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Serious Mental Illness – Felony Diversion Program (SMI-FDP) Overview:

In August 2019, the Maricopa County Attorney’s Office (MCAO) launched the Felony Pretrial Intervention Program – Serious Mental Illness Diversion Program. Now, renamed the Serious Mental Illness – Felony Diversion Program (SMI-FDP), it continues to provide diversion services to those eligible post-file felony offenders with an SMI designation. Along with other prescribed eligibility criteria, offenders must have a minimal criminal history and are at low risk to reoffend. Diverting these offenders reduces their contact with the criminal justice system, increases connections to appropriate community-based systems of care, and holds the individual accountable for criminal conduct through their participation in an evidenced-based, cognitive-behavioral program. If applicable to their case, restitution must be paid in full to earn a successful completion; thus, providing timely financial restoration to the victim. Overall, the SMI-FDP Diversion Program will address the behavioral health and criminogenic needs of the offender.

How SMI-FDP Works:

- Eligibility: For defendants with lower level felonies with an SMI designation;
- If applicable to the case, the collection of restitution is mandatory:
 - Restitution is capped at \$2000.00 and must be paid in full in order to receive a successful completion.
- The DCA is solely responsible for referring offenders to the SMI-FDP. If eligible, the DCA suspends prosecution for two (2) years for completion of diversion;
- Referred offenders will be ¹assessed and receive clinical services, together with a cognitive-behavioral intervention. The treatment consists of a minimum of 48 group sessions utilizing ²*Decision Points*, an evidence-based curriculum, Positive Psychology, and applicable life skills training (vocational, wellness, financial, daily living tasks);
- If the offender successfully completes the curriculum and demonstrates ongoing engagement with their clinical team, and if applicable, fully pays restitution to the victim, the DCA will file a motion to dismiss the case with prejudice. If the offender fails to successfully complete these requirements, the DCA will file a motion to reinstate prosecution;
- Service delivery will be administered by Southwest Behavioral and Health Services (SBH), a community based, behavioral health organization;
- This is an individualized treatment program; therefore, program length will vary. Average length for successful completion is one (1) year; and
- Treatment services may be covered for AHCCCS verified members. SBH will also assist in AHCCCS enrollment for those who may qualify, but not currently enrolled. A discount in fees may be available to those who qualify through a financial assessment process.

The Decision Points Program:

- Released nationally in July 2015 (Jack Bush, Charles R. Robinson, Steven L. Swisher, and Juliana Taymans);
- Open entry and an evidence-based curriculum to address risk, needs, and responsivity;

¹SBH staff are trained and certified to utilize the ORAS (Ohio Risk Assessment System) Assessment Tool; specifically, the CST to identify criminogenic needs. ²SBH staff are trained and certified to facilitate the Decision Points Program.

- Aims to change deeply rooted anti-social thoughts, beliefs, and skills deficits through an interactive behavioral approach; and
- Consists of 5 comprehensive and repetitive learner-centered lessons: Concepts and steps increase the ability to stay out of trouble with required homework and group practice sessions to increase thinking skills for successful prosocial living.

Overall Program Goals:

- Reconnection to offender's AHCCCS Clinical Team;
- Secure emergency shelter/housing assistance and assistance with obtaining clothing and food;
- Assistance in navigating through court processes;
- Coordinate physical health care and other supportive services as needed; and
- Emphasize offender accountability for criminal conduct and reduce recidivism.