



BEHAVIORAL HEALTH ADVISORY BOARD (BHAB) ACTION ITEM

AUTHORITY TO CONTRACT WITH AND ACCEPT FUNDING FROM THE DEPARTMENT OF STATE HOSPITALS FOR A FELONY MENTAL HEALTH DIVERSION PROGRAM MARCH 5, 2020

Expanding community-based treatment and reducing the number of individuals who cycle through psychiatric crisis and jail largely due to untreated mental illness are top County of San Diego priorities. This request would add a new local option to divert people with serious mental illness from jail and the justice system into treatment by authorizing the County to enter a contract to receive funding from the Department of State Hospitals (DSH). The proposed action would establish the County's first formal pre-trial mental health diversion program.

Mental health diversion, pursuant to Penal Code 1001.36, allows a court, under certain circumstances, to postpone criminal prosecution for a period of up to two years for an individual to receive community-based treatment and to dismiss the case at the end of a satisfactory diversion. State funding is allocated through the DSH to support county diversion programs for individuals charged with felonies related to specific serious mental health diagnoses who may potentially be ruled incompetent to stand trial.

Partners in the proposed mental health diversion program include the District Attorney's Office, the Sheriff's Department, the Public Defender, the Health and Human Services Agency, the Probation Department, and the Court. The program design is based on San Diego County's successful Behavioral Health Court, which provides Assertive Community Treatment, wraparound services and regular hearings before a judge and other collaborative court partners to support individuals whose crimes are related to serious mental illness.

This request would authorize the Deputy Chief Administrative Officer, Public Safety Group, to execute a contract with DSH to accept up to \$3,220,000 in funding for a Pre-Trial Felony Mental Health Diversion Program and execute required contract documents, including any extensions, amendments or revisions that do not materially impact either the program or funding level.

It is THEREFORE, staff's recommendation that your board support the authorizations and approvals necessary to support this action.