

Law Enforcement Assisted Diversion (LEAD[®])

New York State Office of Temporary and Disability Assistance

Presented by:

LEAD National Support Bureau & Albany LEAD

LEAD National Support Bureau

LEAD National Support Bureau (Bureau)

- Project of Public Defender Association
- Based in Seattle; staff located in Minneapolis, Albany, Bay Area; regional contractor experts
- Established in 2016 to respond to jurisdictions that are developing LEAD initiatives across the country and internationally
- Provides technical assistance, training, and strategic support

A Public Health Perspective

- Beginning in the 1980s and continuing for decades, arrests for low-level drug crimes in Seattle showed **indisputable racial disparities** with extremely damaging consequences.
- After a decade of contentious debate, in the mid-2000s a group of stakeholders asked: What if we could use arrest **only as a last resort** for drug offenses?
- What if we gave officers **a new alternative** to arrest/don't arrest?
- What if that could yield **better outcomes** for everybody?

What Is LEAD?

- Diverts people whose problems are driven by behavioral illnesses **out of** the justice system whenever possible, and **into** long-term, non-coercive case management
- Law enforcement officers are primary portal for diversion, **in partnership** with case management, service providers, prosecutors, community leaders and health agencies



How Does LEAD Work?

- Presented with an arrestable offense, officer can instead offer LEAD as an alternative to arrest/booking.
- Officers are also authorized to make “social contact” referrals.
- If person accepts, officer does direct hand-off to case manager.
- Case manager does immediate triage at the scene, begins to form relationship.
- Case is diverted entirely out of the justice system: Criminal filing is not pursued if release of information signed and intake assessment completed.

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

A Case Manager Perspective

- Harm Reduction Philosophy
- Participant-Identified and Driven
- Intensive/Street Based Case Management
- 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

Case Management Keys to LEAD

- Slow start expected and services not contingent on performance
– no one “fails” LEAD
- Not a divert-to-treatment approach
- Rooted in evidence: Stages of change, harm reduction, peer-focused, client-directed, long-term case management
- Only requirements: Complete a psychosocial intake and sign a release of information
- Field-based, not office-based

LEAD Paradigm Shifts

LEAD is not a “program,” any more than an officer taking somebody to jail is a “program.” LEAD is a new, collective, system of response.

- Recognizes that arrest, prosecution, and conviction can cause harm and interfere with lasting behavior change
- Recognizes that cycles of arrest and incarceration further destabilize individuals, families, and communities
- Recognizes that using the justice system as a response to behavioral illness saps law-enforcement resources
- LEAD works without a stick

LEAD Power Sharing

Collective governance and management is always a feature of a LEAD model.



- Multi-agency **Policy Coordinating Group (PCG)** provides collective governance and joint decision-making, and **Operational Work Group (OWG)** manages day to day coordination and case reviews, implementing policy set by PCG.
- Mechanism for review and oversight by civil rights organizations.
- Communications agreement and coordination among partners (including prosecutors, case managers, law enforcement, civil rights groups) is necessary for consistent alignment and coordination.

LEAD Isn't a Quick Fix

- LEAD is more **complicated** than other light-touch alternatives to the system as usual—complex response to complex problems
- As a multi-agency, whole-system initiative, LEAD requires new ways of doing things, **power-sharing**, and commitment among multiple agencies.
- **Fidelity** to the LEAD model is key to successful replication.
- A strong and independent **project manager/management team** is essential. Project manager must clearly understand and be able to explain the model, must have strong capacity to cultivate relationships in many arenas, and must have both strategic and operational skills.

Albany LEAD

- Third jurisdiction in the country to implement LEAD.
- Operational since April of 2016.
- Collaborative approach that furthered community policing efforts, shifted the traditional response to the war on drugs, and works to improve police/community relationships.
- A recognition that public health strategies can provide a pathway to public safety.
- Works through a racial and equity lens to reduce ongoing racial disparities in the criminal legal system.

Schoharie County LEAD

- Operational since January of 2019.
- Second jurisdiction in New York to implement LEAD.
- Recognition that rural communities are impacted by persistent offenders who are committing offenses based on substance use disorders, mental health, poverty, and homelessness.
- A recognition that harm reduction-based case management can help fill the gap in available services in a rural area.
- Highlights the advantages of smaller communities having established relationships in place prior to LEAD being implemented.

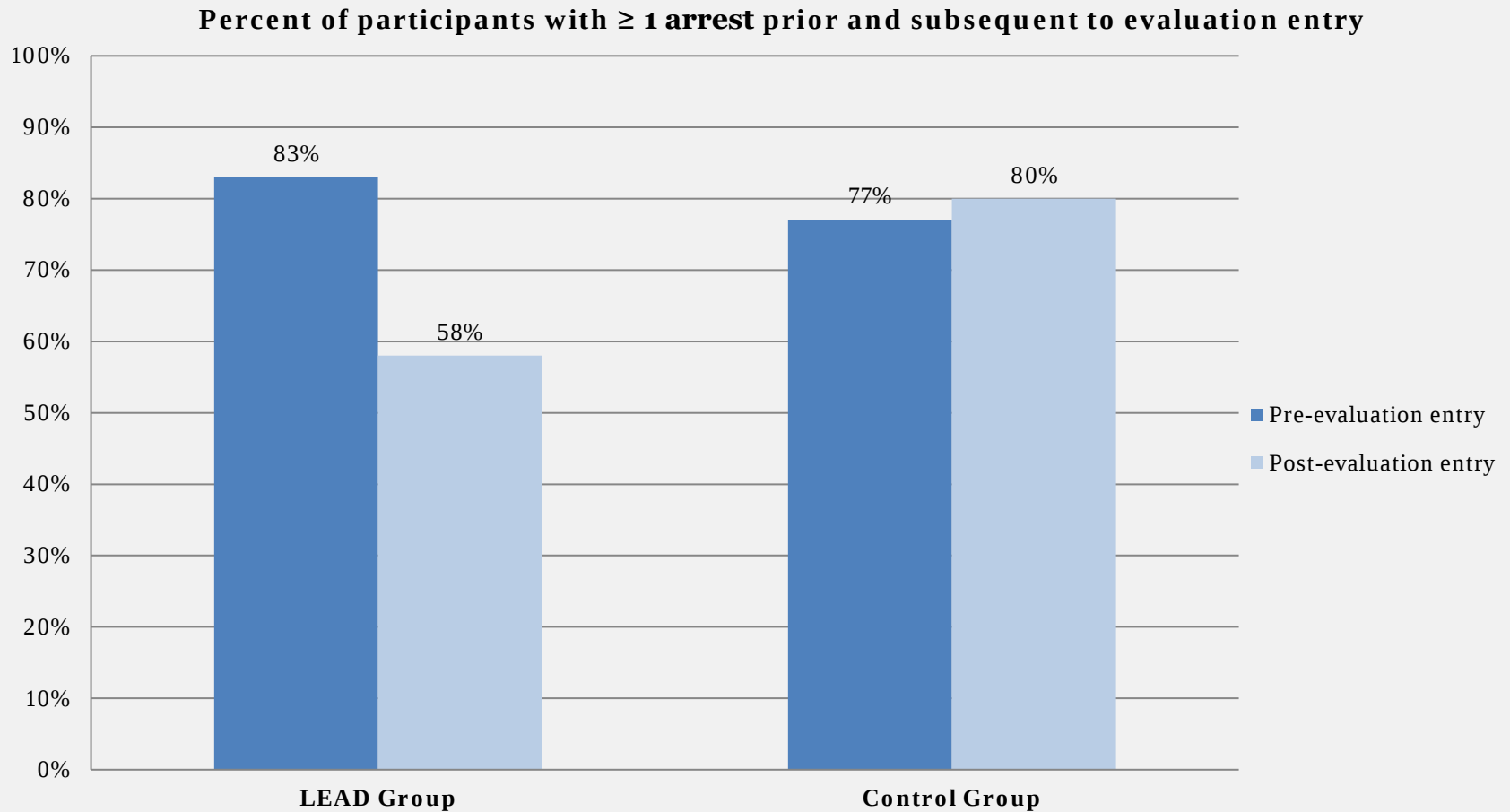
LEAD Impacts

LEAD Outcomes

Evaluations by University of Washington showed:

- 58% decrease in rates of re-arrest
- 39% decrease in new felonies filed
- 87% decrease in prison admissions
- 89% increase in permanent housing
- 33% increase in legitimate income

LEAD Effects on Recidivism

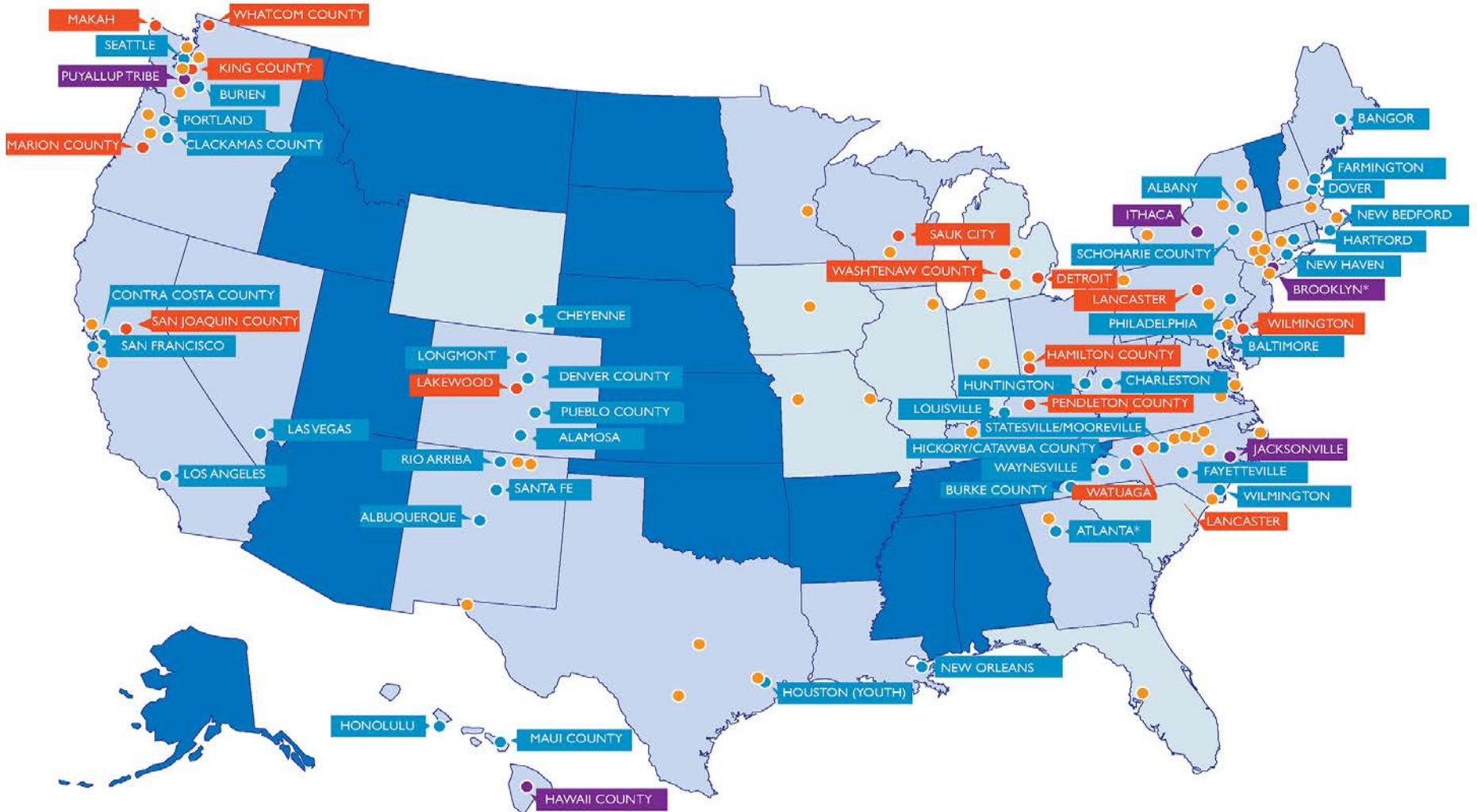


LEAD Cost-Benefit

Justice systems costs analysis:

- For participants, post-enrollment justice-systems costs **fell** by \$2,100
- For control group, justice-systems costs rose by \$5,981
- Net difference of more than \$8,000 per client in justice systems costs alone
- General rule of thumb for program cost (varies with geography and project developmental stage): \$6,000 per participant per year

LEAD's Reach Today





Let's have some questions!

Thank you!