

AGN. NO. ____

**MOTION BY CHAIR HILDA L. SOLIS AND SUPERVISOR
MARK RIDLEY-THOMAS**

July 12, 2016

Law Enforcement Assisted Diversion (LEAD) Pilot Grant Program

As part of the FY 2016-17 State Budget, the California State Legislature approved \$15.0 million in one-time funds to create the Law Enforcement Assisted Diversion (LEAD) pilot program. This competitive grant program will provide funding for up to three jurisdictions to pilot a LEAD program, in which a law enforcement agency is provided the discretion to divert individuals to social services who have committed low-level offenses, such as those related to substance use / abuse, or individuals who have been commercially sexually exploited, instead of processing them through traditional criminal justice system avenues.

This pilot program would be modeled after the LEAD pilot program implemented by the City of Seattle and County of King, where police officers exercise discretionary authority at the point of contact to divert low-level offenders into community-based treatment and support services, including housing, health care, employment assistance, and mental health support. Involved agencies, including law enforcement, prosecutors,

- MORE -

MOTION

RIDLEY-THOMAS _____

KUEHL _____

KNABE _____

ANTONOVICH _____

SOLIS _____

MOTION BY CHAIR HILDA L. SOLIS AND SUPERVISOR MARK RIDLEY-THOMAS
JULY 12, 2016
PAGE 2

public defenders, and community providers, commit to working together to offer eligible and willing low-level offenders a path to resources and services through coordinated case management that would not otherwise be accessible if the traditional booking and prosecution approach were employed. Three years into the pilot, a preliminary evaluation by the University of Washington shows that LEAD participants are 58 percent less likely to be rearrested after enrollment in the program, have fewer long-term felony charges, spend 39 fewer days in jail, and have 87 percent lower odds of subsequent prison incarceration. The LEAD program is unique in that it is voluntary and incorporates a harm reduction model for all participants.

The Los Angeles County (County) Sheriff's Department (Sheriff's Department) is well positioned to participate in such a pilot program. Diversion efforts are growing in the County, both for youth and adults. The Sheriff's Department's nationally recognized approach to working with victims of child sex trafficking adopts the philosophy that there is no such thing as a child prostitute. In lieu of the historical practice of arresting a child engaged in these activities, the Sheriff's Human Trafficking Task Force provides multi-agency wrap-around services to support children and victims of sex trafficking.

Additionally, the County's Law Enforcement First Responder Protocol for Commercially Sexually Exploited Children is an example in which law enforcement officers identify victims of sexual exploitation and work collaboratively with County agencies and community-based organizations to avoid arrest, keep victims safe and provide them with the holistic services they need to escape exploitation. Identifying and

MOTION BY CHAIR HILDA L. SOLIS AND SUPERVISOR MARK RIDLEY-THOMAS
JULY 12, 2016
PAGE 3

engaging youth at this point of contact saves victims of extreme sexual abuse from being criminalized. These victim-centered models bear similarity to the pre-arrest diversion prototype incorporated by the LEAD program.

The County has an opportunity to build on innovative practices like this by applying to participate in the State's LEAD program as a pilot jurisdiction. The goals and methods presented by the LEAD pilot program complement those of the County's existing and continuously expanding diversion programs, policies, and partnerships. Participation in this program will enable the County to refine, test, and expand law enforcement diversion programs in the County so they can have the greatest reach possible. As such, it would be appropriate for the County, its public agencies and community partners to be at the forefront of developing diversion programs that could help break the criminal justice cycle for many of the County's residents.

WE THEREFORE MOVE THAT THE BOARD OF SUPERVISORS:

- 1) Direct the Director of the Office of Diversion and Re-entry, as part of the work through their Permanent Steering Committee, in collaboration with the Sheriff, District Attorney, Public Defender, Alternate Public Defender, the Director of the Health Agency, the Director of Public and Social Services, the Director of Community and Senior Services, and key community partners, to report back to the Board in writing in 45 days with a process and schedule for collaborating to prepare an application for the forthcoming State grant funds to expand upon diversion services and programs that emphasize counseling,

treatment, and behavior modification over punitive measures. This should include a plan for assessing need in the County around diversion, both geographical and based on offense, and receiving community input to develop a proposal that can have the greatest impact around reducing incarceration, promoting public safety, and promoting effective use of public funds; and

- 2) Direct the Director of the Office of Diversion and Re-Entry, in collaboration with key County and community partners, to assess additional ways to expand and provide long-term, sustainable funding options for diversion programs, including any program that is proposed as part of the LEAD pilot program, and report back to the Board in writing in 60 days with their recommendations.

#

HLS:BP
MRT:DJJ