

JAN 19 2017

A BILL FOR AN ACT

RELATING TO LAW ENFORCEMENT.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that numerous cities
2 across the country have successfully implemented the Law
3 Enforcement Assisted Diversion (LEAD) concept. LEAD is a
4 community-based diversion approach with goals of improving
5 public safety and reducing unnecessary involvement with the
6 criminal justice system for individuals who participate in the
7 program.

8 Originating in Seattle, in 2011, LEAD is a harm-reduction
9 oriented process for responding to low-level offenses and is the
10 result of collaboration among police, prosecutors, public
11 defenders, political leaders, mental health and drug treatment
12 providers, housing providers and other service agencies, and
13 community leaders. In 2015, the University of Washington
14 conducted an evaluation of the Seattle program and found that
15 participants' odds of a subsequent arrest were fifty-eight per
16 cent lower than those of participants in a control group. In
17 addition to Seattle, LEAD has been or is being implemented in a



1 range of jurisdictions including Santa Fe, New Mexico; Albany,
2 New York; Huntington, West Virginia; Portland, Oregon;
3 Baltimore, Maryland; San Francisco, California; and Atlanta,
4 Georgia. The approach has also caught the attention of the
5 White House which hosted a National Convening on LEAD in 2015.

6 The legislature finds that improving public safety and
7 public order and reducing future criminal behavior by
8 individuals engaged in low-level offenses is a worthwhile
9 endeavor. Accordingly, the purpose of this Act is to
10 incorporate the principles of the LEAD approach into state and
11 county law enforcement practices.

12 SECTION 2. (a) Law enforcement officers, including
13 employees of county police departments, shall engage in their
14 duties in a manner consistent with the Law Enforcement Assisted
15 Diversion (LEAD) approach which includes a harm reduction
16 philosophy, non-displacement principle, and community
17 transparency and accountability.

18 (b) As an alternative to arrest of an individual engaged
19 in a low-level offense, a law enforcement officer may take or
20 refer the individual, voluntarily, to services which may include
21 case management, housing, medical care, mental health care,



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1 alcohol or substance use disorder treatment, nutritional
2 counseling and treatment, psychological counseling, employment
3 training and education, and civil legal services. A law
4 enforcement officer may make a social contact referral for an
5 individual whom he or she believes is at high risk of arrest for
6 a low-level offense in the future and expresses interest in
7 voluntarily being referred to services.

8 (c) Law enforcement agencies, including county police
9 departments, shall make personnel knowledgeable in the LEAD
10 approach.

11 SECTION 3. This Act shall take effect upon its approval.

12

INTRODUCED BY:

Kal Rhoads



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Report Title:

Law Enforcement Assisted Diversion (LEAD)

Description:

Requires law enforcement agencies, including county police departments, to make personnel knowledgeable in the Law Enforcement Assisted Diversion (LEAD) approach. Requires law enforcement officers, including county police officers, to implement the LEAD approach.

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