
Bill Analysis 2019 Regular Session

SPONSOR: Senator Nancy Rodriguez

SHORT TITLE: Law Enforcement-Assisted Diversion Programs

SYNOPSIS OF BILL: Appropriates \$700,000 (GF) to DFA's Local Government Division for use in FY2019 for general support for law enforcement assisted diversion in the City of Santa Fe; and the establishment and operation of law enforcement assisted diversions in Bernalillo, Rio Arriba and Doña Ana Counties.

STRENGTHS: Handling low-level non-violent drug offenders in the local and state criminal justice system is not only costly but evidence suggests that this is not a way to break the cycle of addiction or enhance public safety. Instead, many people often go through the system without any impact on their behavior and end up costing the system far more than they would if they were diverted immediately into treatment. LEAD recognizes this.

This LEAD model is important for many reasons. First, it represents the work of a unique collaboration between the District Attorney's Office, Public Defenders Office, law enforcement, city government, treatment providers, educators, and the community. Second, where the Santa Fe pilot program was the first of its kind in the state, it has the potential to become a statewide model—other communities are already inquiring about the program and this bill would begin that expansion to Bernalillo and Doña Ana counties. Finally, with the economic strain on our local counties, pre-booking diversion programs offer a viable, cost effective alternative to the status quo. The LEAD program would redirect public safety resources to more pressing priorities such as serious and violent crime.

The cost-benefit impact of the LEAD program will be more evident in the long-term as the upfront investment of intensive treatment and support services pays off in reduced recidivism and cost to the current systems over time. Other long-term positive impacts include prevention of drug addiction and related criminal activities, improved wellbeing of individuals, family and community, and positive contribution to earnings and economic productivity through re-integration to society and job market.

ADDITIONAL INFO: Evaluation of a similar program in Seattle, where it was launched in 2011, showed that people in LEAD were 58% less likely to be arrested.¹ A LEAD program launched in Santa Fe in 2014 seems similarly promising.²

1 <https://www.leadbureau.org/evaluations>

2 <https://www.lead-santafe.org/about/program-evaluation>

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<p>The evaluation of LEAD in Seattle showed statistically significant reductions for the LEAD group compared to the control group on average yearly criminal justice and legal system utilization:</p> <p>Jail Bookings: LEAD participants had 1.4 fewer jail bookings.</p> <p>Jail Days: LEAD group spent 39 fewer days in jail.</p> <p>Incarceration: LEAD group had 87% lower odds of at least 1 prison incarceration.</p>	<p>The LEAD model is apolitical – the model has been supported by local and state law makers on both sides of the aisle.</p>	<p>The Fiscal Impact Report states that according to the Santa Fe LEAD website, “a cost benefit analysis conducted in 2013 of 100 individuals arrested by City of Santa Fe Police for opiate possession or sales revealed a cost of more than \$4 million dollars over 3 years (2010-2012) or an average of \$42 thousand per individual across local and state criminal justice and health systems. In contrast, the projected cost of a LEAD client, including intensive treatments and wrap-around services, was estimated at \$34 thousand per individual over 3 years. This estimate did not include Medicaid coverage.”</p> <p>In Seattle, LEAD participants showed substantial cost reductions (-\$2100) for the criminal justice system, whereas control participants showed cost increases (+\$5961).</p>	<p>The LEAD program is considered a promising practice by the Department of Justice.</p> <p>The University of New Mexico Institute for Social Research is conducting the outcome evaluation of LEAD Santa Fe. The evaluation will replicate the criminal recidivism outcome evaluation conducted by LEAD Seattle. In addition, LEAD Santa Fe will evaluate the psychosocial outcomes in LEAD clients and the cost/benefit of the program on the criminal justice and public health systems in Santa Fe. The evaluation will focus on a 3-year pilot period of June 2014 through June 2017. A Report of Findings will be released in the Spring of 2018.</p>	<p style="text-align: center;">A</p>