

From the Academy for Justice at the Sandra Day O'Connor College of Law at Arizona State University in partnership with the Drug Enforcement Policy Center at the Moritz College of Law at The Ohio State University

Recommendations and Resources for Prosecutors Considering Non-Prosecution Policies for Drug Offenses

Alex Fraga, PhD

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SUMMARY

Non-prosecution practices and policies have long been informally part of the fabric of the American criminal justice system,² and more formal programs created by prosecutors have proliferated in modern times with growing and justified concerns about mass incarceration and mass punishment.³ Despite the widespread practice of punishing people who use drugs, criminological and public policy research indicate that such punitive measures are not effective in deterring drug use or in reducing drug supply and availability.⁴ Aware of this contradiction, prosecutors are increasingly pursuing non-prosecution policies for drug possession.

The most effective non-prosecution policies divert resources to treatment options and provide or connect individuals with resources to secure employment, housing, and other basic needs. Programs that take a holistic approach aimed at decreasing the imprisoned population, improving public health, ensuring public safety, and reducing drug-related fatalities have shown to be effective.⁵ Evidence-based research should inform the particular policies for particular jurisdictions, and this research highlights the importance of building a diversion alternative that provides treatment and other supported services for individuals when needed.

Part I of this report, "Effectiveness of Non-Prosecution Policies," provides a brief summary of current non-prosecution practices and the main findings from evaluations of one particularly successful program. Part II, "Building a Diversion Alternative" details recommended components of diversion alternatives and evidence supporting each component. Part III, "Cost of Non-Prosecution and Diversion Alternatives," provides a brief summary of the budgetary and cost-relevant considerations of current programs of non-prosecution policies with diversion alternatives. Part IV details potential challenges, with recommendations for avoiding these pitfalls drawn from lessons learned from other jurisdictions. Lastly, the report concludes with recommended readings for prosecutors considering non-prosecution policies and a list of contacts that may serve as useful references in the development of the particulars of non-prosecution plans.

¹ This document was created in a short time frame upon request from Academic for Justice. For more information, please contact Dr. Alex Fraga at fraga.5@osu.edu.

² See generally Erik Luna, *Prosecutorial Decriminalization*, 102 J. Crim. L. & Criminology 785 (2012).

³ See Melissa Labriola et al., Center for Court Innovation, *Prosecutor-Led Pretrial Diversion: Case Studies in Eleven Jurisdictions* (April 2018), at https://www.courtinnovation.org/sites/default/files/media/documents/2017-11/pretrial_diversion_case_study_report_final_provrel.pdf.

⁴ Travis, Jeremy, Bruce Western, and F. Stevens Redburn. "The Growth of Incarceration in the United States: Exploring Causes and Consequences." (2014).

⁵ *Fair and Just Prosecution Summary of LEAD Impact Studies* <https://fairandjustprosecution.org/wp-content/uploads/2017/09/Summary-of-LEAD-Impact-Studies.pdf>

I. EFFECTIVENESS OF NON-PROSECUTION POLICIES

Non-prosecution policies for drug offenses and related low-level crimes have become widespread; such policies have now been in place long enough in some jurisdictions to have proven efficacy, especially when coupled with diversion programs providing treatment access and other services.⁶ The most popular program, LEAD, is currently implemented in roughly 40 cities and 20 other jurisdictions are developing or launching LEAD programs.⁷

A. Law Enforcement Assisted Diversion (LEAD)

Law Enforcement Assisted Diversion (LEAD) is a well-known model that is focused on police diversion as a harm-reduction strategy for responding to low-level offenses such as drug possession. In LEAD programs, police officers typically exercise discretionary authority at point of contact to divert individuals to community-based interventions rather than into the criminal justice system; prosecutors and police officers thereafter work with case managers to address public health and human services needs related to addiction, mental illness, homelessness, and extreme poverty through public-health frameworks. While the particulars of LEAD programs vary (e.g., participant eligibility requirements and services provided), all share a common goal of harm-reduction and reducing the imprisoned population.

In one pioneering LEAD program jurisdiction, King County in Washington, prosecutors stopped filling charges for possession of under one gram of heroin/fentanyl, cocaine, and methamphetamine, while offering drug treatment, employment and housing resources. LEAD's success is dependent, in part, on the low caseloads of caseworkers, ensuring they can dedicate the time necessary to each participant. King County District Attorney Dan Satterberg and Lisa Daugaard write in a recent law review article about their LEAD experiences:

Diversion to LEAD is not the end, but the beginning of a different way to respond to problems caused by addiction. Participants are paired with a “guerrilla” case manager with a low case load. We describe this as guerrilla case management because the case manager’s job is about outcomes, and these case managers have to do whatever it takes to actually turn things around for participants, which can include sitting with clients in hospital rooms, transporting them to court, tracking them down in alleys and encampments, and patiently helping them deal with new losses and process past traumas. LEAD case management doesn’t have a predetermined end point; it goes on as long as necessary, which means until the participant no longer needs the resource (though the aim is always self-sufficiency).

LEAD case managers are incredible—described by one police officer as “the SWAT of social work” ...⁸

The LEAD National Support Bureau, in a resource document titled “Essential Principles For Successful LEAD Implementation,” stresses the importance of “intensive case management” and effective provision of services. Experiences in King County and elsewhere suggest that this means case managers need to

⁶ See Fair and Just Prosecution, *Promising Practices in Prosecutor-Led Diversion* (Sept. 2017), available at <https://fairandjustprosecution.org/wp-content/uploads/2017/09/FJPBrief.Diversion.9.26.pdf>; Fair and Just Prosecution, *Harm Reduction Responses to Drug Use* (Aug. 2019), at https://fairandjustprosecution.org/wp-content/uploads/2019/08/FJP_Brief_HarmReduction.pdf

⁷ See “Cite Map” at <https://www.leadbureau.org/>. Accessed November 1st 2020.

⁸ Dan Satterberg & Lisa Daugaard, *Connections, Not Convictions: Prosecution of People with Substance Use Disorder in the Age of America’s Behavioral Health Crisis*, 3 UCLA Crim. Just. L. Rev. 137, 150 (2019), at <https://escholarship.org/uc/item/36c7c07m>.

maintain a low caseload to help ensure effective diversion alternatives.⁹ The success of King County's LEAD program is evident by these central findings from various evaluations:

- **Recidivism:** LEAD participants were 60% less likely to be rearrested in the short-term (6 months) and 58% less likely to be rearrested in the long term (2 years).¹⁰
- **Employment:** LEAD participants were nearly 50% more likely to be on the “employed continuum” (e.g., employed, vocational training, retired).
- **Housing:** LEAD participants were twice as likely to be sheltered (e.g., permanent or temporary housing, hotel or motel, emergency shelter).¹¹
- **Incarceration:** LEAD participants, on average, spent 41 fewer days in jail each year than non-participants.¹²

For more information about King County's program, see the County's LEAD web materials at <https://www.kingcounty.gov/depts/community-human-services/mental-health-substance-abuse/diversion-reentry-services/lead.aspx>

B. Other Non-prosecution Policies – Thresholds and Who Qualifies

A fundamental challenge in the design and implementation of an effective and impactful non-prosecution and diversion program is determining exactly which offenses and offenders ought to qualify for the program. A kind of “success” can be ensured if a program only covers the most minor of drug possession offenses involving offenders with little need for treatment and services. Deciding not to prosecute college students with a small quantity of marijuana and no criminal history will create a “program” with low rates of recidivism and other superficial metric of success, but these are not the persons generally entangled with the justice system. On the other hand, if non-prosecution and diversion programs seek to reach a broad array of offenses and offenders, it may be challenging for case managers and other program coordinators to ensure every participant receives the attention needed to increase the chances of successful outcomes.

While King County ceased prosecutions for drug possession under one gram of heroin/fentanyl, cocaine, and methamphetamine, other jurisdictions have set different parameters around both the quantity and type of drugs that qualify for non-prosecution. For example, Philadelphia D.A. Larry Krasner is no longer filing charges for less than 30 grams of marijuana and is currently working to implement a “non-prosecute policy” for all drug possession cases. Other jurisdictions have implemented non-prosecution policies for drug offenses with varying thresholds of what amounts are deemed possession, which drugs qualify, and who can qualify (i.e., first-time offenders and/or repeat offenders, adults and/or juveniles, etc.).

Recommendations:

1) Whatever the policy particulars of your policy for the drugs that qualify, what amounts, and who is eligible, it is important to define and communicate to the community as clearly as possible the specific criteria of your policy. Communicate with law enforcement the specifics of your policy and consider facilitated focus groups to better understand the potential concerns of law enforcement.

⁹ See LEAD National Support Bureau, *Essential Principles For Successful LEAD Implementation* (April 2020), at https://56ec6537-6189-4c37-a275-02c6ee23efe0.filesusr.com/ugd/6f124f_d458fa51ecb1462fa9d5a9f31b7442ba.pdf?index=true

¹⁰ Susan E. Collins, Heather S. Lonczak, Seema L. Clifasefi, *Seattle's Law Enforcement Assisted Diversion (LEAD): Program Effects On Recidivism Outcomes*, 64 *Evaluation and Program Planning*, 49(2017).

¹¹ *Fair and Just Prosecution* Summary of LEAD Impact Studies <https://fairandjustprosecution.org/wp-content/uploads/2017/09/Summary-of-LEAD-Impact-Studies.pdf>

¹² Susan E. Collins, Heather S. Lonczak, Seema L. Clifasefi, *Seattle's Law Enforcement Assisted Diversion (LEAD): Program Effects on Criminal Justice and Legal System Utilization and Costs*, 15 *J. of Experimental Criminology* 201 (2019).

2) Successful programs, like King County's LEAD program, are often comprehensive and take a three-pronged approach that a) **stops unproductive** or counterproductive drug **prosecutions**, b) provides **drug treatment** options, and c) gives individuals the **resources and tools** to address common correlates of re-offending (e.g., unemployment, lack of shelter, untreated mental illness).

II. BUILDING A DIVERSION ALTERNATIVE

Non-prosecution policies are a key element of modern drug reform efforts, but their impact will be diminished if not combined with a diversion alternative. Proponents of LEAD and other like programs stress that diversion alternatives should prioritize harm reduction principles that aim to treat addiction (when necessary), decrease individuals' odds of re-offending by providing the resources and tools necessary, and improve the overall quality of life for offenders and non-offenders alike in the community. Below are recommended building blocks for a diversion alternative program.

A. Non-Mandatory and Cost-Burden Free Treatment

Research suggest that obligatory involvement in certain types of treatment programs and forcing participants to bear the economic costs of treatment and other fines and fees can often prove counterproductive^{13 14}. Consider treatment policies and programming that are neither mandatory nor financially burdensome for participants. If imposing costs on participants is necessary, institute an income-based payment requirement that does not require indigent defendants to finance their treatment.

Whatever the specifics of any diversion strategy, consider offering treatment in tandem with directly offering or working to connect participants to resources that support employment, housing, and other basic needs. Some existing non-prosecution programs offer or connect individuals to resources that offer help securing temporary or permanent housing, vocational training, workforce education and training, and access to food and clothing. For example, Santa Fe, New Mexico partnered with LEAD to create a program that offers resources for transportation, employment, education, housing, medical and dental care, and childcare and parenting support.¹⁵

B. Non-Prosecution of Medicine Used to Treat Opioid Use Disorder

Consider not prosecuting for medications that are used to treat opioid withdrawal and reduce cravings. For instance, buprenorphine, an effective medication used to treat opioid use disorder, can be challenging for individuals to legally access, often resulting in individuals turning to the illicit market to self-treat their opioid addiction. In light of this reality, in 2018, Burlington, Vermont Chief of Police and State Attorney for the Burlington jurisdiction ended all arrests and prosecution for misdemeanor possession of buprenorphine. Burlington accomplished this in tandem with making Naloxone (Narcan), a drug that reverses an opioid overdose, more widely available, creating access to buprenorphine at syringe exchange locations, and establishing increased access to addiction treatment in the state prison system. After implementing the above policies, Burlington subsequently experienced a 50% decline in opioid overdoses while the rest of the state experienced a 20% increase.¹⁶ Non-prosecution policies alone likely to did not cause this decline. Rather, non-prosecute policies *in tandem* with providing other resources can be effective strategies for improving public health outcomes.

¹³ Werb, Daniel, et al. "The effectiveness of compulsory drug treatment: a systematic review." *International Journal of Drug Policy* 28 (2016): 1-9.

¹⁴ Matthew Menendez et al. "The Steep Costs of Criminal Justice Fees and Fines" (November 2019), https://www.brennancenter.org/sites/default/files/2019-11/2019_10_Fees%26Fines_Final5.pdf (last visited Nov 1, 2020).

¹⁵ How It Works - LEAD Santa Fe, LEAD Santa Fe, <https://www.lead-santafe.org/how-it-works/> (last visited Nov 2, 2020).

¹⁶ Brandon del Pozo, Lawrence S. Krasner, Sarah F. George, *Decriminalization Of Diverted Buprenorphine In Burlington, Vermont And Philadelphia: An Intervention To Reduce Opioid Overdose Deaths*, 48 *The Journal of Law, Medicine & Ethics* 373 (2020).

C. Syringe Service Programs

Consider providing Syringe Service Programs (SSP), also known as Syringe Exchange Programs (SEPs), simultaneously with non-prosecution policies, such as the one instituted in Burlington, VT, and in other jurisdictions. The complete list of services that SSPs provide vary by jurisdiction, but most provide access to sterile syringes and allow for the safe disposal of used syringes and needles. Research on SSPs have found numerous positive outcomes including:

Treatment Participation: Individuals that use SSPs are more likely to opt into addiction treatment than those who do not use SSPs.¹⁷

Spread of infectious diseases: SSPs have been found to reduce the spread of HIV and other blood-borne diseases.

Disorder: SSPs lead to declines in the disposal of needles in public places.^{18 19}

Public Safety: SSPs do not cause increases in crimes.^{20 21}

Cost: According to the CDC,

"The estimated lifetime cost of treating one person living with HIV is more than \$450,000. Hospitalizations in the U.S. for substance-use-related infections cost over \$700 million each year. SSPs reduce these costs and help link people to treatment to stop using drugs."

For more information, see CDC's Syringe Services Programs (SSPs) Fact Sheet found here: <https://www.cdc.gov/ssp/syringe-services-programs-factsheet.html>; and CDC's Syringe Services Programs (SSPs) FAQs found here: <https://www.cdc.gov/ssp/syringe-services-programs-faq.html>.

III. COST OF NON-PROSECUTION AND DIVERSION ALTERNATIVES

The precise costs of non-prosecution coupled with implementing recommended treatment alternatives will depend on the specifics of the program. Costs are higher during program start-up and wane over time. Research indicates that, at program start-up, LEAD programs average \$899 per person per month. However, costs were reduced to \$532 post-start-up and down to \$435 as the program became well established.²²

In addition to savings accrued as the program matured, jurisdictions with LEAD programs saw direct and substantial decreases in criminal justice and legal expenses post-LEAD implementation. Recent research found that each participant, per year, resulted in \$8,000 in criminal justice and legal cost savings.²³

¹⁷ Syringe Services Programs (SSPs) FAQs | CDC, Cdc.gov (2020), <https://www.cdc.gov/ssp/syringe-services-programs-faq.html> (last visited Nov 2, 2020).

¹⁸ De Montigny, Luc, et al. "Assessing a Drop Box Programme: A spatial analysis of discarded needles." *International Journal of Drug Policy* 21.3 (2010): 208-214.

¹⁹ Doherty, Meg C., et al. "The effect of a needle exchange program on numbers of discarded needles: a 2-year follow-up." *American Journal of Public Health* 90.6 (2000): 936.

²⁰ Galea, Sandro, et al. "Needle exchange programs and experience of violence in an inner city neighborhood." *Journal OF Acquired Immune Deficiency Syndromes*. 28:282-288. (2001).

²¹ Marx, Melissa A., et al. "Trends in crime and the introduction of a needle exchange program." *American Journal of Public Health* 90.12 (2000): 1933

²² Promising Practices in Prosecutor-Led Diversion, Fair and Just Prosecution (2017), <https://fairandjustprosecution.org/wp-content/uploads/2017/09/FJPBrief.Diversion.9.26.pdf> (last visited Nov 2, 2020).

²³ Collins, Susan E., Heather S. Lonczak, and Seema L. Clifasefi. "Seattle's law enforcement assisted diversion (LEAD): program effects on criminal justice and legal system utilization and costs." *Journal of Experimental Criminology* 15.2 (2019): 201-211.

According to advocates of LEAD, the criminal justice-related costs associated with the top 100 opiate repeat offenders is \$4.2 million over 3 years, relative to the cost to treat these individuals in LEAD of \$1.8 million over 3 years.²⁴ In other words, providing treatment for even offenders with lengthy criminal histories was less than half of the cost of processing them through the criminal justice system and imprisoning them.

Another prosecutor-led diversion program, Chicago's Drug School Diversion Program costs \$705,000 and serves approximately 2,000 individuals each year (e.g., roughly \$350 per person).²⁵ The Chicago Drug School Diversion program offers ten total hours of drug education classes to eligible participants in lieu of prosecution. However, this particular program extends only to low-level drug offenders with no prior felony or violent misdemeanor charges.

Recommendations:

- 1) Work to secure funding from both local and state grants. Many prosecutor-led diversion programs depend on grants from both their local and state governments.
- 2) Seek available federal funding. For example, federal funds are available for many components of Syringe Service programs. In addition, the Second Chance Act provides federal funding for drug treatment services.

See more about federal SSP funding here: <https://www.cdc.gov/ssp/ssp-funding.html>

See more about Second Chance Act funding and other funding opportunities here: <https://bja.ojp.gov/funding>

- 3) Anticipate and prepare for higher expenses in the early stages of development.
- 4) Rigorously document outcomes to be able to accurately quantify and understand where and to what extent criminal justice and legal costs offset costs associated with funding services in the program.

IV. POTENTIAL CHALLENGES

Any form of non-prosecution policy needs to secure buy-in from police in order to be successful and sustainable. In some jurisdictions, shifts in prosecutorial policies and practices can strain relationships between local prosecutors and police. Even though most police leaders will support diversion programs for certain low-level offenders, police may sometimes feel that decisions not to prosecute certain crimes or quality-of-life laws put them in difficult positions if and when community members seek responses to nuisance behaviors by problematic and persistent individuals.

A. Coordination and Partnership

Communication and coordination with police is essential for the effectiveness and sustainability of any non-prosecution policies: at the case-specific level, individual police officers can either help operationalize or seek to undermine efforts to keep particular individuals out of the criminal justice system; at the system-wide level, police leaders can either help promote or actively criticize new prosecutorial policies in the broader community. More generally, long-term success will depend upon building widespread popular support among a range of community stakeholders -- including treatment providers, defense attorneys,

²⁴Jerome Sanchez et al., LEAD Sante Fe (2015), [https://www.nmlegis.gov/handouts/LHHS%20101915%20Item%206%20Law%20Enforcement%20Assisted%20Diversion%20\(LEAD\).pdf](https://www.nmlegis.gov/handouts/LHHS%20101915%20Item%206%20Law%20Enforcement%20Assisted%20Diversion%20(LEAD).pdf) (last visited Nov 1, 2020).

²⁵ Promising Practices in Prosecutor-Led Diversion, Fair and Just Prosecution (2017), <https://fairandjustprosecution.org/wp-content/uploads/2017/09/FJPBrief.Diversion.9.26.pdf> (last visited Nov 2, 2020).

local politicians and other community leaders -- by highlighting how a non-prosecution policy is intended to help meet the legitimate needs of neighborhoods and individuals. As explained by persons involved in one of the original LEAD programs for drug offenders:

It is critically important to do more than “deflect” cases from the formal justice system. Excessive focus on the diversion or deflection aspects of new approaches make criminal justice reform seem to be about a one-time transaction in which the system lets go of someone it would previously have handled poorly. In fact, the new paradigm must be about not just letting go, but stepping up again and again. We always describe LEAD as “more, not less.” It is not enough to decline to file. We must instead explain what we are doing and acknowledge the real problems neighborhoods encounters. What we offer in place of the old system needs to be sustained, individually-crafted, and measured by its actual success in reducing recidivism and improving individual and community wellbeing.²⁶

In this context, it is useful to understand and embrace that prosecutors can be powerful connectors with other system leaders and community groups to create partnerships and responses that will best serve the community and individuals without undue reliance on the criminal justice system. Whatever the particulars of any program, prosecutors often achieve much simply by promoting programs that highlight that justice system responses are often not the most effective or efficient means to address substance use, mental illness, homelessness, poverty and similar problems.

Recommendations:

- 1) Consider holding facilitated focus groups with police officers to better understand their concerns about non-prosecution policies.
- 2) Seek advice from prosecutors who have built successful partnerships with law enforcement, such as Cook County State's Attorney Kim Foxx.
- 3) Consider building connections with law enforcement run organizations, such as Law Enforcement Action Partnership (LEAP), to help work as a liaison in building a partnership with a potentially apprehensive police department.

For more information, see Police Executive Research Forum, *Police Chiefs and Prosecutors Work Through Challenges To Find Common Ground* (May 2020), at <https://www.policeforum.org/assets/PoliceProsecutors.pdf>

B. Lessons from Utah

Utah's Justice Reinvestment Initiative (JRI) was developed with the intent of reducing the state's prison population, decreasing sentences for low-level drug offenses, and reinvesting the incarceration-related savings into drug and mental health treatment. Though Utah's JRI did not involve a formal non-prosecution/diversion policy like LEAD, this initiative was expressly focused on providing treatment as an alternative to incarceration for certain low-level drug offenders. Unfortunately, a recent audit study found JRI did not meet its intended goal of reducing recidivism, and, in fact, recidivism rates increased amongst low-level offenders post-JRI implementation. The audit study detailed the shortcomings of the JRI program, providing a useful roadmap for prosecutors of potential pitfalls to avoid. Specifically, the report credited the increases in recidivism amongst nonviolent drug offenders to overburdened probation officers and depleted treatment services.²⁷ As noted above, persons involved with King County's program have

²⁶ Dan Satterberg & Lisa Daugaard, *Connections, Not Convictions: Prosecution of People with Substance Use Disorder in the Age of America's Behavioral Health Crisis*, 3 UCLA Crim. Just. L. Rev. 137, 150 (2019), at <https://escholarship.org/uc/item/36c7c07m>.

²⁷ Chapter V and Chapter VI of A Performance Audit of the Justice Reinvestment Initiative (October 2020), at

stressed the low caseload of caseworkers as a critical component of success. The recent audit of Utah's JRI experience reinforces the importance of prioritizing manageable caseloads for employees offering services to program participants.

Other impediments to success in Utah's JRI's program and recommendations for avoiding similar pitfalls:

1. Lack of availability of and access to treatment services in rural areas.

Recommendation: With the geography of any particular jurisdiction in mind, consider how treatment access maybe best available to rural areas that are increasingly affected by drug addiction.²⁸

2. Data was not uniformly collected (e.g., different metrics used by different jurisdictions) and some jurisdictions did not collect data at all. Because of this lack of consistency in data collection, there was no way for judges and prosecutors to make informed decisions based on evidence of interventions' effectiveness or lack thereof.

Recommendation: Develop a standard system of data collection using the same metrics and software prior to launching any program or changes to prosecution procedures.

The full audit report of Utah's Justice Reinvestment Initiative can be found here:

https://olag.utah.gov/olag-doc/2020-08_RPT.pdf

V. SUGGESTED ACTION ITEMS

1. **Consider reaching out to seek the expertise from other prosecutors who have implemented similar measures** to get advice on both the substance and process of their programs. (See "Contacts" below for some suggestions.)
2. **Define as clearly as possible the specifics of any non-prosecution policy** (e.g., does it apply to all drugs? At particular amounts? Even for persons with an extended criminal history and/or currently on probation or parole?).
3. **Engage in stakeholder communication and coordination**, including police and other criminal justice actors, treatment providers and other community leaders.
4. **Look for ways to help enhance access to treatment alternatives**, ideally ones that are *not* mandatory and do not create problematic costs or other burdens for participants.
5. **Champion policies that advance public health and public safety**, such as non-prosecution for medication used for opiate treatment and syringe programs.
6. **Develop a budget that includes the cost of treatment alternatives**, how these expenses will be absorbed, and cost-mitigating factors.
7. **Ensure that caseworkers are not overburdened with large caseloads** resulting in well-intended but ineffective policies.
8. **Rigorously document every aspect of the policy and office practices**, and consider partnering with independent researchers to assess the operations and efficacy of the program over time.
 - a. Determine key metrics (e.g., recidivism, crime, public safety, overdoses, and how to define "success" of a program)
 - b. Ensure consistency in how implementation and outcomes are measured.

https://olag.utah.gov/olag-doc/2020-08_RPT.pdf

²⁸ CDC Reports Rising Rates of Drug Overdose Deaths in Rural Areas. Published October 19, 2017. Accessed November 2, 2020 at, <https://www.cdc.gov/media/releases/2017/p1019-rural-overdose-deaths.html>

RECOMMENDED READINGS AND RESOURCES

Materials from Fair and Justice Prosecution

- **Promising Practices in Prosecutor-Lead Diversion (2017):** <https://fairandjustprosecution.org/wp-content/uploads/2017/09/FJPBrief.Diversion.9.26.pdf>
- **Harm Reduction Responses to Drug Use (2019):** https://fairandjustprosecution.org/wp-content/uploads/2019/08/FJP_Brief_HarmReduction.pdf

Materials about Law Enforcement Assisted Diversion (LEAD)

- **Program evaluation:** Susan E. Collins, Heather S. Lonczak, Seema L. Clifasefi, *Seattle's Law Enforcement Assisted Diversion (LEAD): Program Effects On Recidivism Outcomes*, 64 Evaluation and Program Planning 49-56 (2017).
- **Program impact (2017):** *Fair and Just Prosecution* Summary of LEAD Impact Studies <https://fairandjustprosecution.org/wp-content/uploads/2017/09/Summary-of-LEAD-Impact-Studies.pdf>
- **LEAD's Core Principles for Prosecutor Role (updated 4/3/2020):** https://56ec6537-6189-4c37-a275-02c6ee23efe0.filesusr.com/ugd/6f124f_d55b8906924e48b08e5e9b944b9cffb6.pdf?index=true
- **LEAD National Support Bureau website:** <https://www.leadbureau.org/>.

Center for Disease Control

- **Syringe Services Programs Factsheet (last updated 5/23/2019):** <https://www.cdc.gov/ssp/syringe-services-programs-factsheet.html>
- **CDC's Syringe Services Programs FAQ (last updated 5/23/2019):** <https://www.cdc.gov/ssp/syringe-services-programs-faq.html>

Other

- **Police Chiefs and Prosecutors Work Through Challenges To Find Common Ground (2020):** <https://www.policeforum.org/assets/PoliceProsecutors.pdf>
- **A Performance Audit of the Justice Reinvestment Initiative (2020):** https://olag.utah.gov/olag-doc/2020-08_RPT.pdf

CONTACTS

D.A.'s Offices with Non-Prosecute Policies:

Office of Kim Foxx | Cook County State's Attorney

Phone: (312) 603-1880

Email: statesattorney@cookcountyil.gov

Office of Larry Krasner | Philadelphia District Attorney

Phone: 215-686-8000

Office of Dan Satterberg | King County Prosecuting Attorney's Office

Phone: (206) 477-1200

Email: Prosecuting.Attorney@kingcounty.gov

Law Enforcement Assisted Diversion (LEAD)

Law Enforcement Assisted Diversion

Phone Number: (206) 392-0050 ext. 732

Email: info@leadbureau.org

LEAD Program and Jail Diversion Specialist for King County

Contact Name: Carolanne Sanders

Phone: (206) 477-9216

Email: Carolanne.Sanders@kingcounty.gov

Law Enforcement Action Partnership (LEAP)

Phone: (781) 393-6985

Submit a written inquiry: <https://lawenforcementactionpartnership.org/about-us/contact-us/>

Drug Enforcement and Policy Center

Contact Name: Dr. Alex Fraga

Phone: (614) 247-4585

Email: Fraga.5@osu.edu

Academy for Justice

Contact Name: Valena Beety

Phone: (773) 450-2384

Email: valena.beety@asu.edu