

LA COUNTY AGENCIES CREATE MOU TO LAUNCH THIRD DISTRICT DIVERSION PROGRAM



In front of the Van Nuys courthouse on Wednesday, September 17, 2014, LA County Board Supervisor Zev Yaroslavsky, unveiled the Third District Diversion and Alternative Sentencing Program, a new court-based pilot program to divert seriously mentally ill non-violent offenders from incarceration into treatment with health and mental health services. Multiple county agencies worked together to create a Memorandum of Understanding (MOU) to make the diversion program a reality.

Los Angeles County currently spends a substantial amount of money providing mental health treatment and custodial care for an average daily census of more than 3,500 County jail inmates with mental illness. Mentally ill defendants unable to make bail spend more time in custody, and their court cases often take longer to adjudicate, owing to their mental condition, further adding to the costs. Incarceration disrupts their treatment in the community, exacerbating symptoms, contributes to or perpetuates homelessness and impedes recovery.



Diversion programs, by contrast, can lead to better outcomes for people with mental illness and their communities. The Los Angeles County Third District Diversion and Alternative Sentencing Program is designed for adults who are chronically homeless, seriously mentally ill and commit select misdemeanor and felony crimes. This pilot program will divert chronically homeless and seriously mentally ill adults from the traditional fines, probation, and incarceration imposed on misdemeanor and low-level felony offenses and place them on a path to secure permanent, supportive housing and consistent treatment of their mental illnesses.

Qualifying misdemeanants will be screened and offered an opportunity to participate in the program at the initial arraignment and plea stage, before charges are filed or a plea entered. If they elect to participate, they will be released to San Fernando Valley Mental Health Services, placed in bridge or transitional housing, and offered a variety of support services including health and mental health care, group and individual treatment and support, employment and vocational services. Misdemeanants who successfully complete the 90-day diversion program – paying restitution, complying with requirements, committing no new offenses - will see their charges dismissed.



Qualifying felons will be required to plead guilty or no contest to their charges and complete an 18-month diversion program with the same requirements. For felons who successfully complete diversion, in certain cases the court will terminate probation early after 18 months and dismiss the case. In other cases, the negotiated sentence will stand, but defendants may seek dismissal later on, after successfully completing 36 months of formal probation.

The program's goal is to reduce recidivism rates among low-level offenders, minimize the drain on scarce justice system resources, and better assist the chronically homeless and seriously mentally ill population that commit misdemeanors and low-level felony crimes to achieve stability in permanent supportive housing linked to services.

Featured speakers included:

1. ZEV YAROSLAVSKY, LA COUNTY BOARD SUPERVISOR, THIRD DISTRICT
2. DAVID WESLEY, Presiding Judge, Los Angeles County Superior Court
3. JACKIE LACEY, District Attorney
4. MIKE FEUER, City Attorney
5. RONALD L. BROWN, Public Defender
6. JANICE FUKAI, Alternate Public Defender
7. ROBIN KAY, Chief Deputy Director, Department of Mental Health

The four MOU partners include:

1. Ezekiel P. Perlo, Directing Attorney, Indigent Criminal Defense Appointments Program
2. Jerry E. Powers, Chief Probation Officer
3. Ian Hunter, PhD, President and CEO, San Fernando Valley Community Mental Health Center, Inc.
4. Donna M. Beiter, Director, Department of Veterans Affairs, Greater Los Angeles Healthcare System

Special thanks to Victoria Adams, Bureau Director, District Attorney's Office, who drafted the MOU (multiple drafts and the final signed MOU).