



American Jail Association Resolution

Support of Pretrial Services, Deflection, and Diversion Initiatives

- WHEREAS,** many individuals who enter the correctional system face underlying challenges related to behavioral health, mental illness, substance use disorders, and homelessness, which are not effectively addressed through punitive detention; and
- WHEREAS,** reliance on incarceration for low-level, non-violent offenses places a significant burden on public resources, increases taxpayer costs, and contributes to jail overcrowding, which compromises public safety; and
- WHEREAS,** pre-adjudication detention can lead to detrimental collateral consequences for defendants, including job loss, housing instability, and disruption of family ties, regardless of the trial outcome; and
- WHEREAS,** pretrial services offer non-financial conditions of release, such as court date reminders, supervision, and connection to community resources, which have been proven to increase court appearance rates and maintain public safety while upholding the principle of presumed innocence; and
- WHEREAS,** pretrial diversion initiatives provide an opportunity for eligible individuals, particularly those with behavioral health needs or who have committed non-violent offenses, to receive treatment, education, and/or case management in the community instead of facing formal prosecution and conviction, thereby reducing recidivism; and
- WHEREAS,** deflection initiatives (such as crisis intervention team) training and law enforcement assisted diversion programs) intervene before an arrest is made, directing individuals experiencing a mental health crisis or substance use issue away from the criminal justice system and directly into therapeutic and supportive community care; and
- WHEREAS,** relying solely on secure detention for all justice-involved individuals is not always the most effective or fiscally responsible method of ensuring court appearances or behavioral accountability; and
- WHEREAS,** these combined strategies promote equity, reduce system penetration, and allow law enforcement, courts, and detention facilities to focus resources on serious, high-risk offenses.
- THEREFORE,
BE IT
RESOLVED,** that communities should commit to a strategic public health approach to justice reform, prioritizing the expansion and integration of community-based alternatives to incarceration.

**BE IT
FURTHER
RESOLVED,**

that the American Jail Association supports the implementation and expansion of robust and adequately funded pretrial services programs that include:

1. Objective, validated risk and needs assessments for all defendants.
2. Non-financial monitoring and supervision designed to ensure court appearance and compliance with release conditions.
3. Connecting released individuals with housing, employment, and treatment services pending trial.

**BE IT
FURTHER
RESOLVED,**

that the American Jail Association supports the expansion of eligibility criteria for pretrial diversion programs should be broadened to include a wider range of non-violent and low-level felony offenses, prioritizing individuals where behavioral health or substance use is identified as a primary contributing factor, with the goal of expanding access to treatment-based alternatives.

**BE IT
FURTHER
RESOLVED,**

that the American Jail Association advocates for the investment of dedicated funds invested in creating and supporting deflection initiatives that redirect persons in crisis from law enforcement contact toward appropriate community-based mental health and substance abuse treatment providers, establishing a continuum of care before formal system entry.

**BE IT
FURTHER
RESOLVED,**

that the American Jail Association encourages the establishment of an accountability framework requiring regular, public reporting on the outcomes of these programs, including court appearance rates, pretrial failure rates, participant demographics, and cost savings, to ensure accountability and equitable outcomes across all populations.

**BE IT
FURTHER
RESOLVED,**

that the American Jail Association recognizes that effective pretrial services, diversion, and deflection rely upon ongoing collaboration among law enforcement, the District Attorney's Office, the Public Defender's Office, the Judiciary, and local behavioral health agencies to ensure seamless coordination and successful operation of these initiatives.

Sunset Provision

BE IT FURTHER RESOLVED, that this Resolution shall become effective immediately upon adoption and shall remain in full force and effect for a period of five (5) years, after which it shall automatically expire on May 16, 2031, unless formally reaffirmed, revised, or amended by the Board of Directors prior to that date.

ADOPTED this 16th day of May 2026