

RESOLUTION RULES, ELECTIONS, INTERGOVERNMENTAL RELATIONS

WHEREAS, any official position of the City of Los Angeles with respect to legislation, rules, regulations or policies proposed to or pending before a local, state or federal governmental body or agency must have first been adopted in the form of a Resolution by the City Council; and

WHEREAS, diversion is the suspension of criminal proceedings for a prescribed time period with certain conditions, and if those conditions are met, a defendant can avoid time in jail or prison and legally answer that he or she has never been arrested or charged for the diverted offense; and

WHEREAS, in 2018 the State Legislature enacted a law which authorizes pretrial diversion of eligible defendants with mental disorders; and

WHEREAS, mental health diversion is designed to get defendants suffering from mental illness the care they need across the continuum of care settings, while ensuring that public safety is maintained; and

WHEREAS, SB 483 (Stern) would amend State law relative to mental health diversion to require defendants to agree that the recommended treatment plan will meet their specialized needs; and

WHEREAS, SB 483 would also require that the court is satisfied with the recommended diversion program, and that the program is consistent with the underlying purpose of mental health diversion; and

WHEREAS, SB 483 also clarifies that the court retains the discretion to deny diversion if it concludes that, despite the proposed treatment program and any available terms and conditions of diversion, the defendant poses an unreasonable risk to the physical safety of another; and

WHEREAS, this bill also ensures that defendants who are eligible for diversion and who would most benefit from the program are fully informed of the program requirements and consent to participation;

NOW, THEREFORE, BE IT RESOLVED, that by the adoption of this Resolution, the City of Los Angeles hereby includes in its 2025 - 2026 State Legislative Program SUPPORT for SB 483 (Stern) which seeks to provide defendants suffering from mental illness the care they need by revising the definition of "pretrial diversion" to require that the court is also satisfied that the recommended program is consistent with the underlying purpose of mental health diversion and would clarify that the court retains discretion to deny diversion if it concludes that, despite the proposed treatment program and any terms or conditions of diversion, the defendant poses an unreasonable risk to the physical safety of another.


AUG 26 2025

PRESENTED BY:


BOB BLUMENFIELD
Councilmember, 3rd District

SECONDED BY:

