

**Community Mental Health Affiliation
of Mid-Michigan**

PROCEDURE: 2.2	Page 1 of 3	SUBJECT: Jail Diversion
Related Policy: 2.0		SUBJECT: Clinical Functions
Issuing Director: Director of Affiliation Operations		Original Effective Date: 2/7/03

REVISED DATE

5/16/07

Review Date(s)

05/19/08					
04/21/09					
04/05/10					

I. PURPOSE:

To assure CMHAMM Community Mental Health Service Providers (CMHSPs) provide services designed to divert persons with serious mental illness, serious emotional disturbance, or developmental disability from possible jail incarceration when appropriate.

II. STANDARDS:

- A. MDCH/CMHSP Contract, Attachment # P.6.8.4.1 (Adult Jail Diversion Policy Practice Guideline, Feb. 2005)
- B. MDCH/PIHP Medicaid Contract, Section 6.8.4 (Jail Diversion)

III. DEFINITIONS

A. Arraignment:

The stage in the court process where the person is formally charged and enters a plea of guilty or not guilty

B. Booking:

The stage in the law enforcement custody process following arrest, when the individual is processed for formal admission to jail.

C. Jail Diversion Program:

A program that diverts individuals with serious mental illness (and often co-occurring substance disorder) or developmental disability, in contact with the justice system from custody and/or jail and provide linkages to community-based treatment and support services. The individual thus avoids or spends a significantly reduced time period in jail and/or lockups on the current charge. Depending on the point of contact with the justice system at which diversion occurs, the program may be either a pre-booking or post-booking diversion program. Jail diversion programs are intended for individuals alleged to have committed misdemeanors or certain, usually non-violent, felonies and who voluntarily agree to participate in the diversion program.

D. Jail Diversion Training:

Cross training of law enforcement, court, substance abuse and mental health personnel on the diversion system and how to recognize and refer individuals exhibiting behavior warranting jail diversion intervention.

E. Pre-booking diversion Program:

Diversion occurs at the point of the individual's contact with law enforcement officers before formal charges are brought and relies heavily on effective interactions between law enforcement officers and community mental health and substance abuse services.

F. Post-booking Diversion Program:

Diversion occurs after the individual has been booked and is in jail, out on bond, or in court for arraignment. Jail diversion program staff work with stakeholders such as prosecutors, attorneys, community corrections, parole and probation officers, community-based mental health and substance abuse providers and the courts to develop and implement a plan that will produce a disposition outside the jail.

G. Screening:

Evaluating a person involved with the criminal justice system to determine whether the person has a serious mental illness, co-occurring substance disorder, or a developmental disability, and would benefit from mental health services and supports in accordance with local jail diversion agreements

IV. PROCEDURES:

- A. Each CMHAMM CMHSP shall have a Jail Diversion Program with both Pre-booking and Post-booking activities as outlined in the MDCH/CMHSP contract attachment # P.6.8.4.1
- B. Each CMHSP shall have a written inter-agency agreement with every law enforcement entity in their service area, or document efforts to establish an inter-agency agreement. The most current copies of such shall be forwarded to the PIHP. The interagency agreement shall contain all items delineated in the MDCH/CMHSP contract attachment # P.6.8.4.1
- C. Each CMHSP will assign specific staff to the pre-booking program and the post booking program to serve as liaisons to bridge the gap between the mental health, substance abuse, and criminal justice systems and to manage interactions between these systems.
- D. Each CMHSP shall establish regular meetings among the key players, including police/sheriffs, court personnel, prosecuting attorneys, judges and CMHSP representatives to encourage coordination of services and the sharing of information. Copies of agendas and sign-in sheets will be sent to the PIHP.
- E. Each CMHSP will provide cross training for law enforcement and mental health personnel on pre-booking and post-booking jail diversion program. Copies of the agendas of meetings and sign-in sheets will be sent to the PIHP.
- F. Each CMHSP will collect data on consumers receiving Jail Diversion services. The data will include all elements required such as consumer ID, date of diversion, type of crime, and the diagnosis. The consumer ID used should allow for linking with information about service use by Jail Diversion programming recipients. Data for Pre-booking services and Post-booking services should be reported separately. This data should be sent annually to the PIHP.
- G. Each CMHSP will analyze their jail diversion data and make adjustments to their programming based on this review. A summary of the review and subsequent adjustments will be sent annually to the PIHP.

V. APPLICATION:

CMHAMM PIHP and all CMHAMM CMHSPs and their contractors.

IV. MONITOR AND REVIEW:

The CMHAMM PIHP Compliance Administrator monitors these functions. The Director of Affiliation Operations reviews this procedure annually.

VII. RELATED POLICIES AND PROCEDURES:

CMHAMM Policy 2.0 Clinical Policy