

“Diversion & Mental Health Courts”

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- What is diversion?
 - Mental health and juvenile justice use term differently
 - Key characteristics
 - ? Specified target group
 - ? Specific program/dedicated staff for diversion
 - Not usual emergency mental health crisis response
 - ? Out of the criminal justice system to community-based mental health and substance abuse services
 - In lieu of jail
 - Radically reduced jail time
- ? Non-sentence serving target group (NOT discharge planning)
- ? Criminal charges
 - Not filed
 - Dropped
 - Condition of bail
 - Deferred prosecution
 - Condition of probation
 - Deferred sentencing

- Key points of diversion (see attachment)
 - Police
 - Court
 - Jail

- Why current emphasis on police & mental health courts?
 - “Sooner is better”
 - ? Reduce negative effects of incarceration
 - ? Limit stigma
 - ? Increase chance of linkage to community-based treatment
 - Assumption that courts can leverage access to services; maybe even expand resources
 - Assumption that power of court will increase treatment adherence
 - ? Symbolic force
 - ? Actual sanctions

Resource List

Research Articles:

1. Lamb RH, Shaner R, Ellio DM, et al: Outcome for psychiatric emergency patients seen by an outreach police-mental health team. *Psychiatric Services* 46:1267-1271, 1995.
2. Lamb RH, Weinberger LE, Reston-Parham C: Court intervention to address the mental health needs of mentally ill offenders. *Psychiatric Services* 47:275-281, 1996.
3. Hoff RA, Baranosky, MV, Buchanan J, Zonama H & Rosenheck RA: The effects of a jail diversion program on incarceration: A retrospective cohort study. *J. Am Acad Psychiatry & Law* 27(3):377-386, 1999.
4. Steadman HJ, Deane MW, Borum R & Morrissey JP: Comparing outcomes of major models for police responses to mental health emergencies. *Psychiatric Services* April, 2000.
5. Steadman HJ, Cocozza JJ & Veysey BM: Comparing outcomes for diverted and non-diverted jail detainees with mental illness. *Law and Human Behavior* 23(c):615-627, 1999.

Websites:

1. Center for Problem Solving Courts

The Center for Problem Solving Courts provides state of the art information, as well as the educational, training, and scholarly support necessary for Problem Solving Courts to succeed. Existing Problem Solving Courts include Drug Court, DUI/Drug Courts, Domestic Violence Courts, Homeless courts, Mental Illness Courts and Re-entry Courts

<http://www.problemsolvingcourts.com/>

2. NIC Jails Division

The NIC Jails Division provides services to improve the management and operation of jails throughout the US and its commonwealth and territories. Its primary constituency consists of more than 3,000 county jails as well as regional jails, state-operated jails, large-city jails, and Indian Country jails.

www.nicic.org/about/divisions/jails.htm

3. Community Corrections

www.corrections.com

4. **U.S. Department of Corrections, Bureau of Justice Statistics**
<http://www.ojp.usdoj.gov/bjs/welcome.html>
5. **Substance Abuse and Mental Health Services Administration**
<http://www.samhsa.gov/>
6. **Center for Mental Health Services, SAMHSA**
<http://www.samhsa.gov/centers/cmhs/cmhs.html>
7. **Center for Substance Abuse Treatment, SAMHSA**
<http://www.samhsa.gov/centers/csat/csat.html>
8. **U.S. Department of Justice, Office of Justice Programs**
<http://www.ojp.gov>

Related Jail Diversion Articles

<http://www.bazelon.org/jaildiversion.html>

<http://www.umaryland.edu/behavioraljustice/issues/jail.html>

<http://www.prainc.com/gains/publications/diversion.htm>

<http://www.prainc.com/jail/>

GAINS Center Publications :

National GAINS Center. 1999. "The Prevalence of Co-Occurring Mental and Substance Use Disorders in the Criminal Justice System." Delmar, NY: National GAINS Center for People with Co-Occurring Disorders in the Justice System.

Sherman, Richard K. 1999. "Maintaining Medicaid Benefits for Jail Detainees with Co-Occurring Mental Health and Substance Use Disorders." Delmar, NY: National GAINS Center for People with Co-Occurring Disorders in the Justice System.

Sherman, Richard K. 1999. "Drug Courts as a Partner in Mental Health and Co-Occurring Substance Use Disorders Diversion Programs." Delmar, NY: National GAINS Center for People with Co-Occurring Disorders in the Justice System.

Wertheimer, David. 1999. "Blending Funds to Pay for Criminal Justice Diversion Programs for People with Co-Occurring Disorders." Delmar, NY: National GAINS Center for People with Co-Occurring Disorders in the Justice System.

Steadman, Henry J., Davidson, Susan, and Brown, Collie. 2001. "Mental Health Courts: Their Promise and Unanswered Questions." *Psychiatric Services* 52(4): 457 – 458.

Watson, Amy, Hanrahan, Patricia, Luchins, David, and Lurigio, Arthur. 2001. "Mental Health Courts and the Complex Issue of Mentally Ill Offenders." *Psychiatric Services* 52(4):477 – 481.

Hills, Holly A. 2000. "Creating Effective Treatment Programs for Persons with Co-Occurring Disorders in the Justice System." Delmar, NY: National GAINS Center for People with Co-Occurring Disorders in the Justice System.