Advancing Prosecutor-Led Behavioral Health Diversion

September 25, 2020
Presentation Outline

I. Welcome and Introductions

II. What Do We Know About Prosecutor-Led Diversion?

III. Discussion with Milwaukee County District Attorney’s Office & Second Judicial District of Arkansas

IV. Questions & Answers
The Council of State Governments Justice Center

We are a national nonprofit, nonpartisan organization that combines the power of a membership association, serving state officials in all three branches of government, with policy and research expertise to develop strategies that increase public safety and strengthen communities.
Justice and Mental Health Collaboration Program

The Justice and Mental Health Collaboration Program (JMHCP) supports cross-system collaboration to improve public safety responses and outcomes for individuals with mental illnesses (MI) or co-occurring mental illness and substance abuse (CMISA) who come into contact with the justice system.
The U.S. Department of Justice Bureau of Justice Assistance

**Mission:** BJA provides leadership and assistance to local criminal justice programs that improve and reinforce the nation’s criminal justice system. BJA’s goals are to reduce and prevent crime, violence, and drug abuse and to improve the way in which the criminal justice system functions. In order to achieve such goals, BJA programs illustrate the coordination and cooperation of local, state, and federal governments. BJA works closely with programs that bolster law enforcement operations, expand drug courts, and provide benefits to safety officers.

Visit the [BJA website](#) to learn more.
Diversion Interventions Overview & FAQs

Frequently Asked Questions: A Look into Jail-Based Diversion

Frequently Asked Questions: A Look into Court-Based Diversion
Speakers

- Jeffrey Altenburg, Deputy District Attorney, Milwaukee County DA
- Scott Ellington, Second Judicial District Prosecuting Attorney, Mississippi Country, Arkansas
- Hallie Fader-Towe, Program Director, Behavioral Health, CSG Justice Center
- Robert Hood, Project Director, Association of Prosecuting Attorneys
- Kent Lovern, Chief Deputy District Attorney, Milwaukee County DA
Association of Prosecuting Attorneys

The Association of Prosecuting Attorneys (APA) is a national association dedicated to supporting and enhancing the effectiveness of prosecutors in their efforts to ensure justice and create safer communities.
Presentation Outline

I. Welcome and Introductions

II. What Do We Know About Prosecutor-Led Diversion?

III. Discussion with Milwaukee County District Attorney’s Office & Second Judicial District of Arkansas

IV. Questions & Answers
What is Prosecutor-Led Diversion?

Source: Association of Prosecuting Attorneys, Prosecutor-led Diversion Sequential Intercept Model, 2020
Why is Prosecutor-led Behavioral Health Diversion Important?

- Treatment can help reduce recidivism and improve public safety
- Diversion efforts can address health and justice inequities
- Prosecutors can play an important role in helping people improve their lives and send them on the path toward treatment and recovery
- Diversion efforts can save money

Sources: See Resources slide at end of presentation.
Prosecutor-Led Diversion Toolkit

https://www.diversiontoolkit.org
Presentation Outline

I. Welcome and Introductions

II. What Do We Know About Prosecutor-Led Diversion?

III. Discussion with Milwaukee County District Attorney’s Office & Second Judicial District of Arkansas

IV. Questions & Answers
Milwaukee County, Wisconsin

- Largest of Wisconsin’s counties
- Population Size: 952,085
- Milwaukee Jail and House of Corrections population: 3,500
- Jail Bookings in 2019: 31,389

Early Intervention Programs
- The Milwaukee County Diversion Program
- The Milwaukee County Deferred Prosecution Program
- Drug Treatment Court
- Day Reporting Center
- Veteran’s Treatment Court

Image by David Mark from Pixabay
Second Judicial District of Arkansas

The Second Judicial District is comprised of Clay, Craighead, Crittenden, Greene, Mississippi and Poinsett Counties in the delta region of Northeast Arkansas.

FY17 JMHCP Grantee Mississippi County Mental Health Court
- Mississippi County has a population of around 43,000
- Average Jail Count in 2018 was 130

Photo by Joshua J. Cotten on Unsplash
Discussion Questions

- Why should prosecutors be involved in this work?
- What information do you use to inform your decisions?
- Who are your key partners? How do you work together?
- How do you mitigate and manage risk in your programs?
Takeaways

• Most people with behavioral health conditions are not coming to jail for violent offenses

• Diversion programs can actually increase the overall safety of a community while saving jail costs

• Perform comprehensive assessments quickly so prosecutors can make safe, informed decisions, promptly
Takeaways

• For individuals with a higher risk of recidivism put more intensive supervision resources in place

• Diversion programs require close inter-entity cooperation between prosecutors, judges, public defenders and behavioral health providers

• "Perfection is the enemy of progress"
Questions & Answers


Thank You!

Join our distribution list to receive updates and announcements:

www.csgjusticecenter.org/subscribe

For more information please contact Hallie Fader-Towe at hfader@csg.org

The presentation was developed by members of The Council of State Governments Justice Center staff. The statements made reflect the views of the authors, and should not be considered the official position of The Council of State Governments Justice Center, the members of The Council of State Governments, or the funding agency supporting the work.

© 2020 The Council of State Governments Justice Center