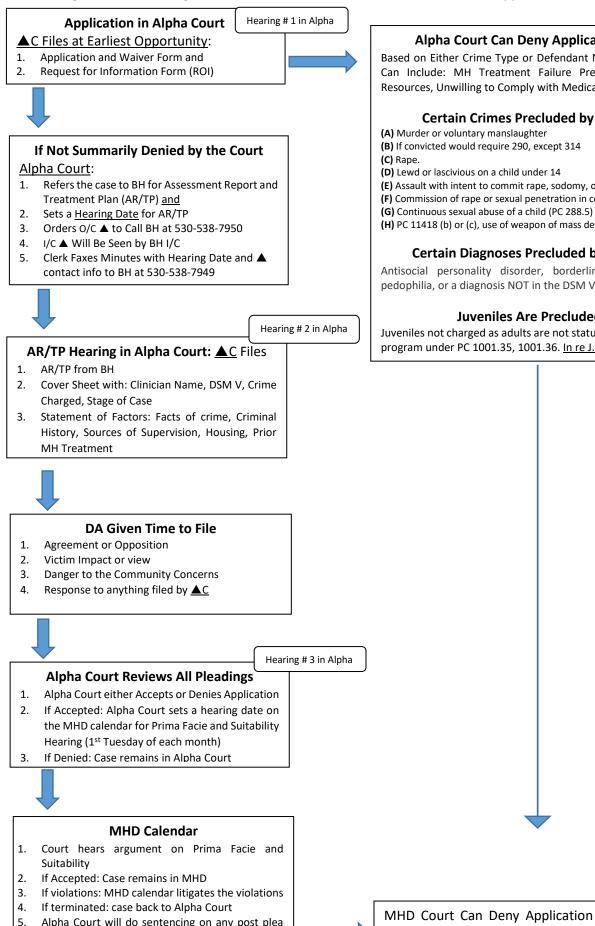
MENTAL HEALTH DIVERSION APPLICATION PROCESS





Alpha Court will do sentencing on any post plea MHD cases if terminated out of MHD

How Application Can Fail

Alpha Court Can Deny Application Even if Eligible

Based on Either Crime Type or Defendant Not Suitable. Lack of Suitability Can Include: MH Treatment Failure Previously, Public Safety, Other Resources, Unwilling to Comply with Medication.

Certain Crimes Precluded by Statue Altogether

(E) Assault with intent to commit rape, sodomy, or oral copulation (PC 220)

- (F) Commission of rape or sexual penetration in concert with another (PC 264.1)
- (H) PC 11418 (b) or (c), use of weapon of mass destruction

Certain Diagnoses Precluded by Statue Altogether

Antisocial personality disorder, borderline personality disorder, and pedophilia, or a diagnosis NOT in the DSM V.

Juveniles Are Precluded Altogether

Juveniles not charged as adults are not statutorily eligible for mental health program under PC 1001.35, 1001.36. In re J.M. (2019) 35 CA 5th 999

MHD Court Can Deny Application or Terminate Applicant from MHD and Return the Case to Alpha