Legislation Details (With Text)

File #:	Res 31916	**Version:** 2	**Name:**	
Type:	Resolution (Res)		**Status:**	Adopted
			In control:	City Clerk
On agenda:	11/25/2019			
Final Action:			**Ord. No.**	

Title: A RESOLUTION acknowledging the inherent responsibility of the City to reduce unnecessary justice system involvement; acknowledging that pre-arrest diversion programs, such as the Law Enforcement Assisted Diversion (LEAD) program, represent a harm reduction, evidence-based approach to reduce recidivism and provide for the public safety; and declaring that the City is committed to ensuring that evidence-based, law enforcement-engaged, pre-booking diversion programs, such as LEAD, receive the funding necessary to accept all priority qualifying referrals.

Sponsors: Sally Bagshaw

Indexes:

Attachments: 1. Summary and Fiscal Note, 2. Signed Resolution 31916, 3. Affidavit of Publication

Date	Ver.	Action By	Action	Result
11/25/2019	2	City Clerk	attested by City Clerk	
11/25/2019	2	City Council	adopted	Pass
11/19/2019	1	Select Budget Committee	adopt as amended	Pass
11/12/2019	1	City Council	referred	
11/6/2019	1	Council President's Office	sent for review	
11/6/2019	1	City Clerk	sent for review	

CITY OF SEATTLE

RESOLUTION _____

A RESOLUTION acknowledging the inherent responsibility of the City to reduce unnecessary justice system involvement; acknowledging that pre-arrest diversion programs, such as the Law Enforcement Assisted Diversion (LEAD) program, represent a harm reduction, evidence-based approach to reduce recidivism and provide for the public safety; and declaring that the City is committed to ensuring that evidence-based, law enforcement-engaged, pre-booking diversion programs, such as LEAD, receive the funding necessary to accept all priority qualifying referrals.

WHEREAS, the Law Enforcement Assisted Diversion Program (LEAD) offers police officers the ability to

exercise discretionary authority at point of contact to divert individuals to a community-based, harm-

reduction intervention for law violations driven by unmet behavioral health needs; and

WHEREAS, LEAD clients bypass the normal criminal justice system cycle in qualifying cases and instead are

referred into a trauma-informed, intensive case-management program where the individual receives a wide range of support services, often including mental health treatment, transitional and permanent housing, and drug treatment; and

WHEREAS, LEAD is recognized as an evidence-based diversion approach to improving health outcomes and reducing justice system involvement in the Washington State "Healthier Here" 2019 Medicaid Transformation Project Toolkit; and

WHEREAS, LEAD was recognized as the 2018 Outstanding Criminal Justice Program for the west region by the National Criminal Justice Association and received the Seattle Human Services Coalition 2014 Innovative Program Award; and

WHEREAS, LEAD has been identified by the Seattle City Auditor as a local program that has embraced rigorous evaluation and used continuous assessment to adjust operational program elements; and

WHEREAS, LEAD's Policy Coordinating Group has established both a standing Evaluation Workgroup, which has active evaluation projects with the University of Washington Evans School regarding community-level impact on actual and perceived public health, safety, and order, and the Center for Court Innovation, regarding police diversion of sex workers, and is seeking funding for evaluation projects in additional areas including impact of LEAD on participant drug use and on court appearance rates; and

WHEREAS, the first LEAD Program was launched in Belltown in 2011, and due to demand from other neighborhoods, the Mayor and the City Council have chosen to expand the program citywide; and

WHEREAS, LEAD has 561 active clients that were contacted in the Seattle Police Department's West Precinct, East Precinct and North Precinct, has 120 approved clients in need of outreach, and over 300 approved priority referrals on a waiting list that includes clients in the SoDo neighborhood, and expects to have approximately 1,400 clients when it fully expands treatment services to the South areas of the City and West Seattle in 2020; and

WHEREAS, LEAD caseworkers currently carry an average load of 44 cases and have found that optimal

results are achieved when caseworkers do not carry more than 25 cases per caseworker; and

WHEREAS, LEAD interventions have provided 188 individuals with substance use disorder treatment

services, and 73 individuals with mental health services from January-September 2019; and

WHEREAS, the Seattle Municipal Court has established a LEAD calendar where a dedicated Seattle City

Attorney LEAD liaison is able to staff hearings for LEAD participants and recommend actions in non-

diverted cases which coordinate with and do not undermine the individual intervention plan developed

for the participant in LEAD; and

WHEREAS, the 2020 Adopted budget includes $150,000 for a second Seattle City Attorney LEAD liaison, as

well as $100,000 for a study of the public and private funding necessary to accept all priority qualifying

referrals by 2023; and

WHEREAS, LEAD has secured neighborhood-based workspace in the North and East Precincts and in the

SODO neighborhood, with support from neighborhood businesses; and

WHEREAS, in an example of public-private partnership, Microsoft has funded an information-sharing platform

that will allow dashboard-like real time reports as well as improved coordination among all the LEAD

operational partners; and

WHEREAS, In the 2020 Adopted Budget, LEAD received from The City of Seattle (the City) $6.05 million in

public funding for Seattle's LEAD clients, which will be combined with other funding that will not flow

through the City's budget to include $1.6 million in King County funding; and

WHEREAS, LEAD was awarded grant funding as part of the Trueblood Court Settlement Agreement, and

approximately $768,000 of this funding will support in Seattle LEAD clients whose law violations were

thought to stem from high acuity mental health needs; and

WHEREAS, The Ballmer Group has authorized a grant of $1.5 million to LEAD in 2020, conditioned on

adequate commitments by the City of Seattle and King County to plan for deployment of LEAD with

public funding citywide by 2023 with sufficient capacity to take on all priority appropriate referrals; and

WHEREAS, public and private funding in 2020 will allow the LEAD program to hire 54 new case managers and maintain a caseload that does not exceed 25 cases per case manager; and

WHEREAS, LEAD could in future years be eligible for federal funding from the Comprehensive Addition and Recovery Act (CARA), which is the most comprehensive federal effort undertaken to address the opioid epidemic, encompassing prevention, treatment, recovery, law enforcement, criminal justice reform, and overdose reversal; and

WHEREAS, the Washington State Legislature in 2019 amended RCW 10.31.110 to provide that all local jurisdictions must develop and adopt protocols for pre-booking diversion programs similar to LEAD and established a grant-based distribution process to be coordinated by the Washington Association of Sheriffs and Police Chiefs; and

WHEREAS, legislators are exploring a proposed amendment to the state Medicaid plan that would allow Medicaid reimbursement for outreach activities, which could potentially cover more of LEAD case management activity than is currently Medicaid reimbursable; and

WHEREAS, King County historically has matched Seattle in funding for Seattle LEAD, and with the proposed increase in Seattle contribution, it is timely to approach the County and ask for a significant increase in MIDD II allocation for Seattle LEAD; NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEATTLE THAT:

Section 1. The City acknowledges its inherent responsibility to reduce unnecessary justice system involvement. The City also acknowledges that pre-arrest diversion programs, such as the Law Enforcement Assisted Diversion (LEAD) program, represent a harm reduction, evidence-based approach to reduce recidivism and provide for the public safety. Finally, the City declares its commitment to ensuring that law enforcement pre-arrest diversion programs, such as LEAD, receive public funding sufficient to accept all priority qualifying referrals citywide.

Section 2. The City intends that the LEAD Program operate at scale by 2023, with "scale" understood to

mean that the program will have appropriate funding to accept all priority qualifying arrest and social contact referrals citywide, pursuant to the operational protocol currently approved by the LEAD Policy Coordinating Group. This intention is based on the desire of the City to ensure that individuals are not unnecessarily booked into jail due to behavioral health issues; and the City also anticipates that law violations by such individuals will be reduced through effective, research-based methods incorporated into the LEAD model.

Section 3. The City intends that LEAD be supported through a secure mix of public funding sources, including City funding and some combination of County, state, federal and Medicaid funding.

Section 4. The City recognizes that the statements of intent in this resolution address conditions of a $1.5 million grant to LEAD from the Ballmer Group to assist in meeting LEAD capacity needs in 2020.

Adopted by the City Council the _____ day of _____, 2019, and signed by me in open session in authentication of its adoption this _____ day of _____, 2019.

_____

President _____ of the City Council

Filed by me this _____ day of _____, 2019.

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Monica Martinez Simmons, City Clerk

(Seal)