



Law Enforcement  
Assisted Diversion

*MARION COUNTY*

# Progress Report

APRIL 1, 2018 - SEPTEMBER 1, 2020



## Introduction

In 2015, government leaders and community partners in Marion County, Oregon, came together to explore creative approaches to closing the revolving door of the criminal justice system for low-level, repeat offenders whose criminal behavior is driven by underlying livability issues such as addiction, extreme poverty, housing insecurity, and untreated mental health conditions. These leaders were looking for an alternative to arrest that takes into consideration these underlying issues, giving law enforcement discretion to refer individuals to community resources as opposed to arresting an individual and pushing them deeper into the criminal justice system. Through these efforts, the Marion County Law Enforcement Assisted Diversion program (LEAD) was born in April, 2018.

The Marion County LEAD program is modeled after Seattle's LEAD program, chosen after studies showed participants were 58% less likely to be arrested after enrollment in the program and reported significant improvement in health and well-being (such as stable housing, employment, and legitimate income) (LEAD Evaluations, 2017).

Thanks to the strong leadership of the Marion County Board of Commissioners Office, Marion County District Attorney's Office, Marion County Sheriff's Office, Marion County Health & Human Services, Salem Police Department and City of Salem Municipal Court, Marion County LEAD has shown great progress over the last two years and helped many break the cycle of arrest and get back on their feet again. This report includes a brief summary of performance measures used to monitor progress over time as well as a few personal stories of the lives that have been touched and forever changed already through this program.

Additional funding for this program comes from a grant through the Comprehensive Opioid Abuse Program (COAP), Bureau of Justice Administration. Special thanks to the Oregon Criminal Justice Commission for providing support with program evaluation and research analyst, Katherine Tallan, who contributed to this report.

## Program Overview

Law enforcement officers are often asked to respond to calls that -- although fit the legal definition of a crime -- may be fueled by one or more underlying issues such as addiction, mental health crisis, housing instability, and problems that co-exist with these issues where an arrest will have little to no effect on the criminal behavior. For example, taking someone to jail for shoplifting because they are feeding an addiction to heroin or having a mental health crisis doesn't just make the addiction to heroin or mental health crisis go away. Often, the revolving door of criminal justice continues to go around and around by not addressing the contributing factors related to this type of low-level criminal behavior.

Marion County Law Enforcement Assisted Diversion (LEAD) provides a tool for law enforcement to divert frequent low-level offenders away from traditional criminal justice services and towards social services to address underlying issues that may be contributing to criminal behavior.

Falling in line with core principals of the Seattle LEAD model, Marion County's program is built on a harm reduction/housing first framework (focused on individual and community wellness) and relies on strong law enforcement input and participation. Program referrals come directly from (or are approved by) law enforcement partners.

### Primary Partners/Roles

Marion County LEAD is a coordinated effort between law enforcement, the District Attorney's Office, behavioral health services, and local social support organizations working together in partnership. All partners in the multi-jurisdictional program play an important role in program operations.

- Law Enforcement are the initial decision makers, using discretionary authority at point of contact to divert criminal charges and refer individuals into the LEAD program. Those being referred to the program must meet criteria set by the Marion County District Attorney's Office based on past criminal history and type of crime being diverted.
- The Marion County District Attorney's Office receives these diverted charges and labels them as a "No Action Case," providing an opportunity for the client to voluntarily sign up for LEAD and receive support through intensive case management. The City of Salem Attorney's Office also serves as a liaison between Marion County LEAD and Salem Municipal Court.
- Health & Human Services assigns trauma-informed, state certified peer recovery mentors and treatment counselors with similar lived experience to clients to provide intensive case management. These case managers, otherwise known as LEAD Navigators, work with the clients as they navigate through the systems, helping to create client-driven goals and providing advocacy and support through the journey.



The District Attorney's Office, law enforcement partners, and the LEAD Navigators all work closely together to ensure that contacts with LEAD participants going forward, including new criminal prosecutions for other offenses, are coordinated with the participants service plan to maximize the opportunity to achieve behavioral change.



## Purpose

The goal of LEAD is to reduce the harm a person with frequent offenses causes him or herself, as well as the harm that the individual is causing the surrounding community. Effectiveness of the program can be measured in three areas:

Crime Reduction	Harm Reduction	Cost Reduction
Fewer low-level crimes committed by repeat offenders over time	Greater client stability and indicators of improved health over time	Lower number of police contacts to reduce the cost of criminal justice resources

### How LEAD works

#### ➤ Step 1: Intake and Assessment

Potential clients are offered the opportunity to enter LEAD through a law enforcement referral, which can occur in lieu of arrest or as a social referral (without a pending arrest). When referred, the individual will be introduced to a LEAD navigator and go through a brief intake process. After intake, the individual will have seven days to consider their options.

If they choose to enroll, they will meet again with the navigator to complete the initial assessment, the pending criminal charge that provided the opportunity to enter LEAD (if any) will be “no actioned” by the Marion County District Attorney’s Office and they will become a LEAD client. If the individual chooses not to enroll, the pending charges will be filed as normal.

#### ➤ Step 2: Program Participation

Once enrolled, LEAD navigators will help clients identify needs, set goals, and develop a plan of action. These needs range from providing for the basics (i.e., food, shelter, and clothing) to finding a health care provider, working with the court system, reuniting with family, stabilizing positive routines, and working toward employment. Once these needs are identified and prioritized, LEAD Navigators work with clients to help navigate the systems and advocate for clients as they work to reach their goals.

#### ➤ Step 3: Once in LEAD, always in LEAD.

LEAD stands out from traditional diversion programs by meeting clients where they are and providing support when and where it is needed. LEAD navigators spend much of their time out in the community, walking alongside clients to support and encourage them. If a client enters the program but is not yet stable enough for change, LEAD navigators will continue working with them; encouraging them to take small steps forward until they are ready.

For example, many LEAD clients are struggling with addictions that have taken hold and become a huge roadblock. Recovery from addiction can be a full-time job. A client may begin to show improvement and then crisis can interrupt this progress. Marion County LEAD is built on the foundation that once a client has entered the program, they will always have access to intensive case management, no matter how many times they stumble.

## Program Measures

The chart below highlights the rate of client referrals and enrollments between April 1, 2018 – September 1, 2020. COVID-19 concerns hit Oregon in March, 2020, which significantly affected law enforcement referrals due to competing priorities and precautionary restrictions limiting face-to-face contact.

By the end of July, 2020, referrals started to increase as more officers and partner agencies received training. As of the first few weeks of September, referrals and enrollments have started to climb again (see figure 1).

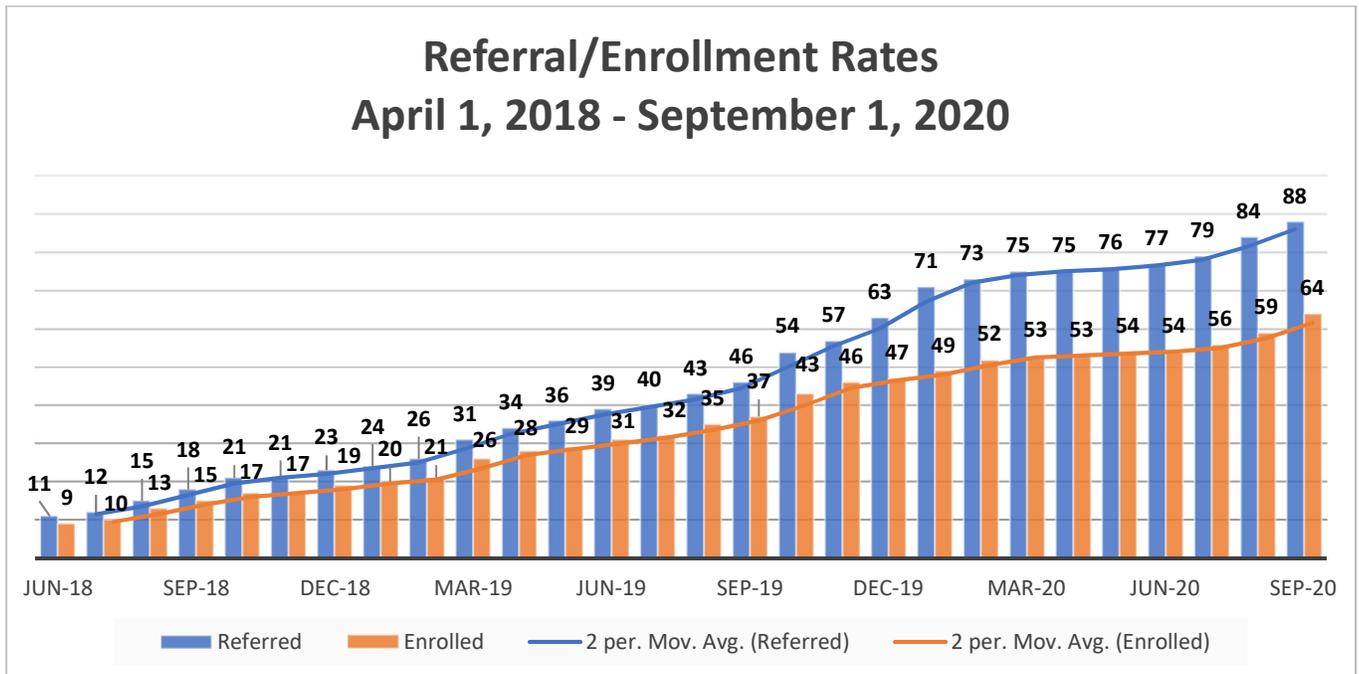


FIGURE 1: ALL PROGRAM REFERRALS AND ENROLLMENTS BETWEEN APRIL 1, 2018-SEPTEMBER 1, 2020

## Intake Measures

When an individual is referred to LEAD, they are considered a potential client. All potential clients go through the intake process, which helps LEAD navigators develop trust and rapport with the client as well as get a better understanding of what the clients highest concerns are.

The following key measurements are tracked during this client intake and include all individuals who have been referred to LEAD, whether or not they enroll in the program. These measures give a clear picture of the most common struggles clients who fit the criteria for LEAD are facing.

**99%** of LEAD referrals reported regular use of drugs. Clients are asked to choose their primary “drug of choice”, limited to one of the following: alcohol, amphetamines, barbiturates, cannabis, cocaine, hallucinogens, heroin, inhalants, other opiates, sedatives/tranquilizers.

- 34% Heroin
- 52% Amphetamines (Meth)
- 9% Alcohol
- 5% Other/Unknown

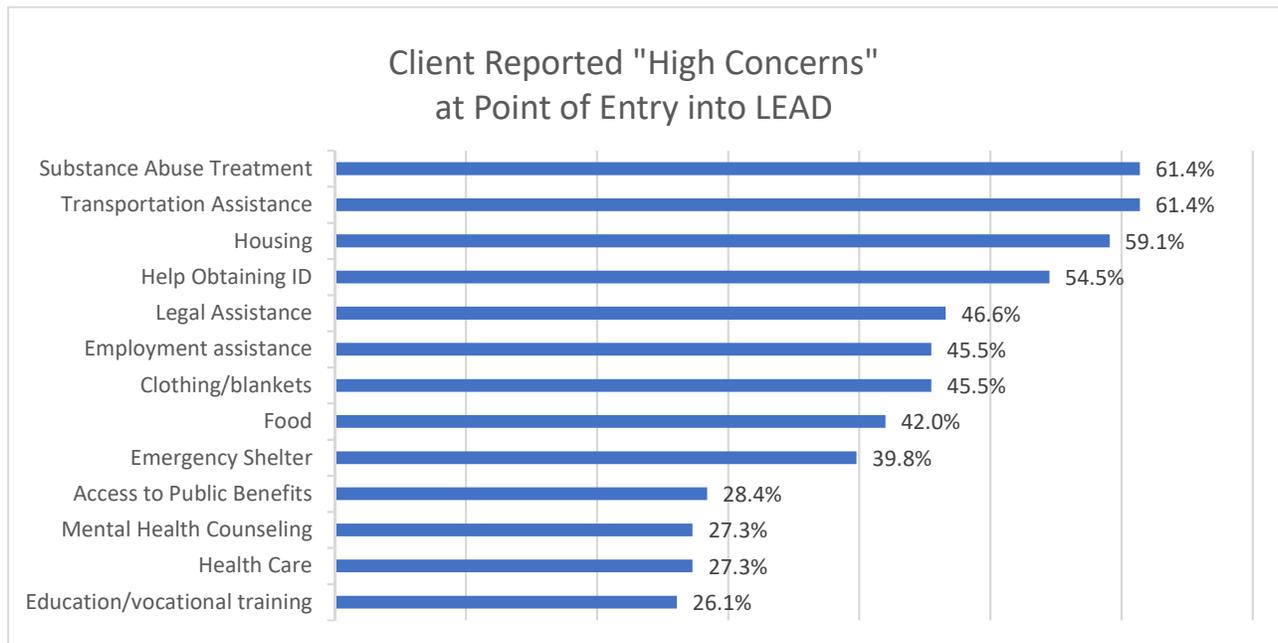
**59%** of LEAD referrals reported being homeless/unsheltered

**85%** of LEAD referrals reported being unemployed

**17%** of LEAD referrals reported NOT having medical insurance

**49%** of LEAD referrals have children (only 5% report having full or partial custody of their children)

The majority of clients identify substance abuse treatment, transportation, and housing as their top three concerns (see figure 2), which are the primary areas LEAD Navigators focus on with most clients.



**FIGURE 2: PERCENTAGE OF REFERRED CLIENTS WHO REPORTED THESE NEEDS AS "HIGH CONCERNS" DURING INITIAL INTAKE. NUMBER OF CLIENTS COMPLETING INTAKE=88**

### Client Participation

Once a potential client completes an assessment, they are officially enrolled in LEAD. Some clients choose to participate at a more intense level than others. The following is a representation of participation for clients officially enrolled in the Marion County LEAD program as of September 1, 2020.

- 70% are actively participating (have regular contact with case managers, often 2-3 times a week)
- 24% are considered inactive (have lost contact with case manager, not participating)
- 6% are considered Alumni (no longer in need of intensive case management or have transferred to another LEAD program)

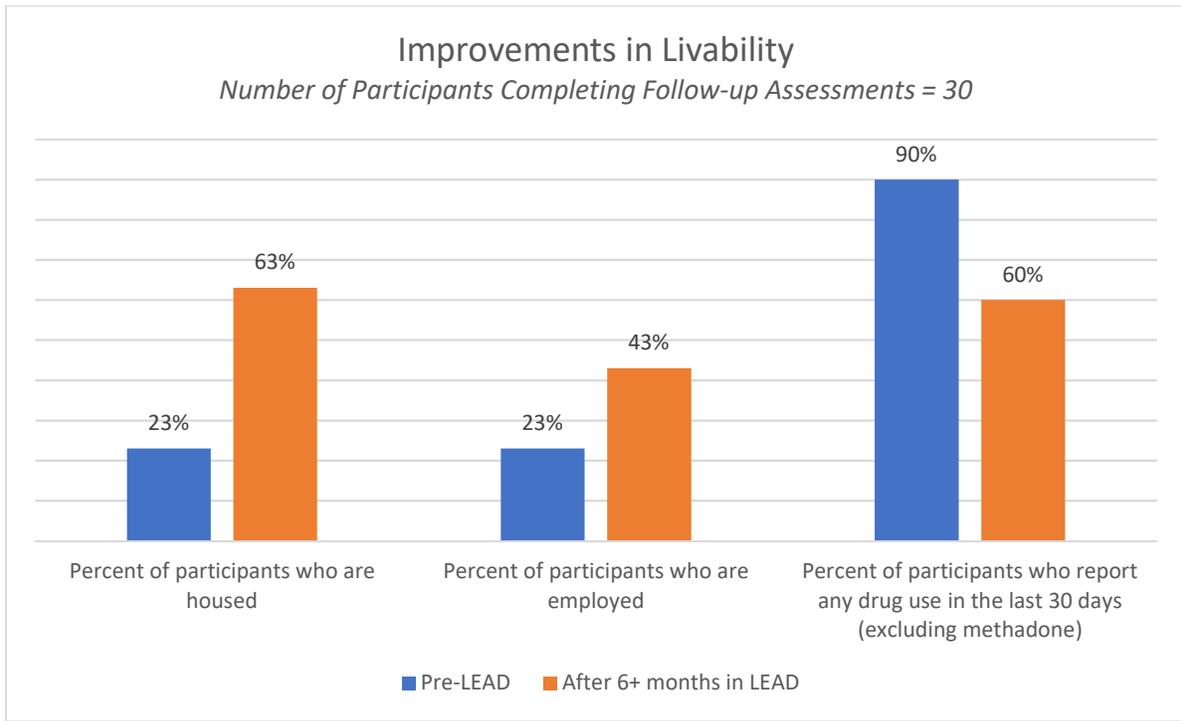
### Client Progress

To remain active in LEAD, clients are required to participate in an assessment every 6-months. This assessment is used to monitor individual client improvements over time.

As of September 1, 2020, 30 participants have completed at least two assessments. The graphs below outline key measures directly related to LEAD goals around harm reduction.

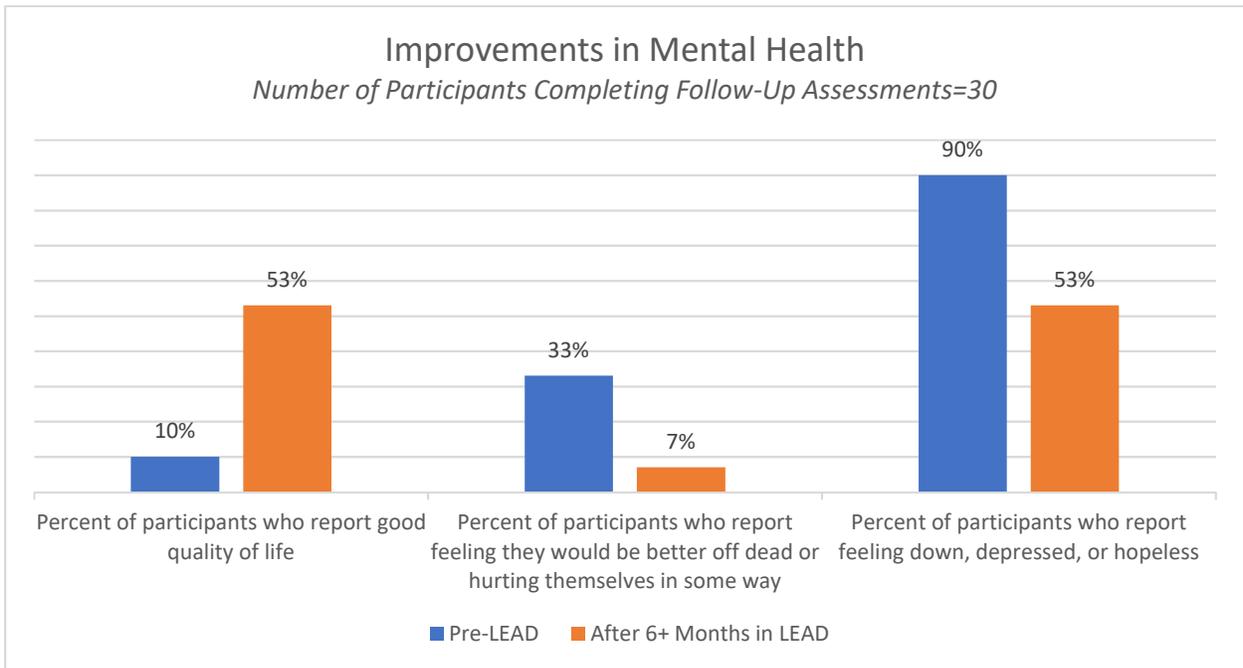
Figure 3 shows improvements in several client stability or "livability" indicators, including an increase in housing and employment and a decrease in drug use after participating in LEAD for at least 6 months.

"Housed" is defined as being in permanent or transitional housing; "Employed" is defined as pursuing self-sufficiency through part-time or full-time employment, military service, disability, school, or retirement; Full list of drugs included: alcohol (to intoxication), amphetamines, barbiturates, cannabis, cocaine, hallucinogens, heroin, inhalants, other opiates, sedatives/tranquilizers.



**FIGURE 3: IMPROVEMENTS IN LIVABILITY FOR LEAD CLIENTS AFTER AT LEAST 6 MONTHS IN THE PROGRAM**

The mental health of LEAD clients is also an important measure when monitoring participant progress. Initial assessments show only 10% of LEAD clients reporting a good quality of life when first entering the program, and 90% of clients exhibiting some signs of depression. After 6+ months in the program, these indicators improved greatly (see figure 4).



**FIGURE 4: IMPROVEMENTS IN MENTAL HEALTH FOR LEAD CLIENTS AFTER AT LEAST 6 MONTHS IN THE PROGRAM**

One of the specific goals of the program is to increase housing resources among clients. At first assessment, 81% of clients reported homelessness. This 81% is a measure based on all clients entering the program. Of those clients who have completed a third assessment (at this time 10 total clients), only one reports homelessness (see figure 5).

This measure does not account for those clients who may have become inactive in the time between their intake and when their third assessment would have taken place. However, of the 10 clients completing a third assessment, 7 reported being homeless in their initial assessment, so the reduction in homelessness for this group is not attributable to a decrease in sample size, but rather to LEAD programming.

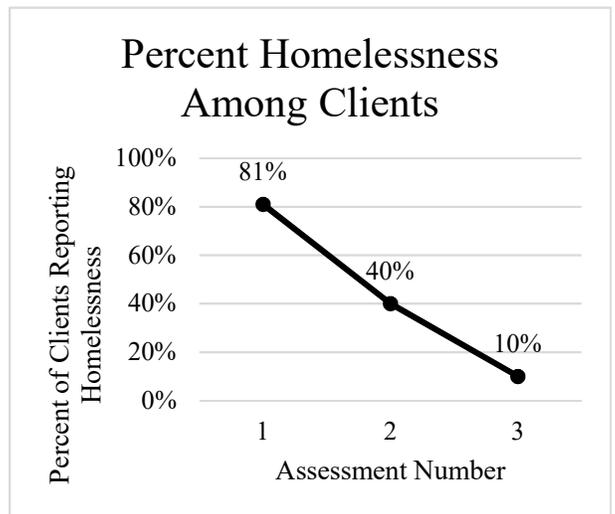


FIGURE 5: HOMELESSNESS RATE AMONG LEAD CLIENTS AFTER THREE ASSESSMENTS

### Resource Use

Out of 34 clients who have been in the LEAD program for over one year, 50% saw a decrease in average police contacts, 56% saw a decrease in average citations, 53% saw a decrease in average arrests, and 47% saw a decrease in average jail encounters from the three years before entry in the program. These measures represent a decrease in resource use by police and jail staff for these individuals.

### Outreach/Expansion

LEAD started as a pilot project in early 2018, thanks to a one-time transformation grant from Willamette Valley Community Health. With a small group of stakeholders, one LEAD Navigator and 16 law enforcement officers, the pilot project focused efforts on the downtown Salem business area and East Salem Lancaster corridor. These two areas were targeted based on reoccurring criminal activity that seemed to be driven by underlying livability issues.

As the number of clients referred to the program increased, the need for additional LEAD Navigators became evident. Marion County LEAD applied for and received two federal grants through the Bureau of Justice Administration in August, 2018 for these expansion purposes. These grants allowed for an increase in staffing and funding for direct client services to assist with crisis stabilization, health, and housing needs.

### Client Capacity

LEAD Navigators are the heart and soul of Marion County LEAD. Their education and training combined with their ability to gain trust with clients based on past lived experience uniquely qualifies them for these roles.

At time of report, four LEAD Navigators were assigned to the team. Due to the type of intensive case management provided by LEAD Navigators, best practice recommends no more than 20 active clients assigned to each case manager. On average, 70 % of enrolled LEAD clients are active at one time. Based on the current number of LEAD navigators and average number of active clients, the program

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*“Having traveled down these roads before my whole life, I am able to provide a detailed road map of the way out. Which roads to avoid (although they may seem faster), which roads lead to disaster, and which course to stay on.”*

*~Hank Crapser, LEAD Navigator since August, 2019*

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is operating at a little over half capacity and will support future plans for expansion (see figure 6).

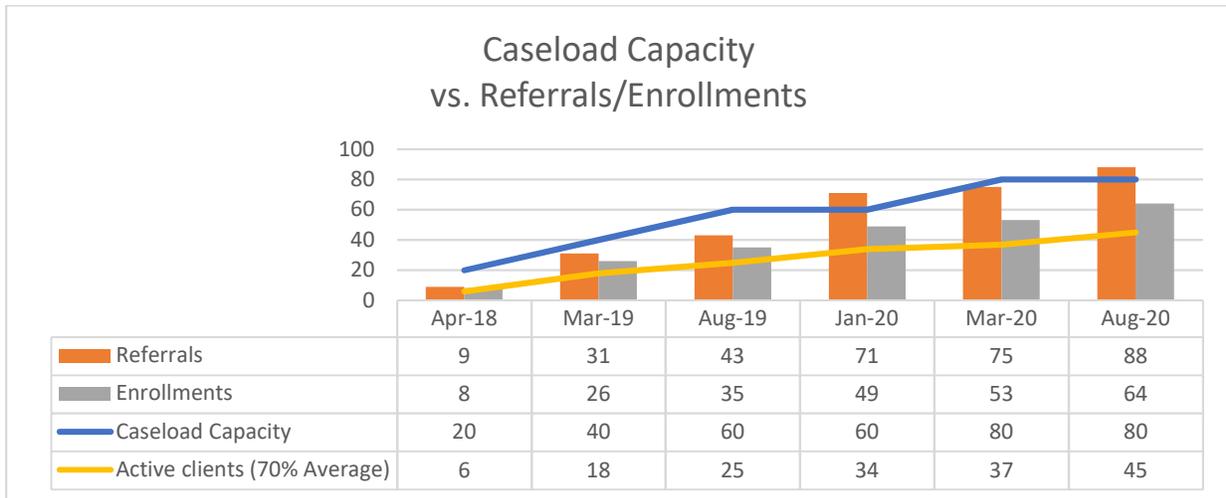


Figure 6: Client capacity based on recommended 20 active cases (70% of enrolled clients) per 1 navigator. The increase in caseload capacity indicates an increase in number of navigators. Total navigators at time of report = 4

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*“Some individuals need additional support, encouragement, and assistance to make the necessary changes in their lives. The LEAD Navigators are able to provide this for these individuals.”*

*~Carlos TexadorMaldonado, Clinical Supervisor, Marion County Health & Human Services*

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## Law Enforcement Referrals

Sworn law enforcement officers have an important role in LEAD. As the gatekeepers to the program, they have to be knowledgeable on the overall operations of LEAD as well as have the authority and flexibility to identify and refer clients into the program.

Marion County Sheriff’s Office and Salem Police Department are the two primary law enforcement partners responsible for setting program policies and procedures for law enforcement referrals. In March, 2020, the LEAD team opened training to all law-enforcement agencies in Marion County, increasing the number of sworn officers trained and able to make referrals and making LEAD a county-wide initiative.

As of September 1, 2020:

50% (5 out of 10) Law Enforcement Agencies in Marion County have provided training to some (if not all) of the sworn officers in their organization.

108 sworn law enforcement officers in Marion County are trained and able to make referrals

21% of law enforcement officers trained in LEAD have used the program to refer clients.

Within the next year, Marion County LEAD plans to offer training to representatives from all local law enforcement agencies in Marion County, increasing knowledge and access to the program county wide.

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*“The ability to have a LEAD Navigator respond directly to a scene is the key to success for this program. With one phone call, a client’s life can be changed forever. Officers can connect a client with trained mentors and resources instead of further exposing them to the criminal justice system.”*

*~ Sgt Landers, Marion County Sheriff’s Office*

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## Success Stories

*\*Names changed for privacy*

Numbers aside, success is really about the lives that are changed through LEAD. The following stories highlight a few of the many individuals who have reached their goals – thanks to LEAD and the amazing navigators who walked with them all the way and never gave up.

### SUE's Story

On May 2, 2019, Sue was about to be arrested again. Sue was well known by law enforcement. Sue was unemployed, living on the streets, and continually cycling through the criminal justice system for trespassing and failing to appear. Over the past six years, **Sue had been arrested and taken to jail over 50 times**. Sue was also struggling with an undiagnosed mental health condition.

On this day, the arrest was different. The responding officer was familiar with the LEAD program and believed Sue was a good candidate for referral. The officer called a navigator, made the introduction and changed the direction of Sue's life.

Over the next few months, navigators helped Sue identify and work through her most pressing concerns such as food, clothing, health care, and permanent shelter. Navigators helped Sue through each step, advancing to the next step only when Sue felt ready.

**In the sixteen months since entering LEAD, Sue has not had a single arrest.** She is unrecognizable to officers who have arrested her so many times in the past. Sue now has medical care to help manage her physical and mental health, a permanent place to live, family back in her life, and her first job in 13 years.

9 CLIENTS have celebrated ONE YEAR of sobriety with the help of LEAD

### GREG's Story

Before Greg came into the program, he believed his future was either prison or death on the streets. Greg was homeless, unemployed, addicted to Meth, and estranged from his family.

**Greg had been arrested 20 times in the past three years.**

In February, 2019, a sergeant from Salem Police Department contacted Greg coming out of a known drug house. Greg was reluctant to give up his name, as he knew he had a warrant and did not want to go back to jail. In a turn of events, the sergeant instead offered a hamburger and an opportunity to enter LEAD. When asked why, the sergeant stated, *"I could just tell he really wanted help. He wasn't happy with the path his life was on, but he didn't know how to change it."*

When he first started the program, Greg identified some of his highest needs as food, clothing, shelter, treatment, and employment.

Sixteen months later, Greg is fully employed and also serves as house manager of the transitional living facility where he lives, helping others stay on course. **Greg has only had 3 arrests since entering LEAD and the last encounter with police was in June, 2019.** Greg reports being in the best physical/mental health he has been in years, celebrating his first year of sobriety and learning to manage past trauma from time in prison and on the streets. He is definitely happy with the path his life is on now.

6 CLIENTS have regained custody of their children with the help of LEAD

### WENDY's Story

Wendy's addiction to heroin took her down a path that no mother ever wants to go. Wendy was living in her car with her three children when she was arrested in a Salem parking lot. The kids were turned over to DHS and placed into temporary foster care.

It was a chance encounter with a Marion County Sheriff's Deputy that brought Wendy into LEAD through a social referral in March, 2019.

With one year of sobriety, Wendy graduated fostering attachment court, paid off court fines, got her driver's license back, moved into her own place and has been reunited with her children. Wendy hopes to go back to school to help others who are struggling with addiction.

## Conclusion

Marion County LEAD started as a small pilot project in 2018 with a specific target area. As of September 1, 2020, the program has tripled in capacity and has plans to expand to the entire county. This program gives law enforcement the ability to redirect certain clients to community services, helping those suffering from addiction, mental health crisis, housing instability, and problems that co-exist with these issues rather than pulling them deeper into the criminal justice system.

As the program continues to expand and the number of clients engaged and actively participating grows, the long-term effect on client stability, criminal behavior and recidivism rates will be clearer. The results over the last two years along with individual client testimonies lead us to believe that the program is already changing lives.

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*"Thank you for not giving up on me and being there for me since the first day. I've never had people be there for me like this."*

*~LEAD Alumni, 2018-2020*

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**FIGURE 7: LEAD NAVIGATOR JOSH LAIR AND SENIOR DEPUTY CHRIS BANGS TALK WITH A POTENTIAL CLIENT ABOUT LEAD.**

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*For questions about information contained in this report or about Marion County LEAD, contact Lisa Miller, Program Coordinator, Marion County Sheriff's Office at 503-584-6209 or [lmiller@co.marion.or.us](mailto:lmiller@co.marion.or.us).*