Law Enforcement Assisted Diversion (LEAD)

Paradigm Shift

Albany LEAD
September 18, 2017
Chapter 1:
Goals & Origin
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
Origins of LEAD

• Resolution of years of litigation over racial disparity in Seattle drug arrests

• Responsive to community calls for something more humane and fair that was not “less”

• Launched in Seattle/King County October 2011 with grant funding
Origins of LEAD

Core components:
• Pre-arrest/pre-booking diversion
• Harm reduction philosophy
• Understanding that abstinence is not required
• Housing first model
• Trauma informed services
• Non-displacement
What is LEAD?

• Community-based diversion program for people whose criminal activity is due to behavioral health issues
  • Arrest diversion
  • Social contact referral

• Law enforcement is the primary portal
• Recognition that the Criminal Justice System does not have the capacity to address behavioral health issues
What is LEAD?

- Officer and Case Manager complete a warm handoff
- Case Manager ensures that participants immediate needs are addressed
- Only requirements for participation & diversion of charge is a psychosocial assessment
- Intensive case management based on self-identified needs of the participant
- Key feature after program entry: comprehensive coordination of all “touches” with the LEAD participant

What is LEAD?
“When people start to be valued by others, they start to value themselves. And even when drug use remains unchanged, harm reduction nearly always increases the amount of warm, social contact that the most traumatized and marginalized people have. Because this is essential to coping with trauma, it provides a foundation for human growth. Harm reduction is the opposite of tough love – it is the unconditional kindness and imbues what looks to outsiders like irredeemable ugliness with startling moments of transcendent beauty.” Maia Szalvitz - Unbroken Brain
Chapter 2: LEAD in Action
Who are the partners in LEAD?

Cross sector collaboration, including:

- **Law Enforcement**: Police, Sheriff’s Office, District Attorney, Probation
- **Community**: Public Safety Groups, Civil Rights Groups, Business Community
- **Political Officials**: Mayor’s Office, County Executive
- **Public Defense**
- **Service Providers**: Harm Reduction Providers
LEAD in Action

• Albany Police trained the entire department on Harm Reduction and LEAD

• Police encountering a person committing an eligible offense can divert that person to case management

• Process is discretionary on both ends

• Police aid the case managers in outreach
How does LEAD operate?

- LEAD is governed by a Policy Coordinating Group – this is the Board of Directors
- The day to day operations are handled by the Operations Work Group – this is where the rubber hits the road
- Community Leadership Teams – this is the avenue for community involvement, transparency, and accountability
The Policy Coordinating Group

• The PCG is made up of the signatories of the Memorandum of Understanding

• No one entity owns LEAD

• This is the governing body that dedicates resources to LEAD

• Make collective decisions regarding funding, policies, and procedures
Who makes up the Operations Workgroup in LEAD?

These are the folks that make LEAD work and handle the day to day operations:

- Project Director
- Police Department/Sheriff’s Office
- Assistant District Attorney
- Public Defender
- Case Managers
- Service Providers
Relationship to Courts

• Original diverted case does not go before a court -- but, most LEAD participants have other cases both pre & post program entry

• Prosecutors reconcile those cases with the individual intervention plan; supporting that plan wherever possible & appropriate

• Judges: continue cases, grant prosecutors’ release motions & consider LEAD information outside the context of a “compliance” framework
Community Engagement

- The community needs to be a partner for LEAD to be effective
- Gain the insight and input from community leaders, and people who have experienced addiction, mental illness, and poverty
- Provide education to community
- Political support
Chapter 3:

Case Examples
Case Examples – Mental Illness
Chapter 4: Outcomes
Outcomes

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.
Cost-Savings

• Program costs less than system-as-usual processing, with savings estimated conservatively

• Costs can fall further

• In Seattle, costs are now about $350/month per participant
Paradigm Shift

- If fully implemented, allows communities to reserve police, prosecutors, and courts for where they are most needed

- 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
The City of Albany implemented LEAD in April of 2016.
Diversions are made for crimes driven by addiction, mental illness, and poverty.
Utilization of Medicaid expansion funds to pay for case management.
  • Delivery System Reform Incentive Payment Plan
  • Recognition of crossover of “superutilizers”
Trained entire police department in harm reduction philosophy.
Replication

- Santa Fe, New Mexico
- Fayetteville, North Carolina
- Portland, Oregon
- Baltimore, Maryland
- Atlanta, Georgia
- New Haven, Connecticut
- California
- Colorado
ADVANCING CRIMINAL JUSTICE REFORM IN 2017

LEAD® KEY PHASES

OPERATING
WA Smallpox
NM Santa Fe
MT Helena
WY Cheyenne
UT Salt Lake City
ID Boise
NV Carson City
NE Lincoln
PA Philadelphia
RI Providence
NH Manchester
VT Burlington
CT Hartford
DE Dover
MD Baltimore
LA New Orleans
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