

# Law Enforcement Assisted Diversion (LEAD)

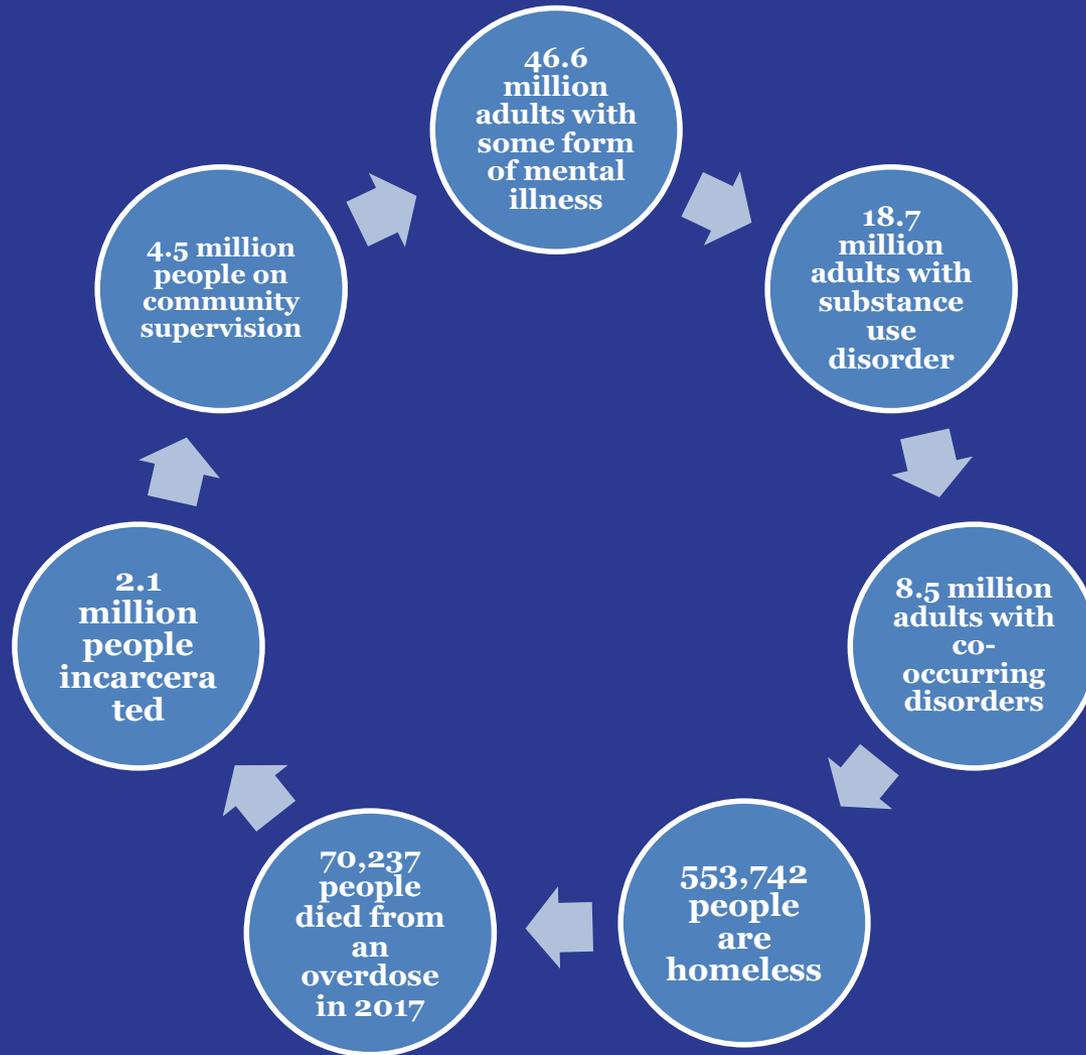
LEAD National Support Bureau

San Marcos City Council  
Work Session  
September 30, 2019

# What is LEAD?

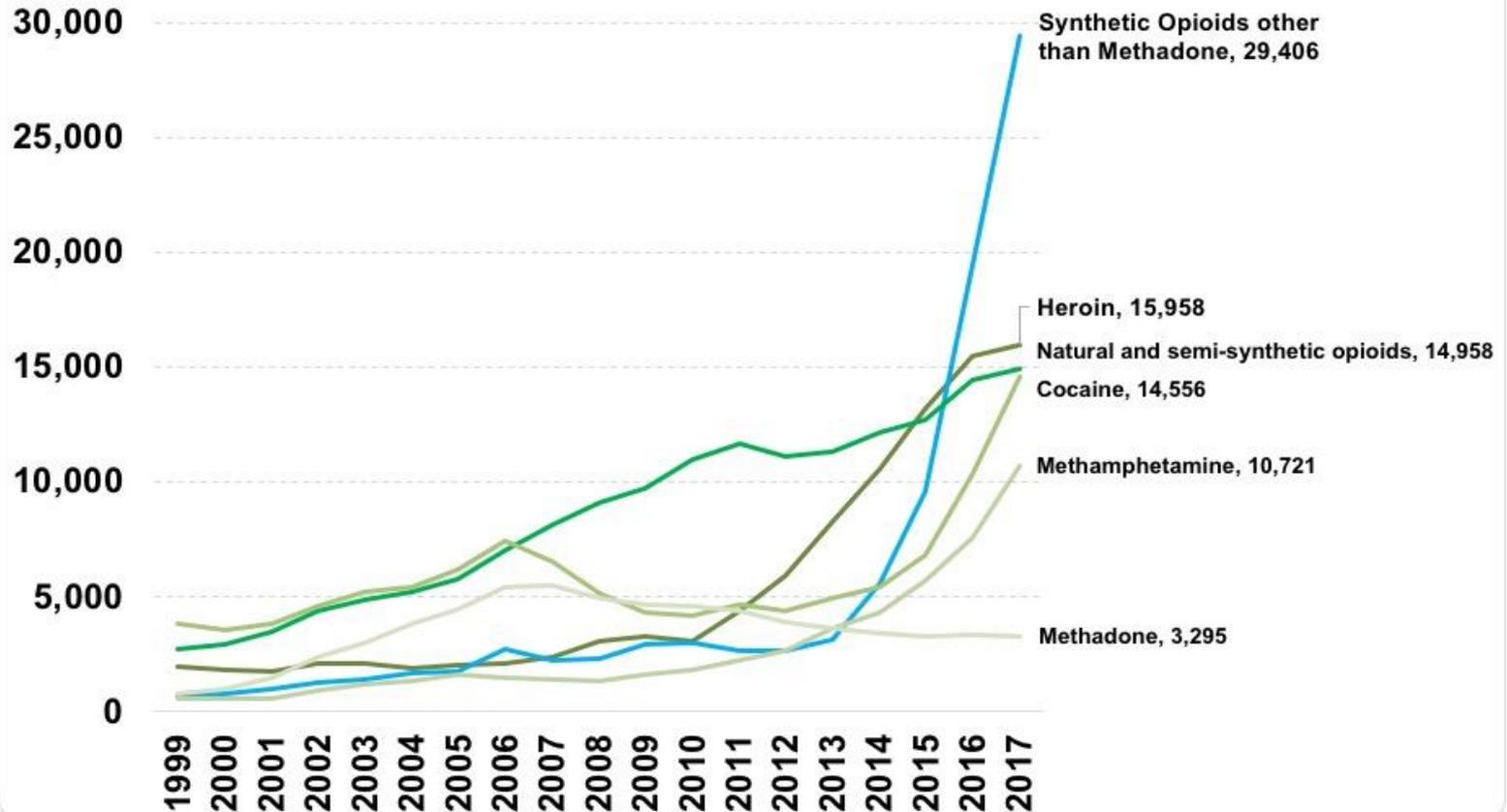
Law Enforcement Assisted Diversion (LEAD) is a community-based diversion approach with the goals of improving public safety and public order, and, reducing unnecessary justice system involvement of people who participate in the program.

# Public Health/Criminal Justice



# The Opioid Crisis

## Drugs Involved in U.S. Overdose Deaths, 1999 to 2017



# The Traditional Response



# The Criminal Justice Approach

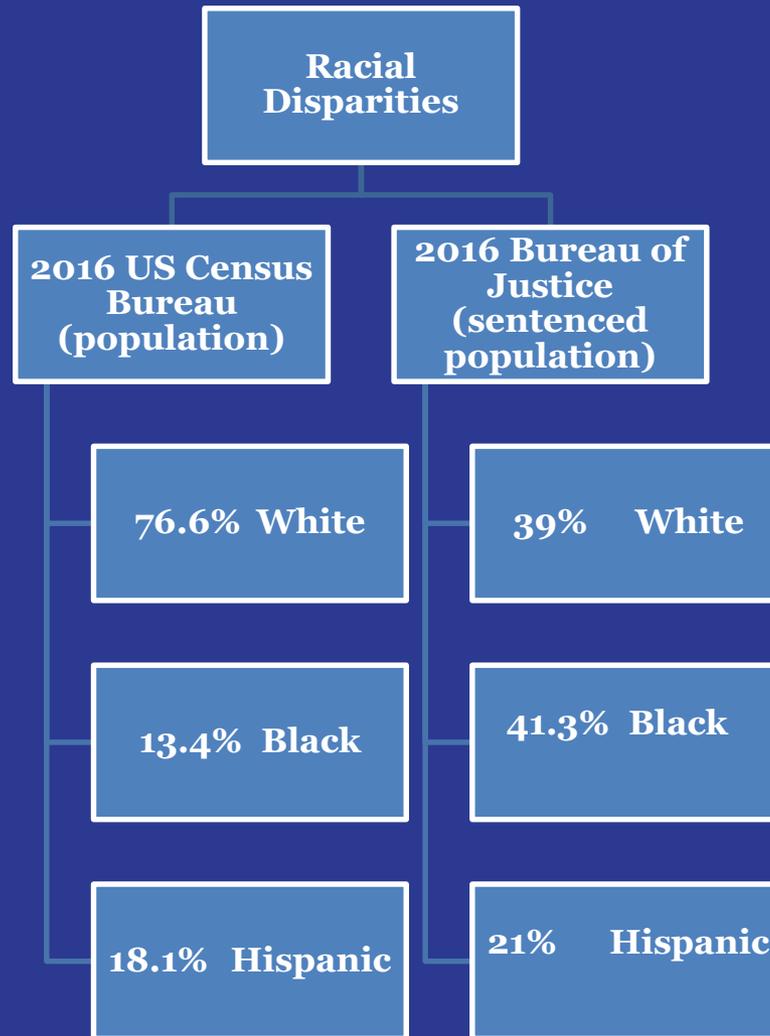
## Mass Incarceration

- **The U.S. has the largest prison population in the world**
- **2.2 Million in nations jails & prisons**
- **5% world population vs 25% worlds incarcerated population**

Incarceration for non-violent drug offenses increased from 50,000 in 1980 to over 400,000 in 1997.

- **700% increase**
- **Yet, the rate of drug use still increased**

# The Criminal Justice Approach



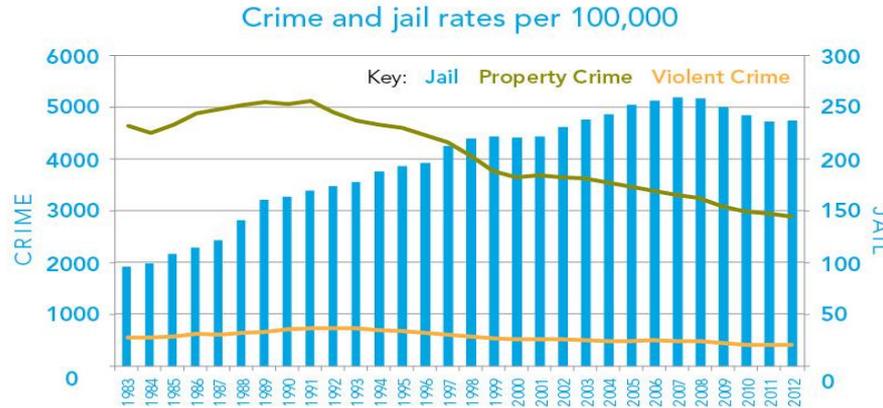
# INCARCERATION'S FRONT DOOR: THE MISUSE OF JAILS IN AMERICA

Jails have a much broader reach than prisons. Although state and federal prisons incarcerate, on any given day, about twice the number of people than jails, each year jails have close to 20 times more admissions than prisons.



State & federal prisons: 631,000

Local jails: 11,700,000



While the country has grown safer since the early 1990s, an ever-larger proportion of the population is being sent to jail.

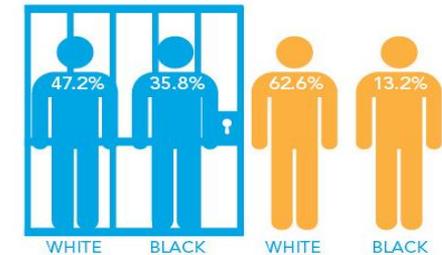


Three out of five people in jail are legally presumed innocent, awaiting trial or resolution of their cases through plea negotiation, and simply too poor to post even low bail.

Nearly 75 percent of people in jail are being held for nonviolent traffic, property, drug, or public order offenses.



Serious mental illness affects men and women in jail at rates four to six times higher than in the general population.



African Americans are jailed at almost four times the rate of white Americans.



CENTER ON SENTENCING AND CORRECTIONS

Ram Subramanian et al. *Incarceration's Front Door: The Misuse of Jails in America*. New York, NY: Vera Institute of Justice, 2015.



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# LEAD Origins

- **The Seattle story**
  - **Years of litigation alleging discriminatory practices and policies surrounding drug enforcement**
  - **Seattle PD Captain asks “What would you have us do?”**
  - **Parties come together and develop LEAD**

# LEAD Origins

**The recognition that an adequate social safety net does not exist for public health issues.**

**The police have been tasked with responding to complex social issues.**

**The criminal justice system is not equipped to properly address these issues.**

**The traditional response has not worked.**

# Core Components of LEAD

- Pre-arrest/pre-booking diversion
- Officer Discretion
- Harm reduction philosophy
- Understanding that abstinence is not required
- Housing first model
- Trauma informed services
- Non-displacement

# LEAD

## **Law Enforcement Assisted Diversion (LEAD)**

- Community-based diversion program for people whose criminal activity is due to behavioral health issues
- Law enforcement is the primary portal
  - Arrest diversion
  - Social contact referral
- Recognition that the Criminal Justice System does not have the capacity to address behavioral health issues

# LEAD at Work

- What crimes do we divert:
  - Drug possession
  - Drug sales
  - Sex work
  - Crimes driven by addiction, mental illness, poverty, or homelessness
- Who are our participants:
  - People suffering from
    - Substance use disorders
    - Mental illness
    - Poverty
    - Homelessness

# Structure



# LEAD Case Management

- Harm Reduction Philosophy
- Participant-Identified and Driven
- Intensive/Street Based Case Management
- Non-Displacement
- Peer Outreach and Counseling
- Trauma Informed Care
- Specially Tailored Interventions
- Cultural Competency

# Harm Reduction

Harm reduction is a public health philosophy & intervention that seeks to **reduce the harms** associated with certain behaviors

Harm reduction seeks to “meet people where they are at.....but not leave them there”

As a **person-centered** approach, it is non-judgmental & seeks to support what the individual identifies as their needs

# Comparisons

LEAD in comparison to:

- Drug Court
- Pre-trial Diversion
- Self Referral Initiatives
- CIT
- Overdose Outreach Models

# Paradigm Shift

- Allows Police and Prosecutors to spend resources on more serious offenses
- Builds Legitimacy and Community Trust
- Facilitates the shift to using public health strategies for public health problems, including:
  - Trauma-informed engagement
  - Harm reduction
  - Housing First
  - Sustained relationships

# Goals of LEAD



## 1. REORIENT

government's response to safety, disorder, and health-related problems



## 2. IMPROVE

public safety and public health through research based, health-oriented and harm reduction interventions



## 3. REDUCE

the number of people entering the criminal justice system for low level offenses related to drug use, mental health, sex work, and extreme poverty



## 4. UNDO

racial disparities at the front end of the criminal justice system



## 5. SUSTAIN

funding for alternative interventions by capturing and reinvesting justice systems savings



## 6. STRENGTHEN

the relationship between law enforcement and the community

# Outcomes: Decreased Criminal Recidivism

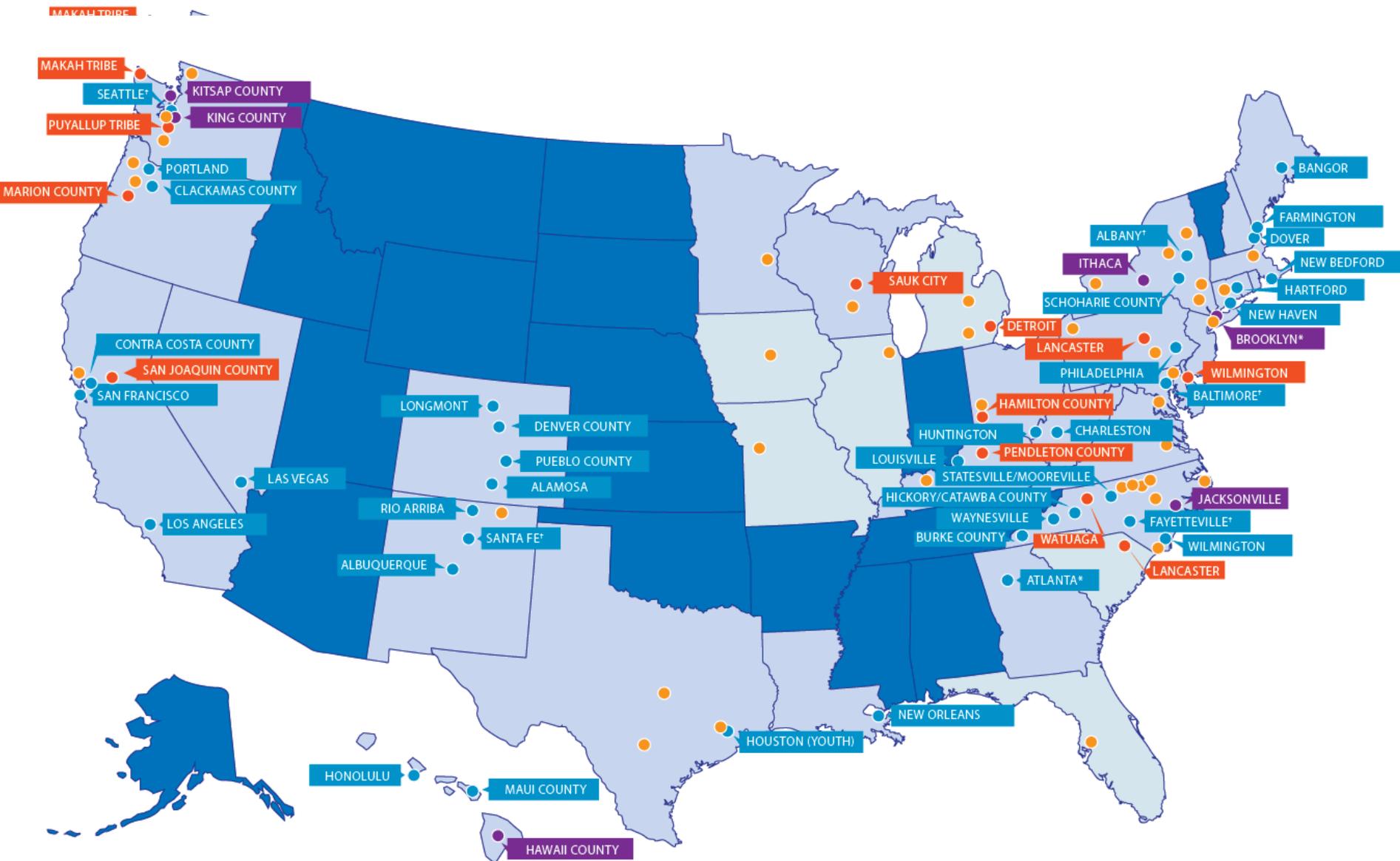
Seattle	Santa Fe
<p>LEAD participants were 58% less likely to be arrested after enrollment in the LEAD program in Seattle compared to those who went through the system as usual criminal justice processing.</p>	<p>LEAD participants had a 30% decrease in the number of arrests for new charges while arrests for new charges in the the comparison group remained unchanged.</p>

# Outcomes: Cost Savings

Seattle	Santa Fe
<p data-bbox="131 548 923 965">\$33,274/person/year in system as usual vs. \$6,384/client/year in LEAD.</p>	<p data-bbox="1039 505 1804 922">\$9,098/person/year in system as usual vs. \$4,371/client/year in LEAD</p>

# Outcomes: Impact on Participant

Seattle	Santa Fe
<ul style="list-style-type: none"><li>➤ 62% Increase in housing</li><li>➤ 46% More likely to be employed</li><li>➤ 33% More likely to have benefits</li><li>➤ Participants state LEAD has changed their lives</li><li>➤ Participants report positive relationship with police</li><li>➤ Participants stayed engaged because they were treated with dignity &amp; respect</li></ul>	<ul style="list-style-type: none"><li>➤ 57% Increase in housing</li><li>➤ 33% increase in employment</li><li>➤ 13% decrease in EMS calls and a 38% decrease in ED visits</li><li>➤ Participants state LEAD has changed their lives</li><li>➤ Participants report a more positive relationship with police</li><li>➤ Participants stayed engaged because they were treated with dignity &amp; respect</li></ul>



\* Site certified by the LEAD National Support Bureau  
 \* Jurisdictions developing police diversion/deflection that are not called LEAD, but are in alignment with LEAD Core Principles.