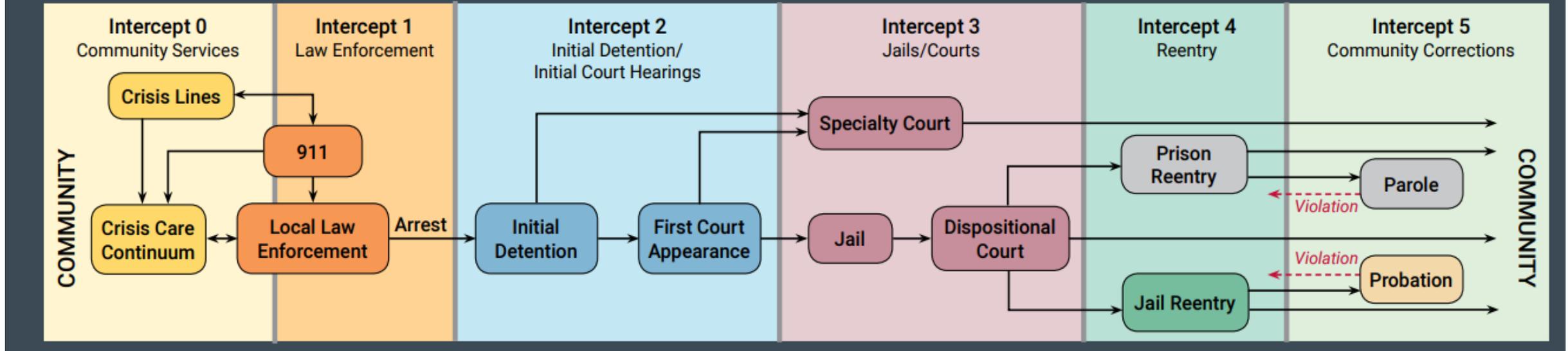
Driving  
Privileges



Civic  
Engagement

# SAMHSA's Sequential Intercept Model

The Sequential Intercept Model



**Prevention** programs in the community can **prevent people from coming in contact with the justice system.**

**Police Led** Diversion programs provide intervention **before sending a case to court.**

**Pretrial** Diversion Programs provide intervention at first court appearance **before a plea is entered.**

**Specialty courts** like drug courts allow people to go to **treatment instead of prison.** There are also **treatment programs offered in jails.**

**Discharge planning** and reentry programs help people **maintain treatment upon release** from prison or jail.

**Treatment programs** in probation and parole, including **specialty caseloads** and **relapse prevention programs,** provide support for people with SUDs and can provide **alternatives to violations.**

WHAT WE WANT TO KNOW	WHAT WE ASK	WHAT WE LISTEN FOR
<p>What type of legal issue is this?</p> <ul style="list-style-type: none"> <li>• Criminal?</li> <li>• Traffic?</li> <li>• Civil?</li> <li>• Community Supervision?</li> <li>• Collateral Consequence?</li> </ul>	<p>Tell me about any concerns you may have with the legal system.</p> <ul style="list-style-type: none"> <li>• Do you have any court dates coming up?</li> <li>• Have you been arrested in the last year?</li> <li>• Do you owe any money to courts, probation, or any other justice agency?</li> </ul>	<p>Key Words:</p> <ul style="list-style-type: none"> <li>• Tickets/ Owe Money/License Suspended</li> <li>• Probation/Parole</li> <li>• Court</li> <li>• Warrant</li> <li>• Expungement/ Eviction/ Restraining Order</li> </ul>
<p>Where in the legal system is this being processed?</p> <ul style="list-style-type: none"> <li>• Municipal Court?</li> <li>• Superior Court?</li> <li>• Civil Court?</li> <li>• Family Court?</li> <li>• Probation or Parole?</li> </ul>	<p>Where are these cases?</p> <ul style="list-style-type: none"> <li>• What courthouse did you go to?</li> <li>• Describe where the court was- what street?</li> <li>• What are the court issues about?</li> <li>• Do you have to check in with anyone, like an officer or court employee?</li> </ul>	<p>Cities or towns suggests municipal court matters</p> <p>Counties suggests superior court matters</p> <p>Other issues are likely handled in civil court parts and can be connected with legal services for assistance.</p>
<p>What are the current legal obligations that need to be addressed?</p> <ul style="list-style-type: none"> <li>• Warrants?</li> <li>• Court Dates?</li> <li>• Fines or Fees?</li> <li>• Pre Trial Monitoring?</li> <li>• Probation or Parole Reporting?</li> </ul>	<p>When's your next court date?</p> <p>Have you spoken with your lawyer?</p> <p>Can you make your next payment?</p> <p>Are you supposed to be checking in with anyone? When did you last reach out?</p>	<p>Assess the immediate needs to identify potential barriers to future treatment adherence.</p> <p>“I don't knows” and “I'm not sures” could mean that the individual is in violation of their obligations and may require further follow up.</p>

# Thank you!

## Newark Community Solutions

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