

The CCRI worked with the [Bazelon Center for Mental Health Law](#) to produce this Fact Sheet in 2017. Please note that this document only offers an overview and simply serves as a starting point in considering the impacts of a particular condition on an individual. This Fact Sheet does not provide the level of detail, citations, medical terminology, or full diagnostic criteria that an expert or medical professional would need to make a diagnosis or that a lawyer would need to have to advocate most effectively on behalf of her client.

Bipolar Disorder

Bipolar Disorder is a chronic mental illness that causes unusual shifts in mood, energy, activity levels, and the ability to carry out day-to-day tasks. The disorder is characterized by notable changes in mood and energy that range from periods of extremely “up,” elated, and energized behavior (known as manic episodes) to very sad, “down,” or hopeless periods (known as depressive episodes).

There are four types of bipolar disorder—Bipolar I, Bipolar II, Cyclothymic Disorder, and Other Specific and Unspecified Bipolar and Related Disorders—that are categorized based on how the periods of mania and depression present. Bipolar I can be the most severe, with manic episodes that last at least seven days (but can last much longer) or are so severe as to require hospitalization. The cause of bipolar disorder is unknown, although it is likely related to brain structure and genetic factors. The disorder is typically considered treatable through therapy, medication, and other treatments, although it is not ‘curable’ and symptoms of the disorder will likely remain even while an individual is medicated.

Signs of Bipolar Disorder

People with bipolar disorder have periods of intense emotion, changes in sleep patterns and activity levels, and unusual behaviors. The signs of bipolar disorder vary based on whether an individual has a manic or depressive episode.

Manic Episode Symptoms:

- Feeling “up,” “high,” or elated.
- Increased energy and activity levels.
- Feeling “jumpy” or “wired.”
- Trouble sleeping or decreased need for sleep (e.g. feels rested after only 3 hours of sleep).
- Increase in goal directed activity (either socially, sexually, or at work or school) or psychomotor agitation (i.e. purposeless, non-goal directed activity).
- Speaking rapidly about a variety of topics.
- Being agitated, irritable, or “touchy.”
- Distractibility (i.e. attention too easily drawn to unimportant or irrelevant external stimuli).
- Feeling of being able to do many things at once.
- Risky behavior, such as spending large sums of money or gambling.
- Grandiose thoughts and an inflated sense of self-importance.

Depressive Episode Symptoms:

- Feeling sad, down, empty, or hopeless.
- Depressed mood most of the day, nearly every day.
- Fatigue or loss of energy nearly every day.
- Decreased activity levels.
- Trouble sleeping or sleeping too much.
- Inability to enjoy anything.
- Feeling worried and empty.
- Feelings of worthlessness or excessive or inappropriate guilt.
- Difficulty remembering and concentrating.
- Eating too much or too little.
- Recurrent thoughts of death or suicide, or a suicide attempt, or a specific plan for committing suicide.

How Bipolar Disorder Might Impact Behavior

Alternating between manic and depressive states can impact every aspect of life for a person with bipolar disorder. For example, it can lead to:

- Damaged interpersonal relationships.
- Poor performance at work or school.
- Impulsive decision-making leading to consequences in both financial and legal affairs.
- Risky behavior that otherwise seems out of character.
- Psychomotor agitation, such as pacing, fidgeting, and an inability to sit still.
- Abuse of drugs or alcohol, leading to a co-occurring substance use disorder.
- Self-harming behavior and suicide.

Research has shown that individuals with bipolar disorder face higher arrest and incarceration rates, due in part to the impulsive behavior that accompanies a manic state. When an individual is acting erratic in public because he or she is in a manic state and acting impulsively with impaired judgment, law enforcement officers may be more likely to become involved with the individual. Moreover, either as a result of this impulsive behavior or to help self-regulate a depressive state, individuals with bipolar disorder are at a heightened risk of a co-occurring substance use disorder, which also increases the chance of becoming involved with the criminal justice system.

Resources for More Information

- Depression and Bipolar Support Alliance: www.dbsalliance.org
- Juvenile Bipolar Research Foundation: <http://www.jbrf.org/diagnosis-by-the-dsm/>
- National Institute of Mental Health: <https://www.nimh.nih.gov/health/topics/bipolar-disorder/index.shtml>
- Diagnostic and Statistical Manual of Mental Disorders, Fifth Edition, American Psychiatric Association, "Bipolar and Related Disorders," p.123.