

NorthCare Network Jail Diversion Agreement

Purpose of Agreement

This agreement shall facilitate collaboration and support between Law Enforcement, County Corrections, the Courts, Prosecutor's Office and CMHSP to effectively utilize available mental health and community resources when deemed appropriate as an alternative to incarceration. The expected outcomes of this collaboration are the following:

To demonstrate community compliance with the Mental Health Code, Section 330.1207.

Actively promote and offer cross-training activities necessary to assure CMHSP staff and representatives of local criminal justice agencies have a common understanding of jail diversion procedures and how individuals who may be appropriate for jail diversion in lieu of incarceration are identified and diverted to services.

Terms of Agreement

This agreement shall be in full effect as of _____ and may be terminated by any party with sixty (60) days prior written notice to the other parties, stating the reasons for termination and effective date.

Interagency Responsibilities

The decision to use mental health services in lieu of incarceration can be reached at any time deemed appropriate, including before the individual is taken into custody, after they have been taken into custody or arrested, before or after booking, before or after arraignment, and as a condition of bond or probation. Pre-booking diversion candidates become voluntary consumers of mental health services, and no follow-up is required between CMHSP and law enforcement. For post-booking voluntary candidates, CMHSP will comply with monitoring of the diversion plan as determined by the Court.

In a post booking situation, the Court, Prosecutor, or Law Enforcement Agency will conduct an initial mental health screening as part of their intake process for an individual who has allegedly committed or been found guilty of a misdemeanor or non-violent felony offense. Law enforcement will request a jail diversion screening by CMHSP for those individuals suspected of having a serious mental illness, serious emotional disturbance, or developmental disability.

CMHSP will complete a face-to-face screening of all such referrals to assess the presence of serious mental illness, serious emotional disturbance or

developmental disability and determine clinical appropriateness of providing mental health services as an alternative to incarceration within 24 to 48 hours. NorthCare Access will review the screening for eligibility for mental health services within one working day. A written response from CMH will be available within 48 hours after the NorthCare Access review. (See attached Jail Diversion Flow Chart for details).

Specific procedures and responsibilities are outlined in the attachments to this agreement:

- Attachment 1 –**CMHSP** jail diversion policy
- Attachment 2—NorthCare Jail Diversion flowchart for individual not currently receiving CMH services
- Attachment 3--NorthCare Training Protocol for Law Enforcement Agencies
- Attachment 4—CMHSP Contact note to exchange information between CMHSP and law enforcement agencies**
- Other Attachments as deemed necessary by any of the parties**

All parties agree to maintain open communication and meet as deemed necessary to ensure the implementation of this agreement and/or to revise, modify or otherwise improve this agreement.

Signature Section

The individual signing this Agreement certifies by his/her signature that they are authorized to sign this Agreement on behalf of the responsible governing board official or agency.

Probate Court / Date

District Court / Date

Circuit Court /Date

County Prosecuting Attorney / Date

County Sheriff/ Date

CEO of local CMHSP/Date

CMHSP Jail Liaison/ Date

Note regarding signatures—the CMHSP may determine whether to have a single document signed by the multiple agencies involved. Agreements need to include the local community policing agencies.