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# **Research to Action**

**A guide for developing LEAD  
in Allegheny County**

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# About This Report

Through generous and proactive funding from the Staunton Farm Foundation and the Heinz Endowments, representatives from the Allegheny County Health Department and CONNECT (the Congress of Neighboring Communities - the City of Pittsburgh and 40+ surrounding municipalities) conducted preliminary research on developing a Law Enforcement Assisted Diversion (LEAD) program and understanding municipal perspectives of LEAD in Allegheny County.

This is a preliminary report to share initial stakeholder perspectives on a potential LEAD program in Allegheny County and make recommendations for the early stages of developing a LEAD program. This report features findings on the current state of municipal police departments in Allegheny County, challenges facing local elected officials, social service gaps within municipalities, and the criminal justice system.

Between July and December 2019, the

authors of this report spoke to local government leaders from 30+ municipalities and police departments. The authors surveyed 44 municipal stakeholders, and conducted in-depth interviews with 9 local elected officials, 9 police chiefs and 8 municipal managers. This report also drew from perspectives of more than 30 other relevant stakeholders, including county-level officials, social service providers, funders and advocates.



# Numbers matter.

**130**

Municipalities in Allegheny County

**109**

Police departments

**1.2 million**

Population of Allegheny County<sup>1</sup>

**301,048**

Population of the City of Pittsburgh

# 75.3

Percentage of county residents living outside of Pittsburgh

# 42

Cents of every property tax dollar spent on criminal justice<sup>2</sup>

# 38

Average percentage of municipal budgets spent on public safety in CONNECT communities<sup>3</sup>

# 77.40

Dollars per night to hold someone in the Allegheny County Jail<sup>4</sup>

# Executive Summary

Over the past few decades, rates of mental and behavioral health issues have increased, and many people have struggled to gain access to services. **In the wake of this, police are often the only ones available to intervene when a situation escalates.** This has led to people with behavioral health issues becoming perpetually caught up in the criminal justice system.

Many municipal stakeholders readily acknowledge that **current efforts are failing to make communities safer or reduce crime.** The jail and prison population has ballooned, with major racial and economic disparities in who is being arrested and what happens to them after they are charged.<sup>5</sup> Nationally, Black men are six times more likely to be booked in jail than White men, and **the disparity is even higher in Allegheny County.**<sup>6</sup>

Once charged, people can sometimes stay in jail for years without a conviction (81% of people in the Allegheny County Jail have not been convicted of a crime).<sup>7</sup> Those who are convicted are burdened with a criminal record that can follow them for decades.

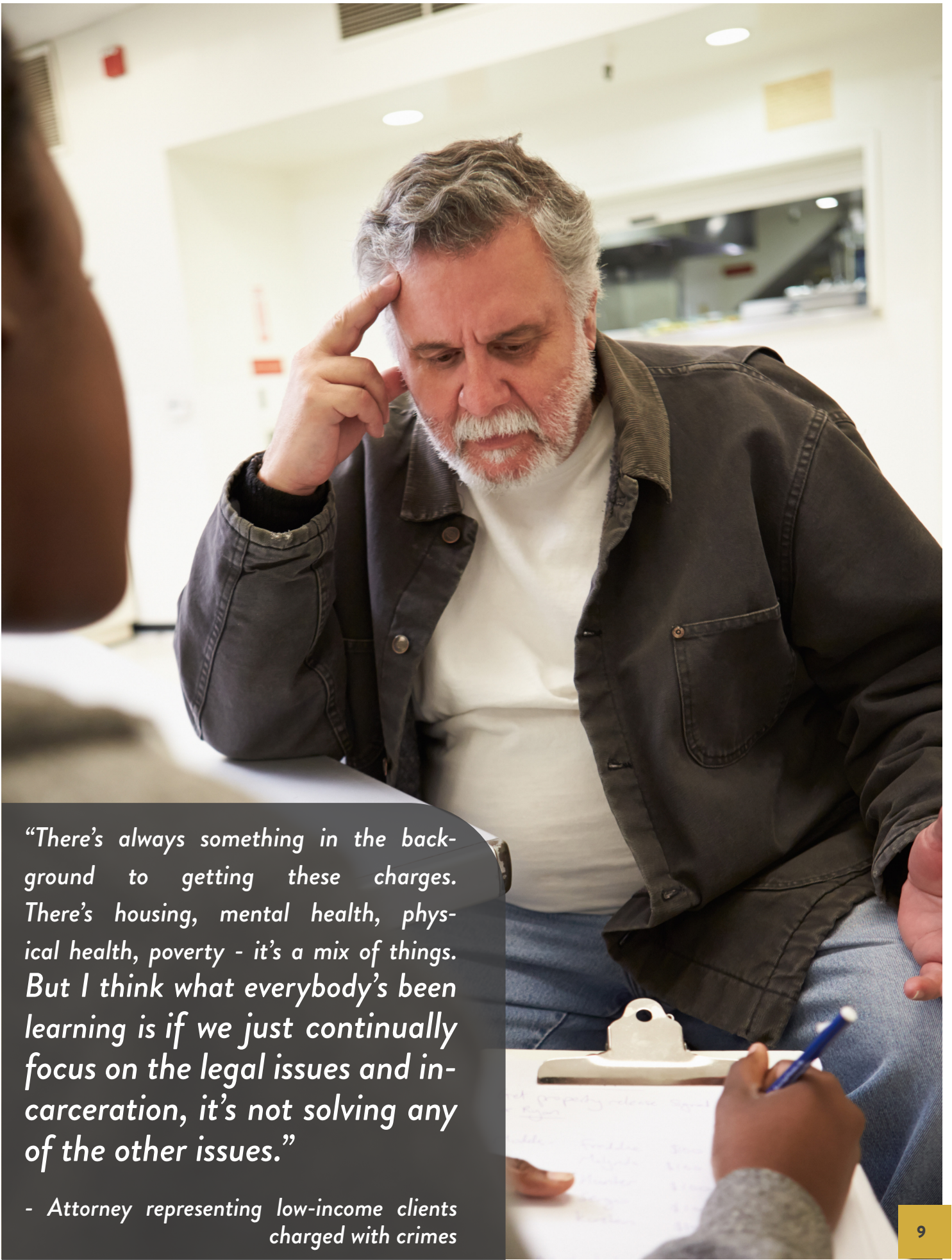
**People often commit low-level crimes because of poverty, unaddressed behavioral health issues and a history of trauma; jail time and fines often exacerbate these root problems,** resulting in more crime. This report investigates how an increasingly popular

national model for pre-arrest diversion could connect people with the resources they want without sending them into the criminal justice system.

**Law Enforcement Assisted Diversion (LEAD) is a tool that could help to increase public safety and public health,** connect people to resources, and allow professionals at all levels of the criminal justice system to spend their time on more serious crimes. In a LEAD program, when police encounter a person committing a low-level offense (possession, petty theft, sex work, etc.), the officers have the option to divert this person to a community-based case management program instead of arresting them or issuing a citation or a warning. Police can also offer LEAD to community members who have not committed an offense, but could benefit from the program.

LEAD participants must complete an intake assessment to have their charges dropped and may choose to receive a wide range of supportive services, often including transitional and permanent housing and/or drug treatment. **This program addresses the root causes of low-level crimes and problematic substance use** and has been proven to result in significantly lower arrest rates, increased service utilization, and stronger relationships between police and community members.





*“There’s always something in the background to getting these charges. There’s housing, mental health, physical health, poverty - it’s a mix of things. But I think what everybody’s been learning is if we just continually focus on the legal issues and incarceration, it’s not solving any of the other issues.”*

*- Attorney representing low-income clients charged with crimes*

# Overview

## FINDINGS

- People often commit low-level crimes because of poverty, unaddressed behavioral health issues, and a history of trauma
- Jail time and fines often exacerbate underlying issues, which results in more crime
- Police are increasingly acting as social workers
- Allegheny County's police departments are facing increasing challenges, including issues with recruitment, funding and training
- From police to probation, many people working in the criminal justice system in Allegheny County want fewer low-level cases so they can focus limited resources on more serious crimes
- All interviewed stakeholders were in favor of a pre-arrest diversion program
- Law Enforcement Assisted Diversion (LEAD) is the most effective and well-researched model for pre-arrest diversion
- 77% of local government leaders and police chiefs surveyed for this report said LEAD would be beneficial or very beneficial to their community
- At this time, the City of Pittsburgh and 21 surrounding municipalities are interested in exploring pre-arrest diversion
- \$650k+ in funding has been secured to develop a LEAD program in Pittsburgh and at least 5-10 surrounding municipalities

[See Page 12 for Expanded Findings](#)

# RECOMMENDATIONS

These recommendations are based on extensive interviews with municipal- and county-level stakeholders, as well as discussions with LEAD experts and research on how pre-arrest diversion programs are operated across the country. **The authors recommend that:**

**ALL LEAD PROGRAMS IN ALLEGHENY COUNTY OPERATE UNDER THE OVERSIGHT AND GUIDANCE OF A COUNTY-WIDE POLICY COORDINATION GROUP (PCG)** - PCG acts as a board of directors. We recommend this group forms in 2020 and meets at least quarterly.

**CONNECT'S PUBLIC SAFETY AND HEALTH WORKING GROUP FORM A SUB-COMMITTEE TO FOCUS ON LEAD** - A seat on the PCG should be reserved for a municipal leader nominated by this group.

**THE PCG ACTIVELY ENGAGES MUNICIPAL LEADERS IN THE PROCESS OF CREATING COUNTY-WIDE LEAD POLICIES**, particularly regarding:

- Divertible offenses & eligibility requirements for LEAD participants
- The LEAD referral process
- Hiring/contracting with case managers

**LEAD POLICIES AND PROCEDURES INCORPORATE INPUT OF COMMUNITY MEMBERS**, especially people with lived experience.

**MUNICIPALITIES OUTSIDE OF PITTSBURGH WORK TOGETHER TO FORM REGIONAL LEAD COHORTS** that share a common operations workgroup and case management team.

**POLICE USE A "WARM HAND-OFF" PROCESS** to connect people eligible for LEAD directly to case managers.

**LEAD PROGRAMS PRIORITIZE PROCEDURES THAT WILL SECURE POLICE OFFICER BUY-IN**, including:

- Create a simple referral process that saves officers time
- Make diversions count the same as arrests for promotions, etc.
- Show strong support from police command staff
- Offer police officers overtime for activities related to LEAD in order to offset potential losses from less overtime for court cases
- Encourage police to participate in case conferencing about participants
- Create mechanism to update police on outcomes of diverted cases

**COMMUNITIES USE THE MUNICIPAL LEAD ROADMAP TO GUIDE THEIR EFFORTS** (See page 28)

**STAKEHOLDERS CONSIDER THE SPECIFIC NEEDS OF SEX WORKERS WHEN DESIGNING THE PROGRAM**

**FUNDERS INTERESTED IN SUPPORTING LEAD ENGAGE LEAD STAFF TO DETERMINE FUNDING GAPS** once pilot programs are further along in the developing stage.

[See Page 23 for Expanded Recommendations](#)

# What We Learned

## 1

### CRIMINAL JUSTICE SYSTEMS WERE NOT INTENDED TO HANDLE BEHAVIORAL HEALTH ISSUES

In the Allegheny County Jail, 75% of people have mental health or drug and/or alcohol issues, and 48% have both.<sup>8</sup> Comparatively, 26.9% of the entire United States population has mental health or drug and/or alcohol issues, and 3.7% have both.<sup>9</sup> Most people in jail have not committed a violent crime; more than 80% of Allegheny County's jail population are being held for nonviolent charges, such as drug, public order or property offenses.<sup>10</sup>

At least 10 stakeholders we spoke with brought up Mayview, the state psychiatric hospital that closed in 2008. Many said that the funding was never reinvested in social services, and that people who may have previously been served at Mayview are now perpetually involved in the criminal justice system.

*“Everybody assumes that drug use is the number one criminal driver, but it’s not even in the top four. Mental health is not the number one factor either. People with mental health disorders are more likely to be victims, more likely to be incarcerated longer because they have mental illness.”*

- Criminal justice stakeholder

*“The criminal justice system is not the best venue to address (behavioral health) issues. Those issues are most likely the cause of the criminality. Even if the system can be successful (at addressing those issues), then you still have this huge criminal history. If you have a drug possession charge, you can’t become a nurse or teacher. You’re ineligible for student loans... You can go on for three days about the consequences of having a criminal record.”*

- Attorney with 13 years experience practicing in Allegheny County

## 2

### NOT MAKING US SAFER

Economists have determined that the increase in incarceration had no impact on the drop in the nation's crime rate from the year 2000 forward.<sup>11</sup>

Per capita spending on public safety is not correlated with the number of arrests.<sup>12</sup> Among Allegheny County communities, more police officers does not equal less crime.

***“I see the path of incarceration starting with misdemeanors and then going to more serious crime. Unless they are getting the help that they need, I don’t think jail time helps.”***

- Attorney representing low-income clients charged with crimes

**3**

### **POLICE ARE ACTING AS SOCIAL WORKERS - WITHOUT ENOUGH TIME, TRAINING OR RESOURCES**

***“70% of the calls my officers respond to do not involve a crime.”***

- Police command staff

The police we spoke with said they want to help people but often do not have the time, training or resources to handle all of the mental and behavioral needs they encounter.

When overburdened social service systems are unable to address people’s needs early on, police are left to handle situations that escalate and become complicated and costly public safety issues.

**4**

### **INEFFICIENT AND EXPENSIVE**

Criminal justice costs take 42 cents out of every property tax dollar in Allegheny County. A report by the University of Pittsburgh Institute of Politics found that housing one inmate costs taxpayers \$77.40 per day.<sup>13</sup> For people in jail, it can often take 6 months or more for their charges to be resolved. 81% of people in the Allegheny County Jail have not been convicted of a crime.<sup>14</sup>

In many cases, the jail is being used as a waystation for people. If a person is homeless, they are often not able to be released on bond without a mailing address. Those accused of crimes who are waiting for a mental health assessment often wait in jail for a month or more (a diagnosis is often required to qualify for services). For the county to house a person in jail for a month, it costs \$2,322.

*Multiple police departments reported that they often encounter the following situation:*

- *Officers pick up a person who has a critical behavioral health need (they are homeless, experiencing a mental health crisis, etc), and they do not want to take the person to jail*
- *If the situation is not eligible for Resolve Crisis Services, officers then call multiple social service agencies to try to find somewhere to place the person - this is especially difficult after normal business hours.*
- *It is not uncommon for the person to be held in custody for several hours during this process. Multiple officers reported that they sometimes have had no options until the person was held so long that they indicated they wanted to harm themselves, at which time police could transport the person to Western Psychiatric Hospital and have them involuntarily committed.*

# 5

## NOT JUST INEFFICIENT AND EXPENSIVE, BUT OFTEN COUNTER-PRODUCTIVE

*“If anyone thinks that being in the jail is beneficial to people with mental health issues, they have no idea what’s going on in the jail. Same thing for people with drug and alcohol issues.”*

*- Attorney representing low-income clients charged with crimes*

Being arrested can exacerbate the issues that caused a person to commit a crime in the first place. **Even a short stay in jail can cause people to lose their home, their job and their support system.** Going to jail is also extremely stressful, and people often experience trauma while in jail. Even if a person does not spend time in jail after an arrest, fines can be a burden. Allegheny County courts imposed more than \$2 million in debt on people charged with low-level drug crimes in 2017.<sup>15</sup>

*“Can someone be successful long term with a criminal record? You give them the resources, you’ve done your best to help them succeed on probation, but you still saddled them with a criminal conviction that will hinder their life, long term - for the next 40 or 50 years.”*

*- Attorney with 13 years of experience practicing in Allegheny County*

Going to jail is often harmful to people who use drugs. Thousands of Allegheny County residents have died of drug overdose and hepatitis C amid the most catastrophic substance use-related public health crisis in our country’s history. If people are arrested while waiting to get into treatment, they often lose their treatment slot. **Incarceration also makes a person 120 times more likely to die of opioid overdose when they leave.**<sup>16</sup> According to the Allegheny County Department of Human Services, nearly one in 10 people who died from opioid-related overdoses in Allegheny County in 2017 were released from jail less than a month before they died.<sup>17</sup>

Although efforts are being made to improve this, people involved in the criminal justice system are often unable to use buprenorphine (Suboxone) or methadone, which are medications proven to be extremely effective at reducing overdose and recurrence of opioid use for people with opioid use disorder. **Black Americans and people on public insurance are much less likely to receive buprenorphine.**<sup>18</sup> **People who do receive these medications are currently detoxed from them when they enter the Allegheny County Jail,** and some judges restrict the use of these medications and refer people exclusively to abstinence-based treatment.

*“Incarceration contributes to poverty by creating employment barriers; reducing earnings and decreasing economic security through criminal debt, fees, and fines; making access to public benefits difficult or impossible; and disrupting communities where formerly incarcerated people reside.”*

*- University of Pittsburgh Institute of Politics 2016 Report<sup>19</sup>*

# 6

## FROM POLICE TO PROBATION, LOW-LEVEL ARRESTS ARE MAKING IT DIFFICULT TO FOCUS ON MORE SERIOUS CRIMES

Pittsburgh Police: 9,992 arrests in 2018; 713 (7%) arrests were for drug possession & paraphernalia.<sup>20</sup>

Pretrial Services: 12 staff members are responsible for 18,729 new pretrial bail unit investigations.<sup>21</sup>

Probation: 140 probation officers have a caseload of 25,476 people (182 cases per PO)<sup>22</sup>Specialty Courts (2018 data):

- 161 participants of mental health court
- 38 participants of veteran's court
- 69 participants in pride (prostitution) court
- 186 participants in drug court.<sup>23</sup>

Nearly every criminal justice stakeholder we spoke with reported that their department was spending too much time and energy on low-level cases to focus enough attention on more serious cases, and that this was a significant issue. Many stakeholders said they believe that intervention must happen prior to the criminal justice system to see real change.

One report analyzing criminal dockets filed in Allegheny County in 2017 found that of the 30,000 dockets reviewed, more than 1,700 misdemeanor drug possession cases were referred for prosecution, and convictions were sought in more than 90 percent of low-level drug cases.<sup>24</sup>

Police explained that the time for an arrest ranges from 30 minutes to a few hours. An example from one police officer: “There was a small retail theft at a local pharmacy... Our officer went with the individual to the county jail, and then she said she hurt her wrist so our officer took her to the hospital until they could clear her medically. This took even longer, and while our officer was with this individual, there was no one at the department. It took all night.” Stories like this are commonplace among departments with limited staffing.

*“The stress level of the clients for going through a charge is devastating. You can feel that they’re scared and that’s transferred to us. And then they go to us ‘I’m ready to stop, but where can I go?’ Or ‘I’m homeless,’ and I don’t have the tools to help them. I can get them through the legal system with the least amount of consequences. It would be so much better to get them resources at the beginning before they’re escalating to more serious crimes.”*

*- Attorney representing low-income clients charged with crimes*

# 7

## MANY OF ALLEGHENY COUNTY'S 109 POLICE DEPARTMENTS ARE FACED WITH INCREASING CHALLENGES

**Police Recruitment and Retention** -The number of people applying for police jobs in Allegheny County has dropped dramatically over the past decades, as has the diversity of the applicant pool. This has led to a shortage of qualified and well-trained police officers, and officers frequently switch departments.

### **Major Disparities Between Police Departments in Pay, Training and Protocols:**

- Pay for police officers in Allegheny County ranges from \$9/hour to more than \$70k/year.<sup>25</sup>
- For a small department with less than a dozen officers, it can be difficult to back-fill shifts and pay for training.
- East Pittsburgh PD, which has been dissolved since the Michael Rosfeld trial, did not have an employee handbook and Rosfeld had not been sworn in before starting duty.<sup>26</sup>

**Reliance on Part-time Police** - Part-time police often do not receive adequate training, and many work at 3 or more departments to make a living. “When you have a small department with part-time officers, there’s sometimes no one available to do supervision and police do not get that 1-on-1 training on the job.” - Police chief

**Difficulty Firing Officers with Problematic Behavior** - Several police chiefs talked about how important it is to remove the officers who are too aggressive, but that this can be difficult to do. This can undermine the work many police officers are doing to build relationships with community members.

**Need for Consolidation** - Many police and municipal stakeholders told us that police departments would be more efficient and effective if they were consolidated but that it would take significant political will to make this happen.



# 8

## MANY MUNICIPALITIES ARE STRUGGLING TO MEET THE SOCIAL SERVICE NEEDS OF THEIR RESIDENTS

Housing and transportation were most often cited as critical needs by service providers and criminal justice system stakeholders. Of the local government stakeholders interviewed for this report, nearly all of them reported transportation as a primary issue for their residents. Most municipalities we visited do not have primary care, mental health services or addiction treatment within their borders, and without reliable public transportation, residents report serious issues getting to appointments.

*“We have no doctor’s office, no mental health care facility, a high rate of poverty. Not a lot of insurance. Even people who have insurance find it expensive. Plus, people are just stressed out about everything. Houses need repair, it’s expensive. They pay more for utilities largely because they’re lower income and their houses are old and leaking air. People are stressed.”*

- Local elected official

## READY FOR CHANGE

***“Are we safer now than we were 20 years ago? Are there fewer people addicted to heroin than there were 20 years ago? We’re not winning.”***

- Police chief

Most stakeholders told us that “what we’re doing isn’t working,” and there is an appetite for change across communities and systems in Allegheny County.

One of the seven recommendations in the Allegheny County Institute of Politics’ 2016 report on criminal justice reform stated that, “A high priority should be placed on expanding crisis intervention training for police and other law enforcement personnel and on diverting individuals who are suffering from mental illness or substance use disorders into effective treatment programs.”<sup>27</sup>

# What LEAD is

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.

Officers participating in LEAD have the option to divert individuals to a community-based case management program instead of arresting, citing or issuing a warning. Instead of individuals getting caught up in the criminal justice cycle – booking, detention, prosecution, conviction, incarceration – individuals can be referred into a trauma-informed intensive care coordination program that focuses on reducing harm. Participants in this program can choose to receive a wide range of supportive services, often including transitional and permanent housing and/or drug treatment.<sup>28</sup>

Police and other stakeholders may also refer people to the program through Social Contact Referrals, which means people who have a criminal record and would like to participate in LEAD do not have to commit another offense to participate in the program. LEAD can also work alongside mental health crisis response teams, which can respond to calls about behavioral health issues that do not involve a crime.

The only requirement for a person to participate in LEAD is that they complete an intake assessment with a care coordinator. National experts indicate this is a key part of a successful LEAD program.

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

# Evidence for LEAD

## LEAD MAKES PEOPLE LESS LIKELY TO BE ARRESTED

Seattle, WA: LEAD participants were 60% less likely than people in the control group to be arrested within the first 6 months of participating in the program. Over the entire course of the evaluation to date, people in LEAD were 58% less likely than people in the control group to be arrested.<sup>29</sup>

Charleston, WV: 6 months into the LEAD program, 74% of participants had avoided arrest.<sup>30</sup>

Santa Fe, NM: There was a 20% decrease in the average number of new arrests in the first 6 months after diversion.<sup>31</sup>

Fayetteville, NC: Found up to a 90% reduction in criminal activity within LEAD participants.<sup>32</sup>

## LEAD SAVES MONEY

Santa Fe, NM: After LEAD implementation, there was a 52% decrease in Criminal Justice and Emergency Medical Services, or \$4,727 per person in savings. With the cost of LEAD, this resulted in \$1,558 savings per client per year, or a 17% decrease in expenses.<sup>33</sup>

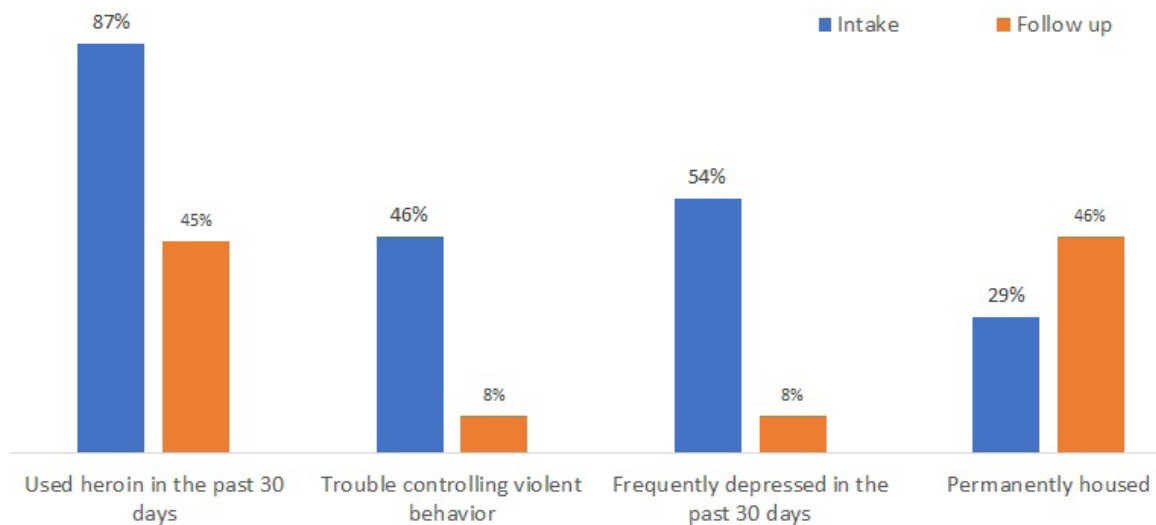
Seattle, WA: LEAD participants had a \$2,100 reduction in costs of criminal justice and legal system utilization, compared to participants in the system as usual of \$5,961.<sup>34</sup>

## LEAD IMPROVES POLICE - COMMUNITY RELATIONS

Seattle found that half of the participants who originally described their interactions with police as negative had positive views of police after LEAD involvement.<sup>35</sup>

## LEAD REDUCES CHAOTIC BEHAVIOR

Quality of Life Outcomes in Santa Fe, NM:<sup>36</sup>



# Moving away from negative consequences

Unlike most current criminal justice programs, LEAD does not use a “carrot-and-stick” approach.

## Consequences Don't Deter People

*“I think that people who are engaged in these activities have lots of negative consequences already. The definition of addiction is continuing to do something despite negative consequences. **If more negative consequences worked, then the person doesn't have an addiction.**”* - Harm reduction expert

## Consequences Don't Heal People

*“Our officers do want to work with people instead of just busting them, which is why I think LEAD would be a good fit because they want to work with people and help them for the most part. It's refreshing.”* - Local council member

## Consequences Can Cause Long-Term Harm

People often use opioids and other substances to help themselves cope with mental health issues and trauma. Consequences increase the stress on an individual and can create long-term barriers to housing, employment, etc. All of this makes it even more difficult for someone to cope.

Instead of negative consequences, LEAD uses a framework called harm reduction that is focused on helping people work on whatever they want to work on. This shift will require educating stakeholders on why programs that use harm reduction have better results than punitive measures.

*“In a harm reduction framework, LEAD case managers work with participants to identify the needs they want to address. The case manager does this in non-coercive, nonjudgmental, respectful manner. **This allows the case manager to work with the participant to start reducing harmful behavior and building trust that will result in positive changes.**”*

- LEAD National Support Bureau Toolkit<sup>37</sup>

*“The harm reduction philosophy in LEAD recognizes that change takes time and not everyone is ready for traditional treatment, or even to be abstinent. The truth is that many people go to treatment and relapse, sometimes multiple times. **We know that people are more successful when they are ready for treatment, not when others mandate them to go.** In fact, some people never go to treatment. Harm reduction is a philosophy that supports participants in making lasting change at their own pace. Thus, participants do not fail out of LEAD.”*

- LEAD National Support Bureau Toolkit<sup>38</sup>

*“The bottom line is that the only thing that a person needs to do at all is their intake. **If they've done that, they're in LEAD, and it's completely up to them and their case manager as to what comes next.** If they do that intake and they want to walk away from the program and never engage again, they can. That's the deal we're making. The prosecutors and the police have all agreed they will give up that one charge and not use that charge to hang it over someone's head.”*

- Representative from the LEAD NSB

## WHERE IS THIS PROGRAM HAPPENING IN ALLEGHENY COUNTY? WHEN IS IT STARTING?

The City of Pittsburgh hopes to begin piloting pre-arrest diversion in the Northside (Zone 1). Pre-arrest diversion will then be rolled out to the rest of Pittsburgh and select other Allegheny County municipalities.

## HOPE DIVERSION PROGRAM

Paving the way for further diversion programs, police in Pittsburgh's Northside have been collaborating with Foundation of HOPE on a pre-trial diversion program targeted at youth ages 12-26. Youth and young adults who commit low-level crimes, such as possession or petty theft, are connected to community-based services as an alternative to incarceration. The Pittsburgh pre-arrest diversion pilot will also be run by Foundation of HOPE staff, and will operate alongside the current diversion program. The main differences between the programs are that this pilot is only for adults and that it intervenes earlier.

## HOW DO WE PAY FOR LEAD?

In other cities, this program has been shown to pay for itself in the long run by decreasing court costs and crime. Thanks to collaboration among various stakeholders, **Allegheny County has been awarded funding to cover start-up costs and most programmatic expenses for the first three years.**

Initial research and stakeholder outreach was funded by the Staunton Farm Foundation and the Heinz Endowments. From 2019-2022, start-up costs and most other programmatic costs will be paid for by a federal grant from the Centers for Disease Control to the Allegheny County Health Department. In Year 1 of this grant:

- **The City of Pittsburgh will receive funding** to develop a pre-arrest diversion program
- **CONNECT will receive funding** to provide technical assistance to help municipal police departments surrounding Pittsburgh explore LEAD.

The foundation community in the region has expressed interest in funding this program.

**The LEAD National Support Bureau paid for a team from Allegheny County to attend the first LEAD National Learning Conference in January 2020.** This team included representatives from the Allegheny County Health Department, CONNECT, the Pittsburgh Bureau of Police and Foundation of HOPE.

The Pennsylvania Department of Drug and Alcohol Programs has also announced its intention to pay for diversion programs.

# What do people think of LEAD?

## IN A SURVEY CONDUCTED FOR THIS REPORT...

- *77% of respondents (34/44) said they thought LEAD would benefit or strongly benefit their community (20% were unsure)*
- *Representatives from 18 different municipalities said that they are interested in exploring a LEAD program*

## A TOOL TO CONNECT PEOPLE WITH HELP

“Any resource we could obtain to make even one call per year easier is something and I would be interested in seeing it get off the ground. I think the majority of the department would be on board.” - Police officer

“Looks like a perfect program. It’s the same people that we are dealing with and that we wish we could help. Most people could see it as a positive.” - Municipal mayor

## LOWER BURDEN ON POLICE

“It definitely has potential to work. It would help with not putting a burden on my department because we have to arrest a guy with simple heroin... It gives me an option.” -Police chief

## REDUCTION IN ARRESTS

“If you put that program in place, you might be able to get one little edge before arresting... I think there’s a lot of potential with minor crimes.” - Police officer

“A program that reduces rearrest rates will be super compelling in this town.” -Municipal council member

## LOWER BURNOUT

“The program would not only help the participants, but it would help the mental health and overall health of the officer and will probably prolong our careers. We go home and think about the people we couldn’t help, and this might help mental health on both ends. At the end of the day, we’re all affected differently and any relief of stress will go a long way.” - Police officer

## ASSISTANCE FOR POLICE WHO ARE ALREADY DIVERTING UNOFFICIALLY

“We are basically doing an unofficial diversion already, but it would be helpful to have a policy in writing that we could refer to and talk to the community about.” - Police chief

## PREVENTION OF HARM FROM CRIMINAL JUSTICE SYSTEM

“The reason diversion is helpful is because once you’re convicted of a crime, your life is forever changed.” - Criminal justice stakeholder

## INCREASE IN SERVICE UTILIZATION

“If people aren’t using a service, look at what’s wrong with the service, not the person.” - Harm reduction expert

# What we recommend

## USE THE NATIONAL MODEL

LEAD is the only pre-arrest diversion model in the US that has been fully evaluated and shown to produce the results above. To get the benefits of LEAD, Allegheny County would need to adhere to the LEAD model.

In practice, this means following the core principles of LEAD - primarily that the only requirement for participation in LEAD is completing an intake assessment. This practice, along with care coordination based in harm reduction, is key to making LEAD work.

LEAD's core principles and operational framework are used by more than 50 sites in 32 states, and the LEAD National Support Bureau (a project of the Public Defenders Association) has agreed to give Allegheny County technical assistance. For more details, see the LEAD National Support Bureau Toolkit.

## IMPLEMENT IT WITH LOCAL INPUT

Allegheny County has a culture that values the right to do things our own way. 130 municipalities means 109 police departments. 109 police departments means 109 police chiefs, 109 policy manuals, and 109 unspoken ways of doing things. Drilling down even deeper, each individual police officer within a department will carry out their job differently.

Yet they all operate within a common system of federal and state laws, county regulations, county agencies, and reporting requirements. LEAD provides a common system of best practices that leaves most of the important decisions up to local stakeholders.

We recommend that Allegheny County create a county-wide Policy Coordination Group (PCG - which acts like a board of directors) to set LEAD policies at the county-level, with input and collaboration from stakeholders at the municipal level and technical assistance from the LEAD National Support Bureau at the national level. Local police departments that choose to implement LEAD will have control over additional aspects of the program, and every police officer will have the final say in when they offer diversion. We recommend the PCG forms in 2020 and meets at least quarterly.

***“LEAD is a voluntary agreement among independent decision-makers to collaborate, and therefore must work for all stakeholders... In addition to law enforcement, service providers, community groups, prosecutors, elected officials and others, persons with relevant lived experience (e.g. drug use, sex work, homelessness, poverty) are essential stakeholders who should be meaningfully involved partners.”***

*- LEAD National Support Bureau Toolkit<sup>39</sup>*

# What we recommend

## ENGAGE MUNICIPAL LEADERS FROM THROUGHOUT THE COUNTY

Because there are 130 municipalities, municipal leaders are often left out of the conversation. For LEAD to work across Allegheny County, they cannot be left out. CONNECT has built a network of municipal leaders from 40+ communities in Allegheny County's urban core to work on cross-boundary policy issues. Because of CONNECT's role in convening local government leaders, they were chosen to operate the initial pilot program for municipalities outside of Pittsburgh.

We recommend that CONNECT's Public Safety and Health Working Group form a sub-committee to focus on LEAD, and that a seat on the PCG be reserved for a municipal stakeholder nominated by this group. LEAD will be much more likely to succeed if this group has a role in creating county-wide LEAD policies, particularly regarding:

- Divertible offenses & eligibility requirements for LEAD participants
- The LEAD referral process
- Hiring/contracting with case managers

Community leaders who are interested in LEAD can use the Municipal LEAD Roadmap. [See page 28](#)

## FORM REGIONAL COHORTS OF POLICE DEPARTMENTS

The municipal representatives we spoke with were all interested in collaborating with their neighbors on this program. We recommend that outside of Pittsburgh, neighboring municipalities collaborate to form regional LEAD cohorts, which can share an operations workgroup and a community leadership team. We recommend that LEAD staff in Pittsburgh and CONNECT work closely together to share best practices.

## GET POLICE BUY-IN

Many stakeholders and national experts indicated that getting police buy-in is key to this program's success. Some suggestions from interviews:

1. Create a simple referral process that saves officers time
2. Frame the program as "another tool in the toolbox"
3. Make diversions count the same as arrests for promotions, etc.
4. Show strong support from police command staff
5. Offer police officers overtime for activities related to LEAD in order to offset potential losses from less overtime for court cases
6. Encourage police to participate in case conferencing about participants
7. Create mechanism to update police on outcomes of diverted cases



# What we recommend

## TREAT COMMUNITY MEMBERS LIKE EXPERTS

Community leaders are experts on their communities. People who are in-and-out of treatment are experts on the roadblocks to recovery. People who have a criminal record are experts on the challenges of living with a criminal record. Consider ways to include the voices of people who will be most affected by the program and compensate community members for their time.

LEAD staff should work with municipal stakeholders to create and carry out a Community Engagement Plan for each community that decides to pass a resolution on LEAD. The LEAD framework recommends creating a Community Leadership Team (CLT) to create a formal role for community members to help plan, implement and operate a LEAD program. CLT members may include:

- civil rights groups
- neighborhood leaders
- community members
- religious leaders
- business leaders
- individuals with relevant lived experiences

**“THE CLT PROVIDES THE VOICE FOR THE COMMUNITY, ESPECIALLY THOSE COMMUNITIES THAT ARE OFTEN MARGINALIZED AND OFTEN LEFT OUT OF THE CONVERSATIONS, POLICIES, AND PRACTICES THAT MOST AFFECT THEM.”**

**- LEAD NATIONAL SUPPORT BUREAU TOOLKIT**

## WORK WITH STAKEHOLDERS TO DETERMINE PROGRAM ELIGIBILITY

LEAD was created for use with crimes related to mental health, substance use and poverty. Each jurisdiction gets to choose exactly what this means. Choices to make:

- **Which offenses will be eligible?**

At a minimum, people are usually diverted for drug possession, petty theft and sex work. After seeing the success of the program, many LEAD sites expanded the list of eligible charges.

- **Will past convictions make a person ineligible?**

- **Will there be a limit to how many times a person can be diverted?**

- **Will people on probation be eligible?**

*Stakeholders within the court system strongly supported allowing people on probation to be eligible. Several criminal justice stakeholders emphasized that excluding people who are on probation would severely limit the number of people eligible (people on probation detainees account for 45% of people in the jail).*

## WATCH FOR FUNDING GAPS

Funders interested in supporting LEAD can engage LEAD staff to determine gaps in funding once the pilot programs are further along in the developing stage.

# What we recommend

## USE A WARM HAND-OFF FOR REFERRALS

According to a representative from the LEAD National Support Bureau, it is “fundamentally critical” for the person to go directly from police custody to meeting with the case manager. *“It builds a relationship between the police and the case managers... Once the police realize that these case managers are working the same hours that they’re working, and that they’re every bit as committed, the police suddenly really engage.”*

### Stakeholder reactions to common warm hand-off approaches:

- **Police Transport the Person Being Diverted to a Case Management Facility** - Police had the most positive reactions to this option, as long as the location was accessible (they recommended a central location downtown). Police thought this would take less time than making an arrest. At least one municipal council member was concerned about the public reaction if the case management facility was located in their town. There could be concerns if police bring in people with behavioral health issues from other municipalities and leave them there.
- **Case Managers Go With Officers on Calls** - Police reaction to this was mixed. Some officers were concerned that case managers would be put in danger. Other LEAD programs use this model successfully, with some sending LEAD case managers as part of mental health crisis response teams.
- **Case Managers Meet Officers at the Scene** - Police were open to this option. However, they were concerned about how long they would have to wait for the case manager to arrive.
- **Many Lead Programs Use a Combination of These Approaches.**

### Limitation of warm hand-off

When using warm hand-off, diversions can only happen when case managers are on-duty and/or the case management facility is open. If LEAD cannot be offered 24/7, then people arrested outside of operating hours would not be offered the program. This is common in other cities implementing LEAD. For example, Philadelphia’s pre-arrest diversion program is offered 8 am to midnight, Monday through Friday, though they plan to expand these hours.

The alternative to a warm hand-off approach would be to allow police to fill out a referral form and have the case manager follow up with the individual. While this may be appropriate for a social contact referral, it is likely that a warm hand-off approach is the best option for people who are diverted at the point of arrest.

## ENSURE THAT THE SOCIAL SERVICE SYSTEM CAN HANDLE LEAD REFERRALS

If stakeholders expressed skepticism about LEAD, it was most often that our current social service system would not be able to handle the referrals. Several stakeholders insisted that this was not a reason not to try, and that a LEAD program could collect data to advocate for allocation of social service resources.

One of the core principles of LEAD is that the program does not shift services away from other people. *“Because the objective is to increase safety and order for the community as a whole, it is unhelpful to achieve success for an individual program participant by bumping them up a wait list of scarce services at the expense of bumping another community member who needs the same services further down the list.”*

- LEAD National Support Bureau Toolkit

# What we recommend

## CONSIDER THE NEEDS OF SEX WORKERS WHEN DESIGNING THE PROGRAM

According to several experts currently operating LEAD sites, it is important to consider the needs of sex workers from the start of a diversion program, especially when choosing case management agencies (some LEAD sites use a different case management agency for people referred due to prostitution charges). These experts recommended working closely with a local chapter of the Sex Workers Outreach Project (SWOP) or other sex work advocacy groups.<sup>40</sup>

## CHOOSE THE CASE MANAGERS CAREFULLY

Of all aspects of the program, the stakeholders we interviewed were most concerned about who the case managers would be and how they would operate. We recommend engaging the Community Leadership Team and holding focus groups with community members in this process.

### Interviewed stakeholders thought case managers should be:

- **Mobile and Able to Meet People in the Community** - This was cited most often by municipal stakeholders. If a LEAD participant has to travel downtown or take multiple buses every time they want to meet with their case manager, it would be a huge barrier.
- **Trained in Harm Reduction and Trauma-Informed Care** - Local service providers, the LEAD National Support Bureau and other operating LEAD sites all emphasized this.
- **Able to Build Relationships in The Communities They Work in** - Building ties with the community is critical, as people often learn about treatment and other programs by word-of-mouth.<sup>41</sup> If an agency has a poor reputation in the community, people will be less likely to trust the program.

### Common types of LEAD case management agencies:

#### Program Contracts with an Agency to Provide Services, such as

- **County-Wide Case Management Agency** - Using an agency that already works with people through the county (such as Justice Related Services or a community paramedic program) would make it easier to roll LEAD out to new areas.
- **Ems Agencies** - Santa Fe uses community paramedics embedded within their EMS agencies to handle care coordination for LEAD participants. This could make it easier for case managers to arrive at the scene quickly.
- **Local Case Management Agency** (e.g. *Foundation of Hope in Zone 1*) - This option makes sense for regions participating in the initial pilot. In the long-term, this option could be difficult logistically and may not be possible in parts of the county that do not have an appropriate agency.

**Program Hires In-House Case Managers** - This would give the program more control over how the case managers operate but would probably require more effort overall.

# Municipal LEAD Roadmap

This roadmap is a tool for community leaders (local elected officials, municipal managers, police chiefs, etc.) to guide them in developing a LEAD program. All communities in Allegheny County are eligible to receive technical assistance to explore LEAD. To be eligible for the initial LEAD pilot, communities must either be part of CONNECT or have contiguous boundaries to CONNECT member municipalities. They must also pass a resolution to develop a LEAD program by November 2020 to be considered for the pilot.

## STAGE 1 - EXPLORATION

Is your community located in Allegheny County?  
Are you interested in LEAD?

**Congratulations! That's all it takes to participate at Stage 1.**

### Goals at this Stage:

- Learn how LEAD works and understand LEAD core principles
- Identify and engage potential stakeholders

### At this point, LEAD staff can:

- Provide information and resources on LEAD and community policing more broadly
- Meet with you & stakeholders in your community to discuss the potential impact of LEAD in your community & answer questions
- Invite you & other stakeholders to participate in:
  - LEAD info sessions
  - Working group meetings

### Action Steps for Municipal Stakeholders:

- Read resources on LEAD (1-pagers and briefs)
- Talk with LEAD staff to about how LEAD could work in your community
- Participate in:
  - LEAD info sessions
  - Working group meetings
- Engage other stakeholders in your community in various ways, including:
  - Forwarding them emails from LEAD staff
  - Inviting them to meet with LEAD staff and/or come to events about LEAD

## STAGE 2 - BUILDING COMMUNITY SUPPORT

Do you understand how LEAD works?  
Are you ready to build support to pass a resolution?

**Great! It's time to take the next steps to bring LEAD to your community.**

### Goals at this Stage:

- Build support among municipal stakeholders:
  - Police chief
  - Mayor
  - Council members
  - Manager
- Create a Community Engagement Plan
- Pass a municipal resolution to participate in LEAD
- Identify neighboring communities to be part of your regional LEAD cohort
- Create community

### At this point, LEAD staff can:

- Work with your municipal council to develop a resolution on LEAD
- Present on LEAD & answer questions at various events, such as:
  - Municipal council meetings
  - Local community group meetings
  - Gatherings at faith-based organizations
- Help to organize a door-to-door survey on LEAD

### Action Steps for Municipal Stakeholders:

- Continue to participate in LEAD-specific events and working groups
- Work with LEAD staff to create a Community Engagement Plan to introduce LEAD to your residents

### STAGE 3 - DEVELOPING

- Has your local government passed a resolution in support of LEAD/CONNECT?
- Does your community have a Community Engagement Plan to educate residents about LEAD?
- Is the police department ready to make changes to support LEAD?

**If yes, you may be eligible to join CONNECT's initial LEAD pilot.** If your community is not selected to join the initial pilot, CONNECT will work with you to determine a timeline for rolling out LEAD in your community.

#### Goals at this stage:

- Join or create a regional LEAD cohort. Cohorts share an Operations Workgroup, case managers, and a Community Leadership Team
- Educate the community on LEAD
- Prepare police officers to begin diverting
- Find additional community members to join the Community Leadership Team

#### At this level, LEAD staff can:

- Facilitate the Operations Workgroup and Community Leadership Team meetings
- Provide example policies and protocols for police departments
- Train police officers to implement LEAD
- Work with police leadership on a plan to collect data and evaluate the program

#### Action Steps for Municipal Stakeholders:

- Continue to participate in LEAD-specific events and working groups
- Work with LEAD staff to continue implementing your Community Engagement Plan

### STAGE 4 - IMPLEMENTING

Is your regional LEAD cohort ready to begin diverting?  
Are your police officers prepared to begin diverting?

#### It's time to start diverting!

#### Goals at this Stage:

- Begin diverting individuals to LEAD
- Troubleshoot any issues with the implementation
- Collect data and evaluate the process and outcomes of LEAD

#### At this level, LEAD staff can:

- Provide training on LEAD policies and procedures
- Continue to facilitate the Operations Workgroup and Community Leadership Team meetings
- Work with police leadership to collect data and evaluate the program

#### Action Steps for Municipal Stakeholders:

- Continue to participate in LEAD-specific events and working groups
- Work with LEAD staff to continue implementing your Community Engagement Plan

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