


## MEMORANDUM

<b>DATE</b>	August 24, 2017
<b>TO</b>	Board of Psychology
<b>FROM</b>	 Konnor Leitzell Central Services Student Assistant
<b>SUBJECT</b>	Agenda Item #16(b)(2)(LL) – SB 8 (Beall) Diversion: Mental Disorders

### **Background:**

This bill would authorize a court, with the consent of the defendant and a waiver of the defendant's speedy trial right, to postpone prosecution of a misdemeanor or a felony punishable in a county jail, and place the defendant in a pretrial diversion program for up to 2 years if the court is satisfied that the defendant suffers from a mental disorder, that the defendant's mental disorder played a significant role in the commission of the charged offense, and that the defendant would benefit from mental health treatment. The bill would also allow the defense to arrange for a program of mental health treatment utilizing existing inpatient or outpatient mental health resources. This bill would also require that, upon successful completion of the diversion program, the charges against the defendant would be dismissed and that the arrest would be deemed to never have occurred.

**Location:** Assembly Committee on Appropriations

**Status:** 8/23/17 set for first hearing. Placed on suspense file.

**Votes:** 6/27/2017 Assembly Committee on Public Safety (4-2-1)  
5/30/2017 Senate Floor (27-13-0)  
5/25/2017 Senate Appropriations (5-2-0)  
4/3/2017 Senate Committee on Appropriations - To Suspense (7-0-0)  
3/21/2017 Senate Committee on Public Safety (5-2-0)

### **Action Requested:**

No action is required at this time. Staff will continue to watch SB 8 (Beall) to determine if the pretrial diversion program will affect the licensing and enforcement programs ability to effectively screen applicants for licensure and effectively enforce the Psychology Licensing Law.