

## NORTHCARE NETWORK

**POLICY TITLE:** Jail Diversion  
**POLICY EFFECTIVE DATE:** June 26, 2002  
**BOARD ADOPTED:** June 26, 2002  
**BOARD ADOPTED REVISIONS:**  
October 9, 2004; November 2, 2005

**REVIEWED/REVISED:**  
June 16, 2004  
September 30, 2005  
January 22, 2007, August 2008

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### **PURPOSE**

NorthCare Prepaid Inpatient Health Plan is responsible to monitor the effectiveness of the Community Mental Health Service Providers in meeting the legal requirement to provide jail diversion services. It is the responsibility of the CMHSP to offer recommendations to the legal system for community services when individuals with serious mental illness, serious emotional disturbance or developmental disability when jail incarceration may not be appropriate.

### **DEFINITIONS**

**Jail Diversion Process:** A plan to divert an individual with a serious mental illness; co-occurring disorders; or a developmental disability in contact with the justice system from custody to linkages with community-based treatment and support services. The individual thus avoids or spends a significantly reduced time period in jail 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 plan. The jail diversion process is intended for individuals alleged to have committed misdemeanors or certain, usually non-violent, felonies and who voluntarily agree to participate in the diversion plan.

**Screening:** Performed by **CMHSP staff** to evaluate 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 established standards and local jail diversion agreements.

### **POLICY**

NorthCare assures the availability of an assessment for jail diversion when requested by law enforcement or an individual. NorthCare will monitor the effectiveness of jail diversion process conducted by the CMHSPs in the Upper Peninsula. The MDCH technical advisory is adopted as the model for the CMHSPs to incorporate into local practice (Attachment 1).

### **PROCEDURES**

- A. NorthCare Responsibilities:  
NorthCare has a regional committee composed of the CMHSP Jail Liaisons who meet regularly to review the data being submitted for the region and to seek regional support for training.
- B. **CMHSP responsibilities for Jail Diversion in a written collaborative agreement with law enforcement**
  1. Identify liaison personnel to coordinate key interactions and maintain current

- agreements with local law enforcement agencies.
2. Liaison staff will participate in the NorthCare Jail Diversion Regional Committee to assure consistency across the region.
  3. Maintain contact with representatives of the criminal justice system to review jail diversion procedures and local concerns.
  4. Participate in local community corrections board meetings.
  5. Maintain open communication regarding procedures and agreements while preserving standards of confidentiality.
  6. Provide and actively promote cross-training activities necessary to assure that CMHSP staff, representatives of local criminal justice agencies and substance abuse providers have a common understanding of all jail diversion procedures.
  7. To maintain a database that tracks key demographic information and diversion efforts throughout the region, including the unique consumer ID assigned by the CMHSP. Data are submitted to NorthCare on a quarterly basis and entered into a regional report required in the Master Contract with MDCH.

## **REFERENCES**

- ✓ Michigan Mental Health Code (Act 258 of the Public Acts of 1974 as amended) Section 207.
- ✓ Medicaid Managed Specialty Supports and Services 1915 (b)/(c) Waiver Program, Adult Jail Diversion Policy Practice Guideline, February 2005.