

Pre-Arrest Diversion Programs

The Current System Is Failing

The current U.S. approach to addressing substance use disorder (SUD) in justice-involved individuals not working.

- There are almost 2.3 million people in American jails and prisons.
- Research shows that 65 percent of the U S prison population has an active SUD.
- Drug overdose is the leading cause of death for justice-involved individuals reentering the community.

What is Pre-Arrest Diversion?

Pre-arrest diversion programs are crucial, yet underutilized, responses to the national overdose, suicide, and incarceration crises.

Pre-arrest diversion programs give law enforcement officers discretion to divert individuals who have overdosed or committed low-level, misdemeanor, non-violent crimes into treatment. Those that qualify for these programs may benefit from SUD treatment outside of the criminal justice system before they are arrested (*i.e.*, before the offense is included in their criminal record).

These programs are designed to help people who have serious mental illness and SUDs obtain treatment rather than go to jail where, if untreated, their conditions can worsen and create safety concerns.

Pre-arrest diversion holds these individuals accountable in a way that helps them access treatment, and in turn, reduce recidivism and drug use.

Pre-Arrest Diversion Programs are Common-Sense and Compassionate

As [Axios reported](#) on May 8, 2019, Philadelphia is implementing a pre-arrest diversion program. Axios described the Philadelphia approach as **a** first-of-its-kind policy. It is not **the** first of its kind, however. [Massachusetts](#), [Maryland](#), and [Washington](#) all have existing pre-arrest diversion programs.

The Trump Administration [supports and provides federal funding](#) for programs that divert non-violent people with serious mental illness and addiction to treatment instead of jail.

The International Association of Chiefs of Police also [supports](#) these programs.

These programs are both [fiscally responsible](#) and morally right. In the long run, prosecutorial policies that favor treatment over jail will:

- Save lives
- Help people get treatment and recover
- Decrease drug use
- Reduce crime and incarceration
- Lower costs
- Keep families together

To learn more about pre-arrest diversion and learn about model programs, visit CUSP's [Pre-Arrest Diversion Initiative](#).