

COPS

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Seattle LEAD's on Law Enforcement Diversion



Seattle's Belltown neighborhood is a close-knit urban residential community. It is home to some of the city's finest restaurants, nightlife, shops, and cultural attractions. Unfortunately, it is also the longtime home to active open air drugs markets. Despite previous policing efforts aimed at shutting down this activity, users and dealers cycle through the criminal justice system and the open air markets persist. Between the years 1990–2008, there were over 85,000 jail bookings for drug offenses in Seattle, without any significant change in problems on the street. The traditional approach of incarceration and prosecution alone was not working.

So, Seattle/King County law enforcement agencies, elected officials, The Defender Association (a private public defense agency), the ACLU of Washington, and members of the local community decided to try something new. What resulted was the formation of a pilot program called Law Enforcement Assisted Diversion ("LEAD").

LEAD is an innovative program designed to address low-level drug and prostitution crimes. Here's how it works: After an arrest, instead of jailing and prosecuting low-level drug and prostitution offenders, police officers can immediately divert them to community-based treatment and other support services. Officers have standard criteria they must follow in making this decision, but they also maintain discretion. If the offender accepts an offer to participate in the program (it's optional) and completes the intake process, the criminal charge from the arrest will not be filed. Once enrolled in LEAD, a participant is assigned to a caseworker and an individually tailored service plan is developed. The scope of services provided is broad and can include substance abuse treatment, mental health services,

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housing, and job training and placement. The program started operating in Seattle's Belltown neighborhood and recently expanded to the less urban neighborhood of Skyway in unincorporated King County.

LEAD's ultimate goal is to improve public safety and public order, and to reduce the criminal behavior of the people who participate in the program. Law enforcement is supportive of the program because it gives them additional tools to handle public safety issues. Instead of jailing every low-level drug offender and cycling him or her through the criminal justice system, veteran police officers determine whether someone is an appropriate candidate and eligible to receive services from LEAD. Individuals who have certain violent offenses in their criminal history currently are ineligible for diversion.

Improving a community's quality of life is also major aim of LEAD. By reducing the amount of open air drug market activity and providing LEAD clients with the services they need to be successful in the long term, communities should receive lasting benefits from the program. LEAD strives to include the community in the program, so Community Advisory Boards have been established in the neighborhoods participating in the program. Feedback from the public is a vital element for ensuring that LEAD is responding to a community's underlying needs.

Another notable feature of LEAD is the unique coalition that governs the program. The Policy Coordinating Group, which makes major policy decisions for the program, is made up of representatives from the King County Executive's Office; Seattle Office of the Mayor; King County Council; Seattle City Council; King County Prosecuting Attorney's Office; Seattle City Attorney's Office; King County Sheriff's Office; Seattle Police Department; King County Sheriff's Office; the Washington State Department of Corrections; Skyway LEAD Community Advisory Board; Belltown LEAD Community Advisory Board; The Defender Association, through its Racial Disparity Project; and the ACLU of Washington, through its Drug Policy Project. The motivation for bringing this diverse coalition together was a shared dissatisfaction with results achieved through

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traditional drug law enforcement and a recognition that it was worth trying something new.

Jurisdictions across the United States have inquired about how to start similar programs. Although there are some touchstone elements in the LEAD model that should always be included, ultimately, it will only work if there is a collective effort from the community at large to try a new strategy. In our experience, this will only occur if an open and honest dialogue takes place, which includes all the relevant parties (law enforcement, elected officials, advocacy organizations, and the community). These discussions are never easy, but they are vital for making the LEAD program work. For example, prior to LEAD, the Seattle Police Department was in protracted litigation with The Defender Association and ACLU over selective enforcement of drug laws. Now, they work hand in hand to make LEAD a success.

LEAD has been operating as a pilot program since October 2011, and plans to run until 2015. It's too early to tell about the program's overall effectiveness, but many LEAD clients have experienced remarkable success already. Others have experienced setbacks, but continue to stay engaged with the program. LEAD is currently funded from private grants, but ultimately plans to secure public funding, possibly through avoided criminal justice costs. Some funding may flow from increased access to mental health and substance abuse treatment services via the expansion of health care coverage under the Affordable Care Act. It's also hoped that LEAD will be proven more cost-effective than traditional drug law enforcement. To assess this, a robust evaluation and cost/benefit assessment will be conducted for LEAD after its first two years of operation.

To learn more about LEAD - visit www.LEADKingCounty.org

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