



## Legal system

# Another option for justice

### Mental health program gives jail alternative

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staff writer

The list of graduates from the 1st Judicial District Mental Health Court is growing.

That means fewer people are housed in correctional facilities, and more defendants receive treatment for the behavior that got them into the justice system to begin with.

On Wednesday, Sam Merritt and Kelly Joe Packer, both of Logan, had their criminal charges dismissed in court after holding up their end of the deal in a plea-in-abeyance agreement with the state.

Judge Kevin Allen, who has presided over the program since 2008, says the system is not a "get-out-of-jail free card." So far only four defendants have graduated.

The program typically lasts 18 months and requires defendants to appear before the judge up to four times per month. Participants receive therapy, group counseling and drug and alcohol treatment if necessary.

Merritt, 27, suffers from schizophrenia and has been in and out of court since 2002 for charges including criminal tres-



Eli Lucero/Herald Journal

Sam Merritt smiles as Judge Kevin Allen applauds during a graduation ceremony of the Mental Health Court on Wednesday afternoon in Logan.

pass, drug use and assault.

"I didn't have control of myself," he said. "The mental health court gives you an idea of why you're here and what

you can do to change your life."

Merritt took more than two years to complete the program but said the experience helped him recognize how to control

his behavior.

Today he is married and works to support himself and

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his wife. He praised Allen for helping him through the difficult process.

Packer, 48, has bipolar disorder. In the past two years, he has been in court twice on charges of burglary and cohabitant abuse. He was charged with a class-A misdemeanor for violating a protective order Feb. 7, 2009. Dozens of supporters and court patrons applauded Wednesday when the state announced it would dismiss that charge based on Packer's successful completion of the program.

Allen called Packer the court's "miracle defendant."

"I love life," said Packer. "A year ago I was afraid I was going to lose it. I was terrified."

Packer's disorder caused a severe degradation in his overall health before he was admitted into the program.

He said the court has taught him to "capture" his mental illness and "hold it steady" so it doesn't take over his life.

"I want to tell everybody here that's going to court to keep fighting, keep struggling, don't give up," he said. "These people love you; they want to help you."

Sonia J. Hayman, who hasn't yet graduated, was charged with domestic violence and aggravated assault earlier this year after a mixture of drugs and symptoms of her bipolar disorder caused her to lose control, she said.

She thanked Allen for how far she's come since her arrest. She has been sober for 132 days — the longest she's been clean in seven years.

Allen exchanged hugs with the two graduates after the hearing.

Mental health court programs are expanding around the country as courts implement improved methods to provide justice to people with unique circumstances. Earlier this month, the chief justice of the Idaho Supreme Court, Daniel T. Eismann, spoke in

Franklin County about the importance of "problem-solving courts," as he referred to them.

Eismann said he's exploring alternatives to standard criminal court including "domestic violence court" and "veterans court."

This fall, Allen and others from the court traveled to Boston for a national mental health court conference. A Utah conference is in the making for summer 2011.

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