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**Wyoming Mental  
Health Substance  
Abuse Diversion  
Model Draft**

*A*

*Project Arising  
From the Governor's  
3-branch Initiative*

*To Address  
Mental Health  
In Wyoming*

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Joint Judiciary Committee

April 25, 2023  
Sheridan, Wyoming

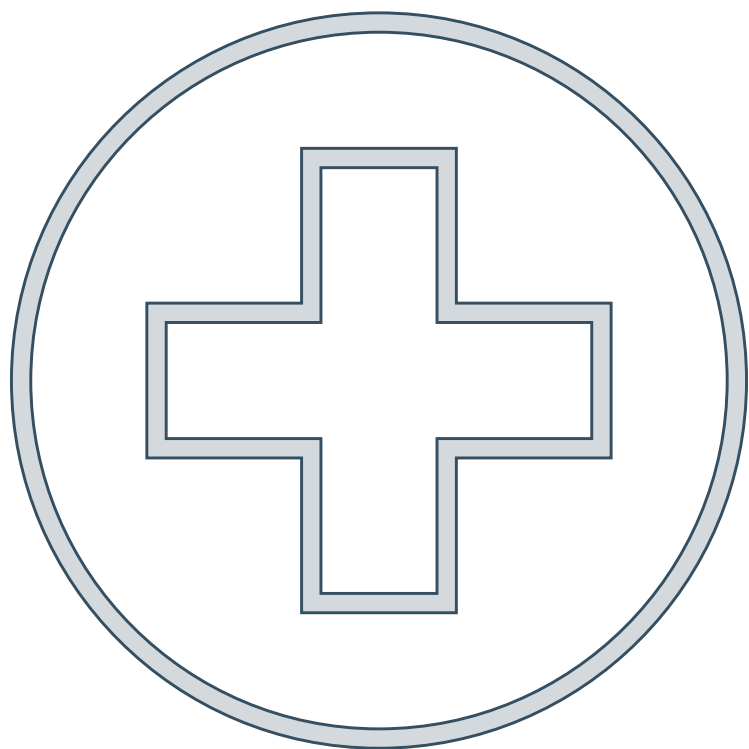


Wyoming Judicial Branch



In 2022, the Wyoming State Hospital conducted 467 competency evaluations. Of those:

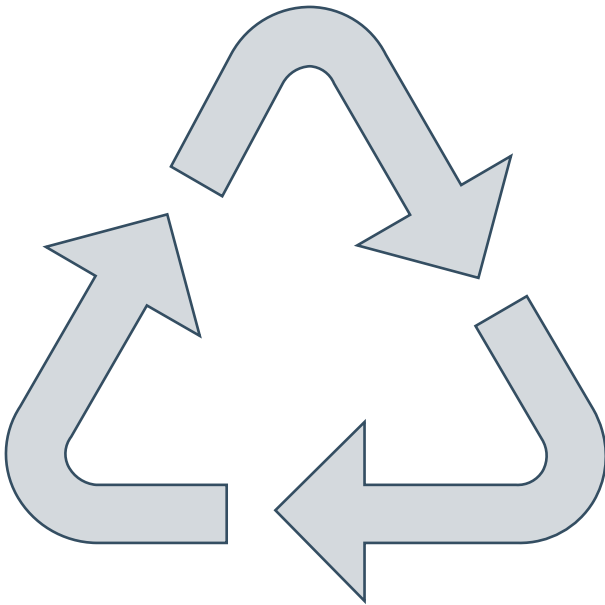
- 105 were inpatient, with an average wait time (to admission) of 157.1 days;<sup>1</sup>
- 362 were outpatient, with an average wait time (to interview) of 43.7 days;<sup>2</sup> and
- **28% were for misdemeanor cases.**<sup>3</sup>




61% are found competent to stand trial.<sup>4</sup> Most misdemeanants are then released for time served, **but their mental health/substance abuse is never addressed.**

**Those individuals are likely to return to the criminal justice system, and therefore:**

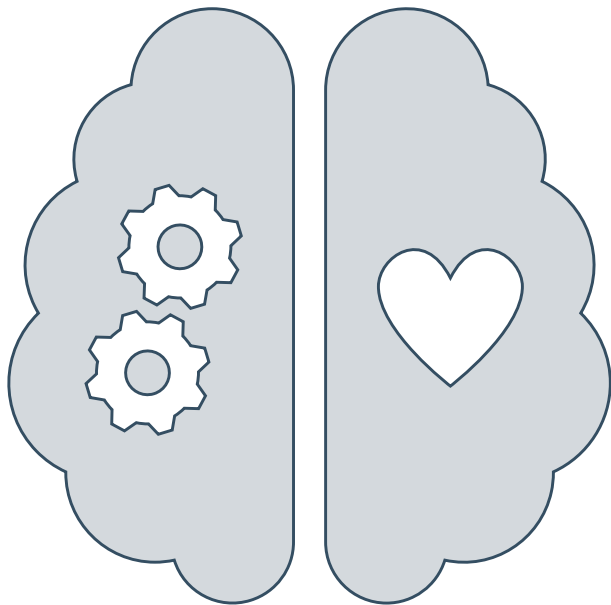
- **Crowding jails;**
- **Creating backlogs at the State Hospital; and**
- **Resulting in excessive jail time for minor crimes.**





“The failures in services for people with mental illness and behavioral disorders associated with substance use have resulted in mass incarceration becoming the country’s de facto mental-health-care-system.”

-Norm Ornstein & Steve Leifman, *Locking People Up is No Way to Treat Mental Illness*, The Atlantic, May 30, 2022.



Treatment courts address part of the problem, post-adjudication.

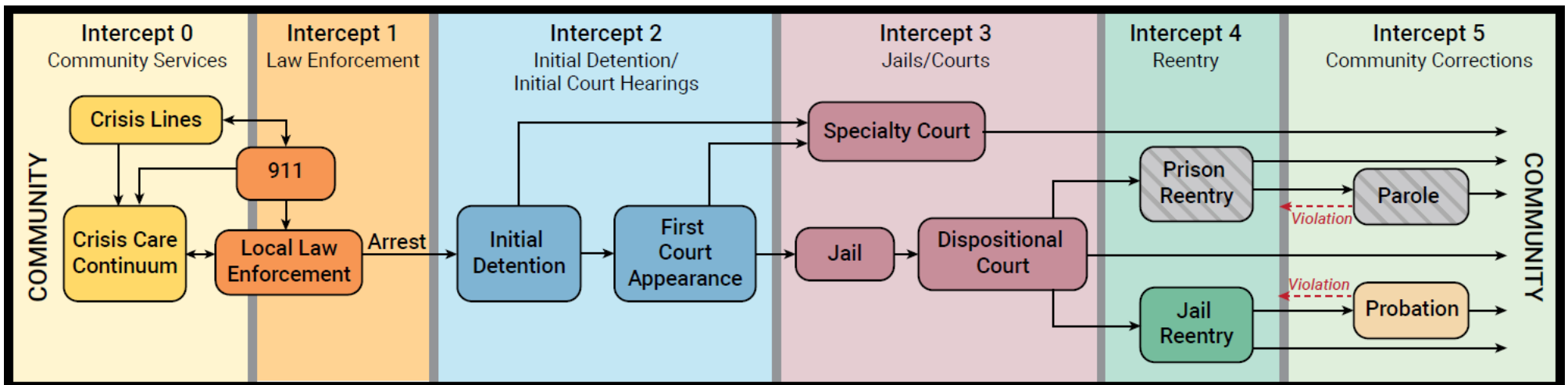
The Diversion model aims earlier in the process. To identify low-level offenders whose core issue is mental health/substance abuse and:

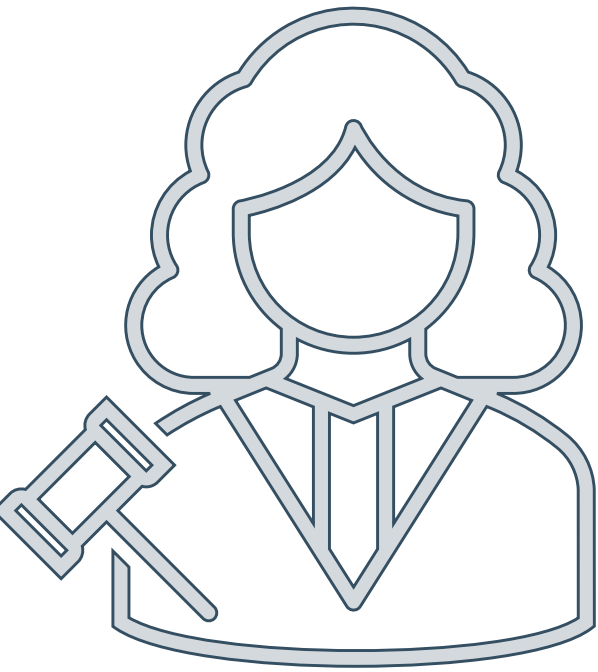
- Divert them before they enter the criminal justice system; or
- Diverting as early as possible prior to adjudication.

This allows for individual mental health and substance abuse issues to be addressed for long-term and cost-effective solutions.



# The Sequential Intercept Model





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The contemplated pilot in Gillette will encompass joint efforts by:

- Courts;
- Law enforcement;
- Prosecutors;
- Public defenders; and
- Behavioral health providers.
  - Directly linked to the Behavioral Health Redesign, and providing more robust community mental health.

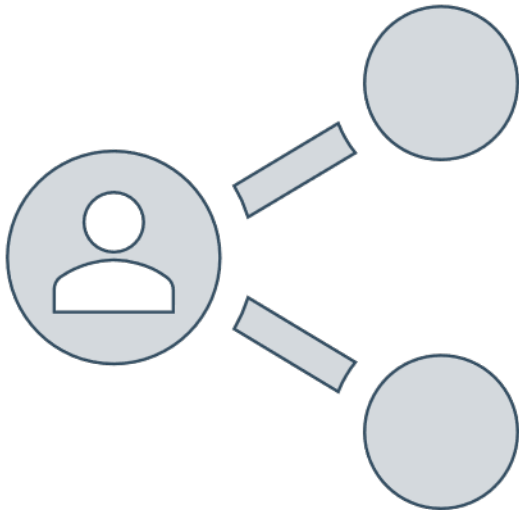
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A pilot program will allow the Judicial Branch and involved entities to assess the program and streamline the process before launched on a statewide level.

# Goal

Divert low-risk offenders who suffer from mental illness and substance abuse away from the criminal justice system to:

- Avoid overcrowding jails;
- Reduce clogging courts;
- Relieve pressure on the Wyoming State Hospital;
- End the revolving door for low-level crimes by providing treatment for long-term solutions; and
- Invest dollars for cost-saving results.





# Miami-Dade County

## Eleventh Judicial Circuit

### Criminal Mental Health Project

#### Short-Term Benefits

- Reduced number of defendant in county jails with SMI; and
- Wraparound services that decrease recidivism and increase likelihood of successful recovery.

#### Long-Term Benefits

- Reduced demand for acute care services in:
  - Jails;
  - Prisons;
  - Forensic Mental Health Facilities; and
  - Emergency Rooms.
- Decreased crime;
- Improved public safety;
- Improved public health; and
- Decreased injuries to law enforcement officers.

**“The Eleventh Judicial Circuit Criminal Mental Health Project (CMHP), located in Miami-Dade County, FL, was established in 2000 to divert individuals with serious mental illnesses (SMI; eg, schizophrenia, bipolar disorder, and major depression) or co-occurring SMI and substance use disorders away from the criminal justice system and into comprehensive community-based treatment and support services.”<sup>5</sup>**

# Miami-Dade County, Eleventh Judicial Circuit Criminal Mental Health Project

Reduction in rates of incarceration...

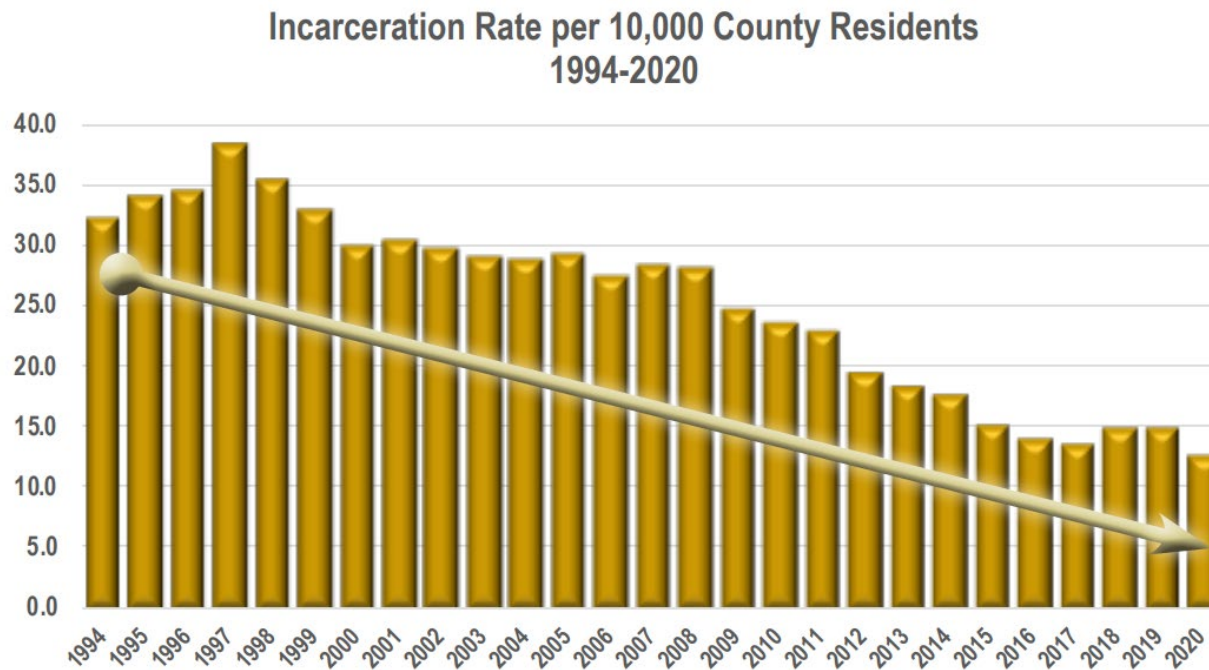


FIGURE 1: Miami-Dade County, Florida, Eleventh Judicial Circuit, *Criminal Mental Health Project*, Eleventh Judicial Circuit of Florida, (December 2021), <https://www.jud11.flcourts.org/docs/CMHP%20Program.pdf>, Page 13.

County closed one jail facility  
**saving taxpayers \$12 million**  
 per year

Almost **150,000 fewer inmate**  
**jail days** (400+ years) annually

**Over**  
**\$39 million savings**  
 from reduced jail admissions

**39% fewer inmates**  
 in county jail system

FIGURE 2: Miami-Dade County, Florida, Eleventh Judicial Circuit, *Criminal Mental Health Project*, Eleventh Judicial Circuit of Florida, (December 2021), <https://www.jud11.flcourts.org/docs/CMHP%20Program.pdf>, Page 5.

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## Resources:

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1. Wyoming Department of Health, *Closed Evaluation Performance Spreadsheet*, Unpublished document, (November 2022).
  2. *Id.*
  3. *Id.*
  4. *Id.*
  5. Miami Foundation for Mental Health, *Jail Diversion: the Miami Model*, available at <https://miamifoundationformentalhealth.org/jail/> (last visited April 7, 2023).