


<b>CHAPTER</b> Service Delivery	<b>CHAPTER</b> 02	<b>SECTION</b> 004	<b>SUBJECT</b> 140
<b>SECTION</b> Clinical and Support Services		<b>DESCRIPTION</b> Jail Diversion Services	
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**APPLICATION:**

<input checked="" type="checkbox"/> CMH Staff	<input type="checkbox"/> Board Members	<input type="checkbox"/> Provider Network	<input checked="" type="checkbox"/> Employment Services Providers
<input type="checkbox"/> Employment Services Provider Agencies	<input checked="" type="checkbox"/> Independent Contractors	<input checked="" type="checkbox"/> Students	<input checked="" type="checkbox"/> Interns
<input checked="" type="checkbox"/> Volunteers	<input type="checkbox"/> Person Served		

**POLICY:**

Lapeer County Community Mental Health (LCCMH) provides jail diversion services to persons with severe and persistent mental illness, serious emotional disturbance, co-occurring substance use disorder, and /or intellectual/developmental disability as an alternative to being charged with a misdemeanor or felony (pre-booking) or incarcerated in the county jail (post-booking).

**STANDARDS:**

- A. Jail Diversion Services are provided in compliance with the Michigan Department of Health and Human Services (MDHHS) Adult Jail Diversion Policy Practice Guideline.
- B. LCCMH complies with Section 207 of the Mental Health Code requiring CMH to provide services designed to divert persons with severe and persistent mental illness, serious emotional disturbance, or intellectual/developmental disability from possible jail incarceration when appropriate.
- C. Region 10 PIHP provides oversight to the jail diversion process in accordance with the MDHHS/PIHP Contract.

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- D. LCCMH Jail Diversion Program Staff provides bi-annual program level reports to the Quality Department for the Region 10 Contract File. The reports are available to the Region 10 PIHP and Michigan Department of Health and Human Services if requested.
- E. LCCMH staff works collaboratively with community partners to identify individuals in the criminal justice system eligible for Jail Diversion.
- F. The LCCMH Law Enforcement Liaison consults with the Lapeer County Prosecutors Office, Court and Defense Attorney for offenses considered appropriate for jail diversion and provides treatment and support in lieu of incarceration when appropriate. Jail Diversion Services are intended for the following:
  - 1. Persons suspected of having a serious mental illness, a co-occurring substance use disorder, serious emotional disturbance, or a developmental disability; and
  - 2. Alleged to have committed misdemeanors or certain, usually non-violent felonies; and
  - 3. Who voluntarily agree to participate in the diversion process
- G. The LCCMH jail diversion process has pre-booking components and post-booking components following the MDHHS Adult Jail Diversion Policy Practice Guideline.
- H. The LCCMH Jail Liaison manages the post-booking components and serves as the liaison between mental health, substance use, and criminal justice systems to facilitate interaction between these systems.
- I. Jail Diversion and related processes are outlined in a written inter-agency agreement with every law enforcement agency in LCCMH's designated services area. If an agreement is not finalized with a law enforcement agency, LCCMH staff documents efforts to establish the agreement. Agreements contain the components outlined in the Adult Jail Diversion Policy Practice Guideline.
- J. LCCMH provides cross training and promotes attendance of law enforcement and mental health personnel on the pre-booking and post-booking jail diversion components.
- K. LCCMH Jail Diversion information is stored in the agency's HIPAA Compliant electronic health record.

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- L. In the Post-Booking Process, anyone can request an evaluation.
- M. LCCMH establishes regular meetings among key players including police/sheriffs, court personnel, prosecuting attorneys, judges and CMH representatives to encourage coordination of services and sharing of information.
- N. LCCMH case managers and clinical staff work together with the law enforcement liaison if clients become involved in the criminal justice system.
- O. LCCMH case managers and clinicians receive education about jail diversion services upon hire.

**PROCEDURES:**

- A. For Pre-booking, LCCMH evaluates individuals in crisis (suicidal, homicidal or psychotic), brought in by law enforcement to McLaren Lapeer Region, or LCCMH to determine if they require in-patient hospitalization, Crisis Residential, Mobile Intensive Crisis Stabilization Service, outpatient treatment or if they would be appropriate for a Mental Health Jail Diversion or Mental Health Court Services. LCCMH staff assist the individual with Access if they require LCCMH Services.
- B. For Post-booking, if the prosecutor agrees to a mental health jail diversion the individual signs a contract to follow their individual treatment plan. LCCMH Jail Liaison assist the individual with Access if they do not have an open case with LCCMH.

**DEFINITIONS:**

Booking: The state in the law enforcement custody process following arrest, when processed for formal admission to jail.

Co-Occurring Disorder: A dual diagnosis of a mental health disorder and a substance use disorder.

Post-Booking Diversion Process: Diversion occurs after the individual has been booked and is in jail, or out on bond. The post-booking diversion process applies only to the adult system.

Pre-Booking Diversion Process: 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 use services.

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**REFERENCES:**

Mental Health Code Section 207

Michigan Department of Health and Human Services Adult Jail Diversion Policy Practice Guideline

SR:mgr