SENATE DOCKET, NO. FILED ON: 1/13/2009

**SENATE . . . . . . . . . . . . . . No.**

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The Commonwealth of Massachusetts

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PRESENTED BY:

**Karen E. Spilka**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General  
 Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act creating a jail diversion program.

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

PETITION OF:

|  |  |
| --- | --- |
| Name: | District/Address: |
| Karen E. Spilka | Second Middlesex and Norfolk |

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE SENATE, NO. S01130 OF 2007-2008.]

The Commonwealth of Massachusetts

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**In the Year Two Thousand and Nine**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

An Act creating a jail diversion program.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

SECTION 1. Chapter 19 of the General Laws, as appearing in the 2006 Official Edition, are hereby amended by inserting after section 21 the following section:-

Section 22. Subject to appropriation, the commissioner shall establish a jail diversion program. Such program shall provide opportunities to divert individuals with mental illness out of the criminal justice system and into community based mental health and substance abuse services where such diversion is clinically appropriate and consistent with public safety. This program shall establish, monitor and evaluate pilot projects and ongoing programs in cities, towns or regions of the commonwealth, as determined by the commissioner, taking into consideration available resources and need, using promising or established program designs for effectuating clinically appropriate, safe and effective diversion of such individuals.