

Los Angeles County Jails Could Divert More Individuals to Community-Based Mental Health Services

ON AN AVERAGE DAY in Los Angeles County jails in 2018, 30 percent of individuals were taking psychotropic medications or were housed in units for individuals with mental illness, according to 2019 data from the Los Angeles County Sheriff's Department. The county could potentially divert up to two-thirds of those individuals out of jails and into community-based treatment services, a RAND Corporation analysis has found.

Diversion programs can benefit individuals by connecting them with quality, patient-centered treatment, and can benefit the jail system by easing the burden of caring for those with a mental health disorder. According to the Office of Diversion and Reentry (ODR), ODR has diverted more than 4,474 individuals to supportive housing settings and programs for those who are incompetent to stand trial since 2015. Los Angeles County has also increased research and resources over the past few years to serve jailed individuals with a mental health disorder.

But a decade-long spike in the number of individuals with serious mental illness who are in the criminal justice system paired with a shortage of beds in mental health facilities have made it difficult to address the needs of those individuals who could benefit from community-based services. The county identified a need for more information about the share of the jail mental health population that might be eligible for diversion. This information is a first step toward figuring out the types of programs, staff, and funding needed to treat eligible individuals in the community and the impact that diversion would have on the jails' mental health services.

This brief summarizes the findings of the 2020 RAND report, *Estimating the Size of the Los Angeles County Jail Mental Health Population Appropriate for Release into Community Services* (available online at www.rand.org/t/RR4328).

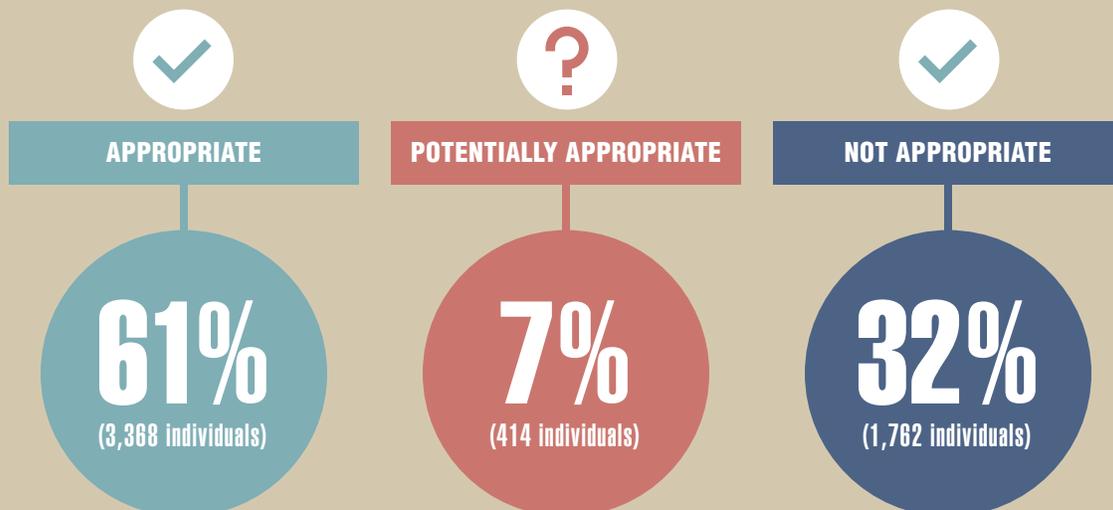
FINDINGS

RAND RESEARCHERS FOUND that an estimated **61 percent** of the jail mental health population—**3,368 of the 5,544 individuals**—could be considered appropriate candidates for diversion, **7 percent (414 individuals)** could be considered potentially appropriate, and **32 percent (1,762 individuals)** could be considered not appropriate (see figure below).

HOWEVER, THIS ESTIMATE MIGHT BE AN UPPER BOUND; the actual number of diversions will likely be lower. ODR recommends candidates for diversion, but other parties have a say: The defense lawyer, prosecutor, and judge must all agree to divert an individual, and diversion is voluntary, so not every eligible candidate will be diverted. In addition, there is still the shortage of treatment beds, and some existing county diversion programs require individuals to have pleaded guilty or no contest in exchange for probation, which may not appeal to everyone who is eligible.

THE STUDY ALSO HAD LIMITATIONS that better data or more data would help resolve. For example, how many people would be eligible for existing diversion programs? What level of care would individuals need? And, what impact would this have on the annual jail mental health population?

Diversion May Be an Option for Two-Thirds of the Population



HOW RESEARCHERS DID IT

To carry out this study, RAND researchers



COLLABORATED WITH ODR to learn the legal and clinical factors that determine who is a candidate for diversion



DEVELOPED A SET OF STRUCTURED CRITERIA reflecting those factors



DREW A RANDOMLY SELECTED SAMPLE of 500 individuals that was demographically similar to the full jail mental health population



CATEGORIZED THE SAMPLE into three diversion classifications:

- appropriate (no obvious bars to diversion)
- potentially appropriate (judge or prosecutor may view some factors unfavorably)
- not appropriate (charges are generally considered too severe or there is no evidence of serious mental illness)



ANALYZED THE RESULTS to estimate the proportion of the jail mental health population that could be diverted to community-based treatment programs.

RECOMMENDATIONS

Researchers made the following recommendations for ODR to consider as it determines the path forward:

- 1 DETERMINE THE LEVEL OF CARE** needed by individuals who are appropriate for diversion and how this fits with current community-based capacity.
- 2 INCREASE THE CAPACITY** for ongoing data collection within ODR and other county agencies to help
 - continuously track progress and identify what factors lead to successful versus unsuccessful diversions
 - track diversions across courts and work toward a consistent approach.
- 3 CONSIDER ADDITIONAL DIVERSION OPPORTUNITIES**, including pre-plea options, to increase the acceptability of diversion to defense attorneys and potential diversion clients.
- 4 EXPAND ON** successful early diversion programs to reach individuals with mental health disorders earlier in the diversion pipeline.
- 5 WORK WITH** relevant local and state agencies to develop additional solutions to serve this population.

This brief describes work done in the RAND Justice Policy Program and documented in *Estimating the Size of the Los Angeles County Jail Mental Health Population Appropriate for Release into Community Services*, by Stephanie Brooks Holliday, Nicholas M. Pace, Neil Gowensmith, Ira Packer, Daniel Murrie, Alicia Virani, Bing Han, and Sarah B. Hunter, RR-4328-LAC, 2020 (available at www.rand.org/t/RR4328). To view this brief online, visit www.rand.org/t/RB10111. The RAND Corporation is a research organization that develops solutions to public policy challenges to help make communities throughout the world safer and more secure, healthier and more prosperous. RAND is nonprofit, nonpartisan, and committed to the public interest. RAND's publications do not necessarily reflect the opinions of its research clients and sponsors. RAND® is a registered trademark.

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