



Prearrest Diversion Task Force Decision Points: Context

The Prearrest Diversion Task Force will be making recommendations to the D.C. Council about all stages of a D.C. prearrest diversion program. “Prearrest Diversion Decision Points” form provides a list of the options the task force will consider for voting on recommendations. This form serves as a companion document with context from other prearrest diversion sites that inform what other sites have done around these topics. The purpose of this document is to supplement knowledge and support decision making. It considers policies and procedures of 5 different prearrest diversion programs including Baltimore, Seattle, Philadelphia, Leon County/Tallahassee, and the North Carolina (multi-site) program.

1. Eligibility:

A. Age

- All five programs are adults only (18+ years) programs. These prearrest diversion programs are designed around the adult criminal and behavioral health system. Youth programs often require developmentally appropriate, family-centered, school-connected services that these programs are not structured to provide.
- D.C. has the Alternatives to the Court Experience (ACE), a pre-arrest/pre-bookings diversion program that works with OAG, MPD, and CSS to allow youth committing low-level offenses to avoid court involvement
- For post-papering diversion, youth with substance use disorder and mental health conditions can participate in Juvenile Behavioral Diversion Program which is a mental health based specialty court that provides intensive case management to youth in the juvenile justice system.

B. Misdemeanors

Offense Description	MPD Pilot	Baltimore	Philadelphia	Seattle	Leon County/ Tallahassee	North Carolina
Disorderly Conduct	X	X	X	X	X	X
Liquor Law Violations	X	X	X		X	
Low-Level Drug Offenses	X	X	X	X	X	X
Prostitution	X	X	X	X		
Low-Level Theft	X	X	X	X	X	X



Trespassing	X	X	X	X	X	X
Low-Level Burglary		X				
Destruction of Property				X		X
Driving Under the Influence						X
Simple Assault					X	

C. Victim Permission

- The Baltimore LEAD site requires when a victim is involved in a crime, for example a theft, the victim must provide permission for the individual to participate in the diversion program.
- The Seattle LEAD site does not require a victim’s consent for participation in a program.
- It is unclear whether any of the other programs require victim permission for an individual to participate.
- Because diversion takes place before charges are filed, there are often no formal victim rights process requiring consent.

D. Arrest Procedure

	Baltimore	Seattle	Philadelphia	Leon County/ Tallahassee	North Carolina (multi-site)
Is an initial arrest made?	No	Yes	Yes	No	No
If referral is declined, does the arrest proceed?	Officer Discretion	Officer Discretion	Officer Discretion	Yes	Officer Discretion

- In Baltimore, an officer signs on to a diversion prior to an arrest. The LEAD team must confirm that they will accept the referral. After the referral is accepted, a case attorney and case manager will collaborate to determine if an individual is actually eligible.
- In Seattle and Philadelphia, eligibility is determined after the arrest. In Philadelphia, the person is fingerprinted and their background is run.



E. Exclusions

Baltimore	Seattle	Philadelphia	Leon County/ Tallahassee	North Carolina (multi-site)
<ul style="list-style-type: none"> - Open warrant - Promoting sex work - Under supervision in another jurisdiction - Intoxicated or incapacitated at time of arrest - Cannot provide consent - Suspected Controlled Distribution of a Substance (CDS) activity with intent to distribute to minors - Does not want to participate - Exploitation of minors or others in drug dealing enterprise 	<p>Previous conviction of:</p> <ul style="list-style-type: none"> - Murder 1 or 2 - Arson 1 or 2 - Robbery 1 - Assault 1 - Kidnapping - Violation of the Uniform Firearms Act 1 - Sex offense <p>Or within the past 10 years, the individual was convicted of:</p> <ul style="list-style-type: none"> - Domestic violence offense; - Robbery 2; - Assault 2 or 3; - Burglary 1 or 2; - Violation of Uniform Firearms Act 2. 	<p>Current intoxication;</p> <p>Also</p> <ul style="list-style-type: none"> - open arrest warrants (though warrants can be quashed on site) - Participated twice in a diversion program 	<ul style="list-style-type: none"> - Previous arrest - Previous participation in a prearrest diversion program 	<p>Exclusion criteria included</p> <ol style="list-style-type: none"> 1) histories of trafficking, delivering, or intending to deliver drugs, 2) certain violent crimes in the past 10 years, 3) promoting sex work or exploiting minors, 4) appearing to be a poor fit for the program (e.g., violent, posing a risk to self or others, or not appearing to be amenable to services, and 5) being of minor age (under the age of 18).

2. Referral Pathways:

	Baltimore	Seattle	Philadelphia	Leon County/ Tallahassee	North Carolina (multi-site)
Arrest Referral	X	X	X	X	X
Social Referral	X	X	X		X
Familiar Faces Referral					
Community Referral	X	X	X		X
Self-Referral		X	X		X



3. Program Structure:

- All five programs rely on existing behavioral health resources from community-based partners to run their program. No site created its own new program with behavioral health resources.
- Baltimore – Behavioral Health Systems Baltimore (BHSB) is in charge of the prearrest diversion contract. They are the government agency that provides Baltimore Crisis Response Inc (BCRI) with the funding to hire a project manager, case managers, and peer support specialists. These case managers refer participants to mental health, substance use disorder, and housing providers in the community. They do not have a multigroup preferred provider plan.
- Seattle – Purpose Dignity Action (PDA) provides project management for the LEAD program. Evergreen Treatment Services and Community Passageways, two local nonprofits provide outreach and case management services. Seattle’s LEAD program referred out to mental health, substance use disorder, and housing providers in the community. They started with a few specific providers but have expanded to a broader swath over time.
- Philadelphia – Eligible participants are taken to the Kensington Wellness Service Center (KWSC), where Merakey, a local nonprofit, provides immediate case management and provides referrals to relevant services. Merakey employs peer specialists to facilitate engagement. For behavioral health treatment, participants are referred to providers in the field who can meet their intensive needs.
- Leon County/Tallahassee – Eligible participants have 7 days to contact the required provider to participate. A local behavioral health provider, DISC Village Inc., provides a comprehensive behavioral health assessment, drug screen, and individualized plan to program participants. DISC provides counseling sessions and educational modules over a 90-day period. Participants who scored “moderate” or “high” on the assessment often were referred to highly qualified behavioral healthcare providers in the community.
- North Carolina – Law enforcement transport or provide the location of case managers for participants to go to the physical office. Persons have 14 days to follow up with the LEAD program to complete the enrollment process including the intake assessment and voluntary release of information form. Case managers were employed by community based mental health service agencies. Case managers identified and connected participants to relevant, external services.

B. Procurement Plan

	Baltimore	Seattle	Philadelphia	Leon County/ Tallahassee	North Carolina (multi-site)
Contract-Based	X	X	X	X	X
In - House	X		X		



C. Intake

	Baltimore	Seattle	Philadelphia	Leon County/ Tallahassee	North Carolina (multi-site)
Location	Eligibility determined on site of arrest Enrolled at LEAD facility	Eligibility determined either at arrest or in jail Enrolled at facility	Eligibility determined on site of arrest or at jail. Brief intake completed by PAD staff at KWSC.	Eligibility determined on site of arrest. Officer issues citation.	Eligibility determined on site of arrest.
Timing	Enrolled immediately	30 days to complete paperwork	Intake completed on site immediately	Participants have 7 days to contact the behavioral health provider	Participants have 14 days to complete an initial intake assessment
Initial Assessment	By program staff	By program staff	By community service provider	By community service provider	By program staff

D. Hours of Operation

Baltimore	Seattle	Philadelphia	Leon County/ Tallahassee	North Carolina (multi-site)
Monday – Friday 10 am – 6 pm Referrals can be made outside of window but will not be seen by staff until next business day.	Seattle LEAD started by offering case management during weekday daytime hours. They have expanded to include weekend and week night hours.	Monday – Friday 7 am – 11 pm KWSC is open 24/7 and takes social referrals and community walk-ins overnight and on weekends.	While it is not clearly stated, the program appears to operate in a standard Monday – Friday 9 am – 5 pm hours. Referrals can be made outside that window.	LEAD staff respond during business hours Monday – Friday 9 am – 5 pm Mobile crisis staff respond after hours and can drop someone off at 24/7 crisis facility



E. Location

Baltimore	Seattle	Philadelphia	Leon County/ Tallahassee	North Carolina (multi-site)
<ul style="list-style-type: none"> - Physical program site for participants - Snacks, clothes, couch, and TV - Safe, judgment-free to build trust with LEAD staff - Case management at the physical location 	<ul style="list-style-type: none"> - Physical program site for participants - Case management at the physical location - Case management is contracted to another provider who has a site already. 	<ul style="list-style-type: none"> - Participants go to KWSC community partners for all programming needs 	<ul style="list-style-type: none"> - Has 7 days to report to office of community partner DISC Village 	<ul style="list-style-type: none"> - Physical program site for participants - Case management here

F. Transportation

	Baltimore	Seattle	Philadelphia	Leon County/ Tallahassee	North Carolina (multi-site)
Law Enforcement transport	X	X	X		X
Prearrest Staff transport	X	X	X		X
Self-Transport	X	X	X	X	X

- For Baltimore, Seattle, Philadelphia, and North Carolina sites, the PAD team can arrive and transport the participant to the prearrest diversion office or law enforcement can if this is preferred. Otherwise, the participants are welcome to transport themselves to the site.
- In Leon County, the participants have 7 days to show up to DISC Village on their own and to enroll in the program.



G. Staffing

It is difficult to determine the number of staff for each program, as these numbers are not listed publicly.

- Baltimore’s program includes one project manager, three case managers, and three peer support specialists.
- North Carolina’s four LEAD counties either had one full-time LEAD case manager who could meet participants where they were or had a case manager office bound. They also would employ one peer support specialist, though sometimes this position was part-time.
- Philadelphia PAD has 42 full time staff. PAD contracts with Merakey for case managers, outreach specialists, behavioral health clinicians, and managers. While staff are located at the KWSC, they have the ability to travel out to arrest sites. There are also five positions funded through the Office of Public Safety (OPS)
- It is currently unknown the staffing set up for Leon County.

H. Services

Internal Services

	Baltimore	Seattle	Philadelphia	Leon County/ Tallahassee	North Carolina (multi-site)
Case Management	X	X	X	X	X
Behavioral health assessment			X	X	Unknown
Needs identification	X	X	X	X	Unknown
Service Linkage / Process navigation	X	X	X	X	Unknown
Peer support	X	X	X		Unknown

External Services

- All five programs refer participants to relevant mental health, substance use disorder, and housing services in the community.
- Philadelphia PAD case managers have relationships with providers in the field who can provide different levels of behavioral health services.
- Leon County contracts with one provider, DISC Village, who provide counseling and education services. They will refer participants who need more intensive treatment to other providers in the community.
- Baltimore, Seattle, and North Carolina LEAD programs require case managers to stay up to date on behavioral health and housing resources in the community in order to provide appropriate referrals.



I. Scope

Baltimore	Seattle	Philadelphia	Leon County/ Tallahassee	North Carolina (multi-site)
Program exists only in Baltimore PD's central district. Baltimore has not expanded over 7 years because of funding and wanting to train more officers.	Program launched with Belltown and Downtown core area. Over time it has expanded to include Pioneer Square, Chinatown, Capitol Hill, University District, North Seattle, and South Seattle	Launched in "North" pilot area with 90,000 residents. Later expanded to include "East" pilot zone with 240,000 residents. Expanded citywide.	Program launched and covered all of Leon County from the start.	Program covers the full county for each of four counties – Catawbe County, Wilmington, Fayetteville, and Waynesville.

4. Data Collection and Management

A. Data Collection

	Baltimore	Seattle	Philadelphia	Leon County/ Tallahassee	North Carolina (multi-site)
Enrollments	X	X	X	Unknown	X
Demographics	X	X	X	Unknown	X
Referral Type	X	X	X	Unknown	X
Charge	X	X	X	Unknown	X
Contacts	X	X		Unknown	X
Disengagement	X	X	X	Unknown	X
Services Requested		X		Unknown	X
Services Delivered	X	X	X	Unknown	X
Re-arrests	X	X	X	Unknown	X
Recidivism		X		Unknown	
Warrants	X	X	X	Unknown	X

- No data collection information was readily available for Leon County. An independent study of the program collected data on enrollment, demographics, behavioral health risk indicators, program completion rates, and rearrest rates.
- Baltimore tracks the amount of time spent on a referral for law enforcement and the amount of time it takes for LEAD staff to arrive at the scene of an arrest.
- Seattle tracks legal services and also has had independent long term studies tracking recidivism, housing, and utilization costs.



- Philadelphia tracks and displays many of these data points on their data dashboard.
- North Carolina tracked behavioral health and criminal justice utilization and service costs.

B. Data Sharing and Evaluation

	Baltimore	Seattle	Philadelphia	Leon County/ Tallahassee	North Carolina (multi-site)
Data Sharing Agreements	X	X	X	X	X
Participant consent forms		X	X	Unknown	X
Data Dashboard		X	X		
Independent Evaluation		X	X*	X	X

*Qualitative study

- While all five programs rely on data sharing agreements among law enforcement and community partners, none have publicly listed their DSAs or MOUs

5. Monitoring

- All five programs involve some form of workgroups to review and analyze cases and program functions

A. Workgroups

	Baltimore	Seattle	Philadelphia	Leon County/ Tallahassee	North Carolina (multi-site)
Operations Workgroup	X	X	X	Unknown	X
Policy Workgroup	X	X	Unknown	Unknown	X

- Baltimore operations workgroup meets biweekly, while the policy workgroup meets bimonthly.
- Seattle LEAD uses their operations workgroup for case conferencing.
- Not enough information is readily available about Leon County to determine what work groups there are.



6. Training

A. Law Enforcement Training

Baltimore	Seattle	Philadelphia	Leon County/ Tallahassee	North Carolina (multi-site)
<ul style="list-style-type: none"> - Roll call training on SUD and MH - CIT training - LEAD training - Transit training 	<ul style="list-style-type: none"> - LEAD training 	<ul style="list-style-type: none"> - PAD referral training - Crisis intervention training - Cross training with behavioral health specialists 	<ul style="list-style-type: none"> - 40 hour CIT training - PAD training 	<ul style="list-style-type: none"> - LEAD training - Harm reduction and SUD training

B. Staff Training

- There was not available information about prearrest diversion training for staff members.
- According to the LEAD website, LEAD programs provide training to staff on policies and procedures, trauma informed care, and effective engagement with program participants.

7. Partnerships

A. MOU Partners

	Baltimore	Seattle	Philadelphia	Leon County/ Tallahassee	North Carolina (multi-site)
Law Enforcement	X	X	X	X	X
Prosecutor	X	X		X	X
City/State Government Representative	X	X	X	X	X
Homeless Services	X		X		
Behavioral Health Service Provider	X	X	X	X	X
University	X		X		
Business representative	X				



8. Funding

Baltimore	Seattle	Philadelphia	Leon County/ Tallahassee	North Carolina (multi-site)
<ul style="list-style-type: none"> - Initial launch using \$200,000 grant from Open Society Baltimore - COSSUP federal funding to State of Maryland Opioid Restitution fund - Direct funding from State of Maryland and city of Baltimore 	<ul style="list-style-type: none"> - Initial \$1.2 million from foundation - Current \$3.3 million from city of Seattle, King County Mental Illness and Drug Dependency (MIDD), Washington State Trueblood program 	<ul style="list-style-type: none"> - Launched in 2018 under the MacArthur Foundation's Safety + Justice Challenge - City general fund - Opioid settlement funds 	<ul style="list-style-type: none"> - Participant fees, \$350 per participant - DISC Village Foundation provided some additional funding 	<ul style="list-style-type: none"> - NC Department of Health and Human Services provides funding for diversion - COSSUP Federal opioid grants - Statewide Opioid settlement funds - NC Governor's Crime Commission pass through grants (supplementa)

References

- Albert Kopak, An Initial Assessment of Leon County Florida's Pre-Arrest Adult Civil Citation Program. *J Behav Health Serv Res.* 2019 Jan; 46(1): 177-186.
- Allison R. Gilbert, Reah Siegel, Michele M. Easter, Josie Caves Sivaraman, Meret Hofer, Deniz Ariturk, Marvin S. Swartz, & Jeffrey W. Swanson. Law Enforcement Assisted Diversion (LEAD): A multi-site evaluation of North Carolina LEAD programs. Duke University School of Medicine, January 2023
- Anderson E, Shefner R, Koppel R, Megerian C, Frasso R. Experiences with the Philadelphia police assisted diversion program: A qualitative study. *Int J Drug Policy.* 2022 Feb
- Christina Griffith, Does Police Assisted Diversion Work?, *The Philadelphia Citizen*, June, 2025
- Civil Citation Network, Leon County/Tallahassee Pre-Arrest Diversion - Adult Civil Citation Program A Model Program with National Implications, PTACC Collaborative, 2018.
- Susan E. Collins, Heather S. Lonczak, Seema L. Clifasefi, Seattle's Law Enforcement Assisted Diversion (LEAD): Program effects on recidivism outcomes, *Evaluation and Program Planning*, Volume 64, 2017, Pages 49-56,