Factors in Disproportionate Representation Among Persons Recommended by Programs and Accepted by Courts for Jail Diversion

Michelle Naples, M.A.
Laura S. Morris, M.S.
Henry J. Steadman, Ph.D.

Objective: **This study examined the decision-making process related to enrollment in jail diversion programs for people with mental illness. The examination explored the activities of diversion programs and courts related to determinations of whether individuals were appropriate for diversion: activities included jail screenings, clinical and criminal justice assessments, psychiatric evaluations, and court reviews of diversion plans. Factors associated with program recommendation decisions and court acceptance decisions were also examined.** ***Methods:*** **The study included data from a multisite, federally funded jail diversion initiative. Conditional logistic regression models were employed to determine which factors influenced both program and court decision making.** ***Results:*** **A total of 34,832 activities resulted in a program decision regarding diversion eligibility (N=32,917) or a court decision regarding acceptance of the diversion plan (N=1,915). Compared with the national arrestee population, those referred for diversion had a greater proportion of women, whites, and older persons and a lower proportion of persons with felony and violence charges. Regression analyses indicated that women and persons with nonviolent and nonfelony charges were more likely to be recommended for diversion by programs. These decisions were also influenced by interactions between legal and nonlegal factors. Individuals with nonfelony offenses were more likely to be accepted by the courts.** ***Conclusions:*** **One major finding is the large number of front-end activities required to enroll a small number of jail diversion participants. A second finding is that disproportionate representation occurs early in the decision-making process. Both formal and informal factors influenced decision making. Overall the results suggest that jail diversion programs should examine their decision-making processes to ensure that all appropriate individuals are included in jail diversion. (*Psychiatric Services* 58:1095–1101, 2007)**

In recent years the number of jail diversion programs for people with mental illness has dramatically increased throughout the United States (1). These programs share the common goal of circumventing, or significantly reducing, jail time through the linkage to community-based behavioral health services. Although these programs share this general vision, little is known about the process of deciding which individuals are diverted.

Few jail diversion studies provide information about individuals who are referred for diversion but who are ultimately not diverted. Instead, much of the literature on jail diversion has been descriptive in nature, including results from national prevalence surveys (2–5) and descriptions of jail diversion programs, program components, or program participants (6–9). Some recent articles report findings from single-site (10–21) and multisite (1,22–24) jail diversion outcome studies.

Only two studies have specifically addressed the decision-making process for diverting people with serious mental illness (25,26). Luskin's (25) study of a court-based diversion program found that a history of felony convictions, a current charge of a crime against a person, and being male decreased chances for diversion. In addition, Luskin found an interactive effect of age and gender, in that older males and younger females were more likely to be diverted, suggesting that youth signals danger for men but not for women. Interestingly, Luskin further suggested that the legal variables were ultimately less important than age and gender. Steadman and colleagues' (26) study of case processing in seven mental health courts showed that mental health court clients were more likely than individuals in the general criminal justice system to be older and white and to be women. Additionally, Steadman and colleagues found that age, gender, race, and the nature of the charges did not predict acceptance among cases reviewed by the

The authors are affiliated with Policy Research Associates, Delmar, New York. Send correspondence to Ms. Morris, Policy Research Associates, 345 Delaware Ave., Delmar, NY 12054 (e-mail: lmorris@prainc.com).

court, suggesting that the overrepresentation occurred at the point of referral to the court and not at the point of the court's decision to accept or reject. Generally, the findings of jail diversion studies agree with those of Steadman and colleagues that overrepresentation of certain subpopulations exists, but it is still unclear where in the diversion process this disproportionate representation occurs.

The study reported here examined the process of determining who is diverted through an examination of program and court decisions related to jail diversion. First, we describe the volume of activities involved in determining who will be diverted and the characteristics of individuals considered for jail diversion by the programs. Second, we present the outcomes of program recommendation and court acceptance decisions. Third, we examine whether there are factors that distinguish between those who are recommended and rejected for diversion by program staff, as well as between those ultimately accepted and rejected by the court.

Methods

This study drew on data from 20 grantees funded in 2002, 2003, and 2004 through the Targeted Capacity Expansion (TCE) Jail Diversion Initiative of the Substance Abuse and Mental Health Services Administration (SAMHSA). Although many grantees operated multiple tracks, our study examined data from the postbooking tracks only, representing 18 grantees and 21 program tracks. The SAMHSA grantees entered data on all diversion determination activities into a Microsoft Access database created and supplied to grantees by the Technical Assistance and Policy Analysis Center for Jail Diversion, the coordinating center for this initiative. The data considered for this study were collected between February 2003 and July 2005.

The database was structured to reflect the underlying logic of jail diversion decision making. Jail diversion programs engage in a series of activities to determine whether individuals meet program criteria (for example, screening by a jail booking nurse, clinical and criminal justice assessments and record checks, and psychiatric evaluations). Formal eligibility criteria for diversion vary by program but always include psychiatric, criminal justice, and jurisdictional criteria. Many programs consider exceptions to formal criteria on a case-by-case basis. For individuals who meet program eligibility criteria and who agree to be considered, the program presents a diversion plan to the court, prosecutor, and public defender. The court then makes a determination about whether to accept the individual for diversion. Assuming that the court accepts the diversion plan and the person and his or her legal representative agree, the person is then diverted.

Jail diversion programs engage in a large number of activities to enroll a relatively small number of people.

Following this logic, the database was organized by type of activity and captured each key decision. Activities were placed into one of four categories—initial screening, subsequent assessment, subsequent evaluation, and court decision. Within each category or activity, grantees recorded the relevant decisions: the eligibility decision as determined by the program (to recommend for diversion or not) and, if eligible, whether the individual agreed to proceed to court with the diversion plan; and the court decision to accept or not accept the diversion plan and, if accepted, whether the individual agreed to enter the diversion program. For each activity, grantees also recorded information on demographic characteristics (age, race or ethnicity, and sex), current criminal charge (most severe charge category and level), and reason or reasons rejected if applicable. No individual identifiers were entered into this database; therefore neither informed consent nor institutional review board approval was required.

Results

Volume of activities

There were 42,518 jail diversion program activities—that is, screenings, assessments, and evaluations—during the study period, which resulted in 32,917 program decisions with an outcome of either rejection (N=30,916, or 93.9%) or recommendation for diversion (N=2,001, or 6.1%). Of the 2,001 cases forwarded to the court, 1,237 (64.6%) were accepted and 678 (35.4%) were rejected. Information was not provided about 86 court decisions. This study examined the 34,832 activities that resulted in a program recommendation or rejection (N= 32,917) or a court acceptance or rejection (N=1,915).

Characteristics of referrals

Table 1 presents the characteristics of individuals for whom the programs made a diversion decision. This sample shows distinctly different trends in both demographic characteristics and charge information when compared with data for the general U.S. arrestee population as reported by the Bureau of Justice Statistics (27). The diversion group was older (mean age of 34 years) than the general arrestee population (mean age of 32). Our group also had more than twice as many women (27%) and more non-Hispanic whites (48%) than the general arrestee population (12% and 36%, respectively). In addition, our study group had nearly one-third fewer violent charges (9%) than all U.S. arrestees (25%).

Decision outcomes

As shown in Table 2, although the programs engaged in tens of thou-

sands of activities, only 6.1% of their decisions resulted in a recommendation for diversion. Of the individuals who were recommended for diversion, 88.0% agreed to be considered by the court. Of the majority who were rejected by the program, the most common reasons indicated were based on legal (26%) or psychiatric (19%) criteria. Legal reasons included those related to the nature of the charge, criminal history, and perceived dangerousness. Psychiatric criteria included reasons related to diagnosis, psychiatric history, and civil commitment. Nearly one-third (28%) were not recommended for multiple reasons.

In comparison, two-thirds (65%) of the individuals proceeding to the court decision stage had their diversion plans accepted by the court, and nearly all (94%) of those accepted agreed to enroll in the jail diversion program (Table 2). Of those whose plans were not accepted by the court, the most common reasons were legal criteria (16%) or other reasons (14%, which were bond related or were related to having been sentenced or being enrolled in another program).

Factors related to decision making

In addition to determining the characteristics of people who were considered for jail diversion, we were also interested in exploring whether any of these characteristics were directly linked to program and court decision outcomes. The bivariate results in Table 3 show large differences between individuals who were recommended (divert) and those who were rejected (not divert) across all variables, including age, gender, race or ethnicity, charge type, and charge level. For court decisions, the bivariate results of those accepted (divert) and those rejected (not divert) show differences in gender, charge type, and charge level. Because these comparisons can be misleading unless the analysis controls for relationships between these variables, we proceeded with a multivariate approach.

Analytically the goal of the multivariate analysis was to develop two models: one predicting program recommendation for diversion (yes or no) and one predicting court acceptance (yes or no). Traditional logistic regression models were not appropriate because of the high level of program variability. Preliminary analyses that grouped grantees according to shared program characteristics (program criteria, size of the jail, screening procedures, length of time until diversion, and so forth) found no explanatory trends for this variability. Therefore, we implemented a conditional logistic regression approach (28), which controlled for the substantial program design differences, including those related to the exclusion of specific subpopulations, such as indi-

Table 1

Characteristics of 32,917 persons with mental illness about whom a jail diversion program decision was made

Characteristic	N	%
Demographic		
Age (M±SD)	33.8±10.9	
35 years and older	15,070	45.8
Female	8,788	26.7
Hispanic	3,435	10.4
Non-Hispanic white	15,916	48.4
Non-Hispanic black	11,744	35.7
Most serious current charge		
Drug related	4,551	13.8
Minor offense	11,918	36.2
Property	6,183	18.8
Other crime against a person	1,799	5.5
Violent	2,920	8.9
Other	5,546	16.8
Level of current charge		
Felony	13,951	42.4
Misdemeanor	16,236	49.3
Other	2,730	8.3

Table 2

Decision outcomes for persons with mental illness considered by programs and courts for participation in jail diversion programs

	Program recommendations (N=32,917)		Court decisions (N=1,915)	
Variable	N	%	N	%
Diversion decision				
Divert	2,001	6.1	1,237	64.6
Do not divert	30,916	93.9	678	35.4
Participant's decision[a]				
Opt in	1,761	88.0	1,108	94.1
Opt out	240	12.0	69	5.9
Primary reasons not diverted				
Legal criteria	8,409	25.5	296	15.5
Psychiatric criteria	6,387	19.4	10	.5
Released from jail	2,068	6.3	61	3.2
Other reason[b]	1,870	5.7	261	13.6
Multiple reasons	9,248	28.1	40	2.1

[a] The participant's decision about whether to enter the diversion program was not recorded for 60 court acceptance decisions.

[b] The most common other reasons for programs not to divert were that the individual had already been sentenced, was being held for other authorities, or was enrolled in another program. For court decisions not to divert, the most common other reasons were that the individual had already been sentenced, had a bond-related issue, or was enrolled in another program.

Table 3

Characteristics of persons with mental illness considered for participation in jail diversion, by whether or not the program decided to recommend them and the court decided to accept them[a]

	Program decisions				Court decisions			
	Divert (N=2001)		Do not divert (N=30,196)		Divert (N=1,237)		Do not divert (N=678)	
Characteristic	N	%	N	%	N	%	N	%
Demographic								
Age (M±SD)	35.9±10.4		33.7±10.9**		35.7±10.9		36.1±10.3	
35 years and older	1,084	54.3	13,986	45.3**	635	51.3	388	57.2*
Female	830	41.5	7,958	25.7**	432	34.9	297	43.8**
Hispanic	250	12.5	3,185	10.3**	188	15.2	72	10.6**
Non-Hispanic white	816	40.8	15,100	48.8**	580	46.9	322	47.5
Non-Hispanic black	830	41.5	10,914	35.3**	398	32.2	252	37.2*
Most serious current charge type								
Drug related	245	12.2	4,306	13.9*	146	11.8	140	20.6**
Minor offense	983	49.1	10,935	35.4**	541	43.7	208	30.7**
Property	429	21.4	5,754	18.6**	308	24.9	142	20.9
Other crime against a person	95	4.7	1,704	5.5	93	7.5	36	5.3
Violent	120	6.0	2,800	9.1**	78	6.4	96	14.2**
Other	129	6.4	5,417	17.5**	70	5.7	56	8.3*
Level of current charge								
Felony	368	18.4	13,583	43.9**	193	15.6	235	34.7**
Misdemeanor	1,431	71.5	14,805	47.0**	922	74.5	398	58.7**
Other	202	10.1	2,528	8.2**	122	9.9	45	6.6*

[a] Differences between decisions to divert and not to divert were tested by using the Pearson chi square test, except for mean age for which a t test was used.

*p<.05

**p<.01

viduals with felonies, violent offenses, and men.

This approach was used to model both dependent variables—program recommendation for diversion and court acceptance. The independent main-effect variables included in both models were age (in years, centered for interpretive reasons [calculation in Table 4]), female, non-Hispanic white, violent (current offense), and felony (current offense). The following interactions were also included in the models: age (centered)-by-female, felony-by-female, and age (centered)-by-felony.

Multivariate model of program decisions

As shown in Table 4, there were several significant predictors of program eligibility, including three significant main effects. For the three significant main effects, only the impact of violent offenses can be interpreted as a true main effect because it was not involved in a significant interaction. The model found that people with violent offenses were significantly less likely to be recommended for diversion (odds ratio [OR]=.58, p<.001). The two other significant main effects (female OR=1.31, p<.001, and felony offenses OR=.19, p<.001) can be interpreted only by simultaneously examining the interaction effects.

All three interaction terms were found to be significant predictors of eligibility. For the age-by-female interaction (OR=1.01, p=.007), the calculated odds of eligibility for a woman, all else constant, more than doubled between the ages of 20 years (OR=1.02) and 60 years (OR=2.10) (Table 4). However, no significant change was found for men in the odds of being recommended for diversion during this same time span (at 20 years, OR=.94; at 60 years, OR=1.13). Thus there was an age effect for women (aging improved their odds of being recommended for diversion) but no age effect for men. Furthermore, these findings showed that for the age range of this study, women were always more likely than men to be recommended; thus we may conclude that there is a main effect of gender.

For the felony-by-female interaction (OR=4.13, p<.001), the model illustrated that, all else constant, male felons had significantly lower odds of being recommended for diversion (OR=.19) than male nonfelons (OR=1.00), female felons (OR=1.05), and female nonfelons (OR=1.31). For the final interaction effect, age-by-felony (OR=.98, p<.001), the calculated odds of eligibility for a felon, all else constant, dropped by half between the ages of 20 years (OR=.25) and 60 years (OR=.12). However, no significant change was found during this same time span for nonfelons (at 20 years, OR=.94; at 60 years OR= 1.13). Thus there was an age effect for felons (aging decreased their odds of being recommended for diversion) but no age effect for nonfelons. Furthermore, on the basis of these find-

Table 4

Predictors of program recommendations for jail diversion and court decisions to accept among persons with mental illness[a]

Variable	Program decisions (N=32,917)				Court decisions (N=1,915)			
	β	p	OR	95% CI	*β*	p	OR	95% CI
Age, centered[b]	.005	.137	1.01	1.00–1.01	–.005	.496	1.00	.98–1.01
Female (1=yes)	.270	<.001	1.31	1.15–1.50	.303	.073	1.35	.97–1.89
Non-Hispanic white (1=yes)	–.050	.395	.95	.85–1.07	–.036	.793	.97	.74–1.26
Violent charge (1=yes)	–.551	<.001	.58	.47–.71	–.217	.276	.81	.55–1.19
Felony charge (1=yes)	–1.638	<.001	.19	.16–.24	–.533	.010	.59	.39–.88
Age, centered × female[c]	.013	.007	1.01	1.00–1.02	–.023	.059	.98	.96–1.00
Felony × female[c]	1.418	<.001	4.13	3.18–5.35	.480	.074	1.62	.95–2.74
Age, centered × felony[c]	–.022	<.001	.98	.97–.99	–.000	.997	1.00	.98–1.03

[a] Recommended for diversion, coded 1, not recommended, 0. Accepted for diversion, 1; not accepted, 0

[b] Age was centered as follows: for program recommendation activities, individual age minus mean age (33.83 years); for court decision activities, individual age minus mean age (35.98 years).

[c] To calculate the impact of the significant interaction effects, the simultaneous effect of both relevant main effects were assessed along with the effect of the interaction by using the model coefficients. For example, for the significant age × female interaction, the OR multiplier for a 20-year-old woman was estimated by exponentiating the linear effect using the information provided, the model's calculated coefficients, the mean age of 33.83 (for centering), and one as the code for female: exp{[.005*(20–33.83)]+(.270*1)+[.013*(20–33.83)]}. Similarly, the OR multiplier for a 60-year-old female was calculated by exp{[.005*(60–33.83)]+(.270*1)+(.013*(60–33.83)]}. The same technique for calculating the OR multiplier applies to each significant interaction effect.

ings across both gender and our age range, we may conclude that there is a main effect of felony in that felons were always less likely to be recommended than nonfelons.

Multivariate model for court decisions

As shown in Table 4, a felony main effect was the only significant predictor of court acceptance (OR=.59, p=.010). As with program recommendations, individuals with felonies were significantly less likely to be accepted into the diversion program.

Discussion

A major finding of this study is the previously undocumented large number of program activities that precede enrollment in a jail diversion program. Jail diversion programs engage in a large number of activities to enroll a relatively small number of people. A large proportion of program resources were put into program recommendation decisions (94% of referrals rejected for diversion), and without careful accounting of these efforts, program performance may be underestimated.

A second major aim of our analyses was to address the question, Who is diverted? Having data for all individuals who were considered for diversion by both the programs and the courts allowed us to examine the diversion decision-making process one step earlier than most previous studies. Our examination yielded results similar to those of Steadman and colleagues' (26) mental health court study in that individuals referred for diversion were disproportionately older, female, and white compared with arrestees nationwide.

In-depth analyses that looked specifically at program recommendation decisions found that both legal and nonlegal characteristics were salient factors related to who was recommended for diversion by program staff. In terms of legal factors, it was not surprising that violent and felony offenses decreased the chance of eligibility, given that some programs exclude individuals on the basis of either or both of these criteria. However, legal factors were significant even among programs that did not have these exclusionary criteria. Just as significant, we found that certain nonlegal factors were also explanatory in program recommendation decisions. In particular, gender mattered outright and in interaction with other variables, with women having an advantage in eligibility for jail diversion. Combined, these results show that women and individuals with less serious charges are generally considered more appropriate for jail diversion.

An even more interesting finding of our analyses of the program recommendation decisions was the dynamic relationship between legal and nonlegal factors. Gender seemed to have an especially interactive effect with other variables, working with both age and charge to differentially affect eligibility determinations. Older women appeared to be especially appealing for diversion, whereas men with felonies were particularly unappealing. This finding can be seen as representing extremes in terms of perceptions of the highest risk (male felons) and lowest risk (older women) for diversion. For people with felony charges, the additional negative effect of increasing age on program recommendations is noteworthy and might be explained by their criminal histories.

The analysis of the program recommendation decision data, in combination with the comparison of the study sample to national arrestees, suggests that overrepresentation of specific subpopulations is introduced at the point of referral for program consideration and is further pronounced in the program decisions. One explanation for this finding is that referrals and program decisions are influenced by subjective factors related to public fear and general beliefs about who is "deserving" of diversion. A second explanation is that there is inherent disproportionate representation in the jail population related to which sub-

populations experience mental illness; in other words, older people, whites, and women are more likely to be referred and diverted because they are more likely to be identified as having a serious mental illness upon entry into the criminal justice system.

Although this study cannot directly address the presence of subjective factors, the effect of inherent factors can be examined by considering jail prevalence studies. A review of such studies indicates the following: women entering jail are at least twice as likely as men to be identified as having a serious mental illness (29–31); overall younger people in jail are more likely to be identified as having a mental health problem (32); although there may be differential effects for specific diagnoses or gender, mental health problems are more likely to be identified among whites in jail than among African Americans or Hispanics (30–32). These findings suggest that inherent disproportionate representation partially accounts for our findings. Specifically, because having a serious mental illness was a requirement at all sites and women involved in the criminal justice system are more likely to have a serious mental illness, it makes sense that women are more likely than men to meet diversion criteria.

At best, however, the prevalence studies provide mixed support for the idea of disproportionate representation as an explanation for our age effects. On the one hand, the suggestion of these studies that younger individuals may be overrepresented among those with favorable diversion decisions supports our findings that younger felons have an advantage over older felons in terms of recommendation (although, overall, felons were disadvantaged for diversion). On the other hand, the prevalence studies are not consistent with our findings that individuals referred for diversion consideration were on average older than the national arrestee population and that at the program recommendation stage, older age gave women an advantage for diversion. Inherent disproportionate representation also does not appear to be a factor in the recommendation or acceptance decisions involving whites; however, it may explain the higher rate of whites referred for program consideration.

Although the specific reasons behind overrepresentation of certain demographic groups early in the diversion decision-making process may not be entirely clear, what is clear is that judges generally accept program recommendations. The continuing negative impact of felony charges at the court decision stage may be accounted for by program or staff views that determination based on certain legal criteria is the domain of the court. However, excluding people with serious charges may not be justified on empirical grounds, because defendants with violent charges have been shown to be as successful in diversion programs as those with nonviolent charges (24).

Limiting further analysis of the diversion decision-making process is this study's lack of clinical data (including current psychiatric diagnosis and symptomatology and substance use diagnoses), criminal histories, and other in-depth information. Collecting such data, however, was beyond the practical scope of the Targeted Capacity Expansion Initiative. Nonetheless, our large, if limited, data set of diversion referrals substantially improves our current understanding in this area.

Conclusions

One major finding of this study is the extremely large number of activities required to divert a small number of individuals into jail diversion programs for people with mental illness. Beyond this, our analyses highlight that factors other than formal criteria influence jail diversion decision making throughout the program determination process. Findings reveal disproportionate representation in terms of demographic characteristics as early as the referral phase and the additional influence of demographic factors in the program decision phase. It is unclear whether, and to what degree, this reflects subjective factors on the part of the decision makers or different distributions within the jail population in terms of factors related to diversion criteria. Type and level of current charges also influenced decision making in the early program determination phases, with charge level (felonies) having a continuing impact on court decisions. These findings encourage further examination of program-level decision making to ensure the inclusion of all clinically and legally appropriate individuals.

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References

1. Steadman HJ, Naples M: Assessing the effectiveness of jail diversion programs for persons with serious mental illness and co-occurring substance use disorders. Behavioral Sciences and the Law 23:163–170, 2005

2. Deane MW, Steadman HJ, Borum R, et al: Emerging partnerships between mental health and law enforcement. Psychiatric Services 50:99–101, 1999

3. Morris SM, Steadman HJ: Keys to successfully diverting mentally ill jail detainees. American Jails 47–49, 1994

4. Steadman HJ, Barbera S, Dennis DL: A national survey of jail diversion programs for mentally ill detainees. Hospital and Community Psychiatry 45:1109–1113, 1994

5. Steadman HJ, Morris SM, Dennis DL: The diversion of mentally ill persons from jails to community-based services: a profile of programs. American Journal of Public Health 85:1630–1635, 1995

6. Draine J, Blank A, Kottsieper P, et al: Contrasting jail diversion and in-jail services for mental illness and substance abuse: do they serve the same clients? Behavioral Sciences and the Law 23:171–181, 2005

7. Lattimore PK, Broner N, Sherman R, et al: A comparison of prebooking and postbooking diversion programs for mentally ill substance-using individuals with justice involvement. Journal of Contemporary Criminal Justice 19:30–64, 2003

8. Perez A, Leifman S, Estrada A: Reversing the criminalization of mental illness. Crime and Delinquency 49:62–78, 2003

9. Steadman HJ, Stainbrook KA, Griffin P, et al: A specialized crisis response site as a core element of police-based diversion programs. Psychiatric Services 52:219–222, 2001

10. Steadman HJ, Cocozza JJ, Veysey BM: Comparing outcomes for diverted and nondiverted jail detainees with mental illness. Law and Human Behavior 23:615–627, 1999

11. Broner N, Maryl DM, Landsberg G: Outcomes of mandated and nonmandated New York City jail diversion for offenders with alcohol, drug, and mental disorders. Prison Journal 85:18–49, 2005

12. Cosden M, Ellens J, Schnell J, et al: Evaluation of a mental health treatment court with assertive community treatment. Behavioral Sciences and the Law 21:415–427, 2003

13. Frisman LK, Lin H, Sturges GE, et al: Outcomes of court-based jail diversion programs for people with co-occurring disorders. Journal of Dual Diagnosis 2(2):5–26, 2006

14. Hoff R, Baranosky MV, Buchanan J, et al: The effects of a jail diversion program on incarceration: a retrospective cohort study. Journal of the American Academy of Psychiatry and the Law 27:377–386, 1999

15. Lamb HR, Shaner R, Elliott DM, et al: Outcome for psychiatric emergency patients seen by an outreach police-mental health team. Psychiatric Services 46:1267–1271, 1995

16. Lamb RL, Weinberger LE, Reston-Parham C: Court intervention to address the mental health needs of mentally ill offenders. Psychiatric Services 47:275–281, 1996

17. Lamberti JS, Weisman RL, Schwarzkopf SB, et al: The mentally ill in jails and prisons: towards an integrated model of prevention. Psychiatric Quarterly 72:63–77, 2001

18. The Nathaniel Project: An Alternative to Incarceration Program for People With Serious Mental Illness Who Have Committed Felony Offenses. Delmar, NY, National GAINS Center, 2002

19. Shafer MS, Arthur B, Franczak MJ: An analysis of post-booking jail diversion programming for persons with co-occurring disorders. Behavioral Sciences and the Law 22:771–785, 2004

20. Steadman HJ, Williams MW, Morrissey JP, et al: A SAMHSA research initiative assessing the effectiveness of jail diversion programs for mentally ill persons. Psychiatric Services 50:1620–1623, 1999

21. Steadman HJ, Williams Deane M, Borum R, et al: Comparing outcomes of major models for police responses to mental health emergencies. American Journal of Public Health 51:645–649, 2000

22. Broner N, Lattimore PK, Cowell AJ, et al: Effects of diversion on adults with co-occurring mental illness and substance use: outcomes from a multi-site study. Behavioral Sciences and the Law 22:519–541, 2004

23. Cowell AJ, Broner N, Dupont R: The cost-effectiveness of criminal justice diversion programs for people with mental illness co-occurring with substance abuse: four case studies. Journal of Contemporary Criminal Justice 20:292–315, 2004

24. Naples M, Steadman HJ: Can persons with co-occurring disorders and violent charges be successfully diverted? International Journal of Forensic Mental Health 2:137–143, 2003

25. Luskin ML: Who is diverted? Case selection for court-monitored mental health treatment. Law and Policy 23:217–236, 2001

26. Steadman HJ, Redlich AD, Griffin P, et al: From referral to disposition: case processing in seven mental health courts. Behavioral Sciences and the Law 23: 215–226, 2005

27. James DJ: Profile of Inmates, 2002. Bureau of Justice Statistics Special Report NCJ 201932. Washington, DC, US Department of Justice, Office of Justice Programs, 2004

28. Reintjes R, de Boer A, van Pelt W, et al: Simpson's paradox: an example from hospital epidemiology. Epidemiology 11:81–83, 2000

29. The prevalence of co-occurring mental illness and substance use disorder in jails. National GAINS Center Fact Sheet. Delmar, NY, National GAINS Center, 2005

30. Teplin LA, Abram KM, McClelland GM: Prevalence of psychiatric disorders among incarcerated women: I. pretrial jail detainees. Archives of General Psychiatry 53: 505–512, 1996

31. Teplin LA: The prevalence of severe mental disorder among male urban jail detainees: comparison with the epidemiologic catchment area program. American Journal of Public Health 80:663–669, 1990

32. James DJ, Glaze LE: Mental Health Problems of Prison and Jail Inmates. Bureau of Justice Statistics Special Report NCJ 213600. Washington, DC, US Department of Justice, Office of Justice Programs, 2006