



I36 Compassionate Care for the Criminal Courts

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The goal of this presentation is to educate defense attorneys, district attorneys, judges, and mental health professionals who work with the criminal court system on the benefits of compassionate care and enhancing empathy in a system that is traditionally adversarial.

This presentation will impact the forensic science community by integrating concepts in contemplative science with issues in forensic science.

People who are involved with the criminal justice system are under an extreme amount of stress. Defendants are facing possible lengthy incarcerations, defense attorneys are often overworked and underpaid, and judges have an overwhelming number of cases on their docket. Prosecutors are concerned with protecting the community and are not usually as interested in issues pertaining to a suffering individual who has committed a crime. When a defendant is mentally ill and needs treatment to be able to become competent to stand trial, this can delay cases for months and sometimes years. Legal professionals who are not trained in mental illness often have a difficult time understanding how mental illness can affect criminal responsibility and could interfere with someone's ability to understand their charges and assist in their own defense.

Mental health professionals and officers of the court often speak different languages. Issues pertaining to the law are focused on responsibility and blame. Psychiatrists and other clinicians are more concerned with diagnosis and cure and how to help someone out of their suffering.

Concepts from Compassionate Care in contemplative science may be helpful in laying common groundwork between mental health professionals and legal professionals that could benefit their own wellbeing as well as their understanding of mentally ill criminal defendants.

There are numerous studies on the psychological and neurological health benefits of meditation, yoga and other relaxation techniques that could help educate professionals in the criminal justice system on how to take care of their emotional health in a manner that results in more energy and understanding for another's suffering. Teaching officers of the court to take time to engage in self-care could help them develop the capacity to better understand and appreciate people who are mentally ill and suffering. Meditating and slowing down at times during the day could also be helpful.

Numerous case examples illustrate the need for better understanding of the difficulties mentally ill people face when they are in the criminal justice system. Enhanced empathy does not change the adversarial nature of the court system, but could provide each side with more information in order to better understand each position and the individual's unique set of circumstances. As a result, they work together to help the defendant/client receive appropriate treatment/rehabilitation. Ultimately, this allows the criminal court system to function in a fairer and more efficient manner.

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