



JUSTICE COLLAB NEWS

The Justice Collaboratives is an initiative of the Institute of the Black World 21st Century

IBW Delegation Makes Second Visit to Seattle's LEAD Program

In February 2015, the Institute of the Black World (IBW) 21st Century led its second delegation to examine the Law Enforcement Assisted Diversion (LEAD) Program in King County, Washington. LEAD "is a multi-jurisdictional collaborative effort designed to address public safety concerns arising from low-level nonviolent offenses such as drug possession/use/sales and prostitution" through pre-arrest diversion, explained Kris Nyrop, the LEAD Program Director for the Racial Disparity Project of the Public Defender Association in King County, Wash.



The City of Seattle is proud of its LEAD program

Delegates included high-level law enforcement officials, government officials, civil rights activists, and public interest lawyers from Philadelphia and Washington, DC. One delegate, Seema Sadanandan, Policy and Advocacy Director for the ACLU National Capitol Region commented that "current law enforcement strategies, and particularly drug law enforcement strategies, in the District of Columbia have a tremendously disparate impact on communities of color, particularly African-Americans... The overuse of the criminal justice system to address an increasing number of societal concerns does not improve public safety."

In recognition of this fact, the IBW convened this group of delegates in the hope that an in-depth assessment of the LEAD model would bring Washington DC and Philadelphia one step closer to introducing their own pre-arrest diversion programs.

Delegates learned that LEAD diverts individuals who would ordinarily be arrested for low-level drug or prostitution offenses to "intensive, individualized, harm reduction based services," according to Mr. Nyrop. If, after booking, an arrestee is offered and chooses LEAD instead of standard criminal prosecution, a case manager will meet with the arrestee almost immediately.

For an individual who would otherwise be arrested, held overnight, and referred for prosecution, LEAD can mean he or she will go home—or if necessary, will be provided immediate help in the form of food, housing, or medical treatment with the assistance of a case manager. The only LEAD participation requirement is

completion of an eight-hour case management intake, which ensures that the participant is not referred for prosecution.

After the intake, services are tailored to the LEAD participant's individualized needs. Relapse does not mean a participant will face jail time or get thrown out of the program. But that does not mean participants are left to manage addiction on their own. LEAD's case managers are known for their "guerrilla" style of hands-on case management--case managers actively work in streets to provide on-the-ground assistance to clients in need of services.

In addition, because, as Ms. Sadanandan put it, "processing individuals for low-level offenses through the criminal justice system is a costly and ineffective way to change problematic behavior and improve public safety," delegates were keen to explore LEAD's viability in their home cities.

Led by Mr. Nyrop, delegates attended an intensive series of meetings with officials involved in the day-to-day operations of the LEAD program. Delegates were immersed in the LEAD model through focused discussions with law enforcement officials who implement LEAD, case managers, and prosecutors at the City Attorney's office and the King County Prosecutor's Office.

Delegates were, however, made aware of potential hurdles to expanding LEAD in their home cities. First, in over four years, the program has amassed just over 25 participants, a number that may lead stakeholders in Washington and Philadelphia to question the program's potential impact. Likewise, LEAD was funded at least in part privately for its first four years in operation—a model that may not be replicable in larger cities like Washington and Philadelphia.

Moreover, LEAD currently focuses specifically on diverting drug addicts. In downtown Seattle, LEAD participants' addictions are often previously known to area police officers well before diversion is offered. In Washington and Philadelphia, the potential inability to differentiate between addicts and casual users may be a hurdle to buy-in.

Aside from specific concerns about LEAD's viability in other cities, the program itself has limitations that would need to be addressed before further expansion. As an example, if at the time of booking, a suspect invokes his right not to speak with police without an attorney under the landmark case *Miranda v. Arizona*, he or she will never be offered the option to participate in LEAD. Put another way, those who are arrested for low level drug and prostitution offenses may inadvertently be penalized for invoking their constitutional rights by being denied the opportunity to participate in LEAD.

Despite the concerns about the workability of LEAD's model in Philadelphia and Washington, there is good reason to believe that at least certain elements of such a model have high potential for success. A recent evaluation by a team at the University of Washington suggests that LEAD has a positive impact on arrests. Specifically, evaluators found that LEAD participants' recidivism rates may be reduced by up to 60% and that there is recidivism improvement for LEAD participants over short and longer-term periods.

The delegates left with a positive impression of aspects of the LEAD model and with a renewed interest in bringing adult pre-arrest diversion to their home cities. Their positivity was not unreciprocated. After the visit, Mr. Nyrop noted that "stakeholders in Seattle's LEAD project were once again deeply impressed by the depth of commitment and engagement on the part of IBW representatives who organized and facilitated the Seattle visit. It is clear that IBW is deeply and vigorously examining and challenging the current criminal justice driven approaches to low-level public safety concerns.



Dorothy Johnson-Speight

Standing for Justice and Peace National Rally

Mothers In Charge Inc. (MIC), a member of IBW's Black Family Summit, will be holding a National Rally on Saturday, June 6, 2015 beginning at 10:00 AM to make a **National Call To Action: Homicide As A Public Health Epidemic.**

The rally will be held at the Lincoln Memorial Reflecting Pool and will focus on the treatment of homicide as a public health epidemic, and the traumatic impact homicide and violence is having on individuals, families and communities across the nation.

Mothers In Charge is a national grassroots organization of mothers, grandmothers, daughters, aunts and sisters who have lost sons, daughters and loved ones to violence. It was founded and is led by Sis. Dorothy Johnson-Speight.

MIC is a violence prevention, education and intervention organization that provide programs for youths, young adults, families and community organizations. Mother In Charge works with elected officials on legislation to support safe neighborhoods and communities for children and families; and collaborates with community and faith-based organizations. Mothers In Charge advocates for families affected by violence and provides counseling and grief support services for families who have lost a loved one to a violent crime.

For more information about Mothers In Charge, Inc., visit www.mothersincharge.org or email info@mothersincharge.org.

LEAD Educational Session Leads to Agreement to move forward by Major Stakeholders

On Thursday April 16th the Pittsburgh Justice Collaborative hosted a visit by Kris Nyrop, Coordinator of the LEAD Program in Seattle, Washington and Washington DC-based Ron Hampton, former Executive Director of the National Black Police Association and Coordinator of IBW's Police Reform and Accountability Task Force.

Congressional Forum to Discuss Public Policy Agenda

To help build momentum for the June 6th '**Standing for Peace & Justice Rally**' in Washington DC, Mothers in Charge and IBW's Black Family Summit are collaborating with Cong. Danny Davis and his staff to hold a Congressional Forum on Friday, June 5th at the Rayburn House Office Building in Room B-18 from 9 am to Noon.

The forum will feature Cong. Davis and other legislative leaders, along with a panel of legal experts and advocates, discussing why homicide must be addressed within the context of a public health crisis. The main objective of the forum will be to advance legislation that will support specific program needs related to homicide such as victim services, trauma and community-based services. For more information on the Congressional Forum call 877-304-6667.

Kris, Ron Hampton along with IBW President Ron Daniels held a luncheon meeting hosted by POISE, an African American Pittsburgh-based Foundation, led by CEO Mark Lewis. The luncheon convened by Dr. Daniels featured a presentation by Kris Nyrop who provided an orientation/educational briefing on the background history of LEAD, the agreement among stakeholders, the organizing process, key values and protocols and operating methods of the Seattle model.



Attending the briefing was Pittsburgh Police **Commander Eric Holmes** representing the Police Chief and the Mayor; **Fred W. Thieman** former US Attorney and President of the Buhl Foundation; **Elliot Howsie**, Chief Public Defender; **Carol Neyland**, Vice President Community Development of Dollar Bank; **Scott Izzo**, CEO of the R. K. Mellon Foundation; **Carmen Anderson**, Program Officer Heinz Endowments; **Marc Cherna**, Director of the Allegheny County Department of Human Services, and **Jay Gilmer Esq.** Coordinator, City of Pittsburgh's Initiative to Reduce Crime.

Justice Collaborative members Ronell Guy, Executive Director of the North Side Coalition for Fair Housing (NSCFH), and Brandi Fisher, CEO of the Alliance for Police Accountability (APA) who visited Seattle to explore LEAD were joined by fellow PJC members Tim Stevens, CEO of the Black Political Empowerment Project (B-PEP) and Rick Adams, IBW's Chairman. After an in-depth question and answer period those assembled agreed that the POISE and Buhl Foundations and representatives of the Justice Collaborative would convene a planning task force to bring LEAD to Pittsburgh.

Later that evening Kris Nyrop, Ron Hampton and Dr. Daniels attended the Pittsburgh Justice Collaborative (PJC) quarterly meeting.



Dr. Ron Daniels

Reform advocates present alternate sentencing plan

By Christian Morrow

(Reprinted from the Pittsburgh Courier)

Many of the candidates running for Pittsburgh's minor judiciary seats have noted the need for alternate sentencing options for minor drug offenders as a means for reducing both the total population of incarcerated citizens and the disparate number of jailed African

American youths.

But what if such diversion could be done one step earlier—at the point of arrest?

In February 2014, Ron Daniels' Institute of the Black World organized a delegation of Pittsburgh community activists and law enforcement personnel to Seattle, Wash., to review just such an initiative, the Law Enforcement Assisted Diversion program, and to assess its adaptability to neighborhoods in Pittsburgh.

Since then, North Side Fair Housing Coalition President and CEO Ronell Guy began working with Cmdr. Rashall Brackney to deploy a pilot version of LEAD in certain North Side neighborhoods. But Brackney's transfer to the head of the Major Crimes Unit put the effort on hold. Now, according to Executive Assistant to Police Chief Cameron McLay, Cmdr. Eric Holmes, she will again be in charge of rolling out the program here.

"Chief McLay is very supportive of the LEAD program," said Holmes.

Accordingly, on April 16, Daniels and several of the delegates including Guy; Rick Adams of the Community College of Allegheny County and Chairman of IBW's Board of Directors; and Brandi Fisher, president and CEO, Alliance for Police Accountability, welcomed LEAD coordinator Kris Nyrop for a briefing on the program's background, agreement among stakeholders, organizing process, key values and protocols, and its effects on recidivism to local civic and government leaders.

Nyrop explained that in Seattle, the specific problems they sought to address were rampant open-air narcotics use and prostitution. The target population, he said, includes many long-term drug addicts. Individuals with violent crimes in their criminal history are ineligible. Eighty-four percent of Seattle's target population is also homeless.

Pittsburgh's will likely be slightly different in terms of eligible crimes and demographics, Nyrop said.



Rick Adams

"For instance, in New Orleans, they didn't have public heroin use as an issue," he said. "But they found that almost everyone arrested for home burglaries were drug addicts. So they made those committing minor burglaries eligible for diversion."

The program works by directly diverting eligible arrestees, in less than an hour, to a social service case manager. The arrest is held in limbo until or unless the client enrolls in an individualized goal plan and achieves at least one. At that point, the arrest goes away and there is no prosecution. But the district attorney can proceed if the arrestee relapses and is arrested again or fails to complete enrollment in the program within 30 days.

"So at the point of arrest the officer says you can take door Number one—go straight to jail, business as usual—or door number two, where you agree to accept services and intensive case management," said Nyrop.

Even if participants relapse or fail to enroll within the proscribed time period, Nyrop said prosecutions are often still held in abeyance, and often for good reason.

"This is an older population, most between 41 and 54," he said. "These are damaged people, long-term users, keeping appointments isn't their strong suit. Often a case manager will tell the D.A., 'look this guy has

an appointment to get housing in 2 days, if he misses it because he's in jail, it'll be months before we can get back here.'"

The police, he added, have really help shape the program's success. They added the prostitution eligibility and added another feature, the "social contact" referral. Where the original design was for post arrest but pre-booking diversion. This is a pre-arrest diversion.

"The police came to us and said, look, there are a lot of people we see out there that are involved in the drug scene, but they have no arrest record," Nyrop said. "We'd like to be able to refer them before it gets to that point. So, yeah, we made that part of the program."



Cmdr. Rashall Brackney

So how is it working? LEAD officially started Oct. 1, 2011 in Seattle's downtown area and was funded by foundation grants for two years, which were augmented with city funds until 2014. It is now funded entirely by the city of Seattle and surrounding King County.

On April 7 an independent team from the University of Washington released its evaluation after studying 203 LEAD participants and comparing them to 115 people who were arrested and prosecuted for similar offenses but were not eligible for the program.

The analysis found a significant reduction in recidivism over the life of the program: LEAD participants were 58 percent less likely to be rearrested than the control population.

Locally, the next steps will be coordinating community partners, setting up funding and establishing program protocols that target Pittsburgh's crime reduction needs and defining the initial geographic area for the program.

Several of the people, organizations and agencies required for that were in attendance for Nyrop's luncheon presentation at the POISE Foundation. Among them: Holmes, Allegheny County Department of Human Services Director Marc Cherna, County Public Defender Elliott Howsie, Buhl and R.K. Mellon Foundation Presidents Fred Thieman and Scott Izzo, Heinz Endowments Program Officer Carmen Anderson, Dollar Bank VP Carol Neyland, Amachi Pittsburgh Coordinator Kayla Bowyer and POISE President Mark Lewis.