

# IS DIVERSION SWIFT?

## Comparing Mental Health Court and Traditional Criminal Justice Processing

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Formal diversion programs are increasingly popular options for offenders with mental illness. Diversion is recommended, and often assumed, to be swift in that eligible persons should be quickly identified and enrolled. In this study, the authors examine the length from initial arrest to enrollment into mental health court and compare it to time from arrest to disposition for offenders with and without mental illness traditionally processed. The authors, using medians as the metric and limiting the period to 1 year, found time to mental health court was 70 days, whereas traditional processing for offenders with and without known mental illness was 37 and 76 days, respectively. The authors also found detention status during this period to have a large effect on processing time.

**Keywords:** mental health courts; processing time; diversion; offenders with mental illness

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The disproportionate representation of persons with serious mental illness (schizophrenia spectrum, bipolar, and major depressive disorders) in the criminal justice system, especially in prisons and jails, is well studied and undisputed (e.g., James & Glaze, 2006; Lamb & Weinberger, 1998; Steadman, Osher, Robbins, Case, & Samuels, 2009). To reduce the number of and frequency with which persons with serious mental illness are prosecuted in standard fashion within the criminal justice system, formal diversion programs have recently been established and supported by the federal government (Petrla & Redlich, 2008), including mental health courts (MHCs).

MHCs are specialty criminal courts that mandate and monitor community treatment with the aim of increasing public safety and bettering the lives of offenders with mental illness

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**AUTHORS' NOTE:** *This article is part of a special issue titled "Diversion from Standard Prosecution", edited by Kirk Heilbrun and David DeMatteo of Drexel University. This research was generously supported by the John D. and Catherine T. MacArthur Foundation. We are especially grateful to John Monahan, the director of the MacArthur Network on Community Mandated Treatment, and to network members. This research was also supported by the University at Albany Faculty Research Award Program. We are indebted to Brian Case, Karli Keator, and Roumen Vessilnov for their invaluable assistance. Finally, we thank the court and jail personnel who participated in this study; without their dedication and assistance, we could not have conducted the study. Correspondence concerning this article should be addressed to Allison D. Redlich, School of Criminal Justice, University at Albany, State University of New York, 135 Western Ave., Albany, NY 12222; email: ARedlich@albany.edu.*

CRIMINAL JUSTICE AND BEHAVIOR, Vol. 39 No. 4, April 2012 420-433

DOI: 10.1177/0093854811432424

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