

















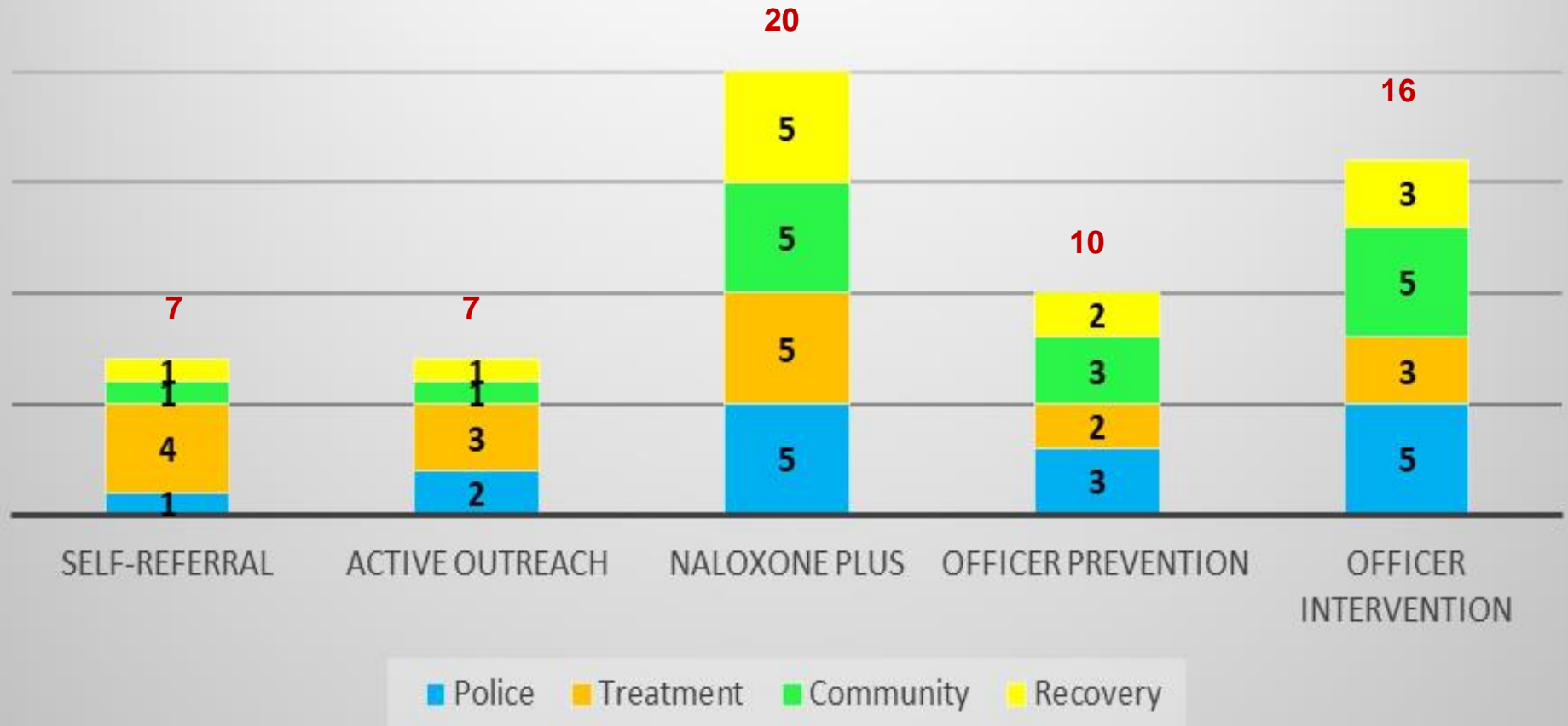




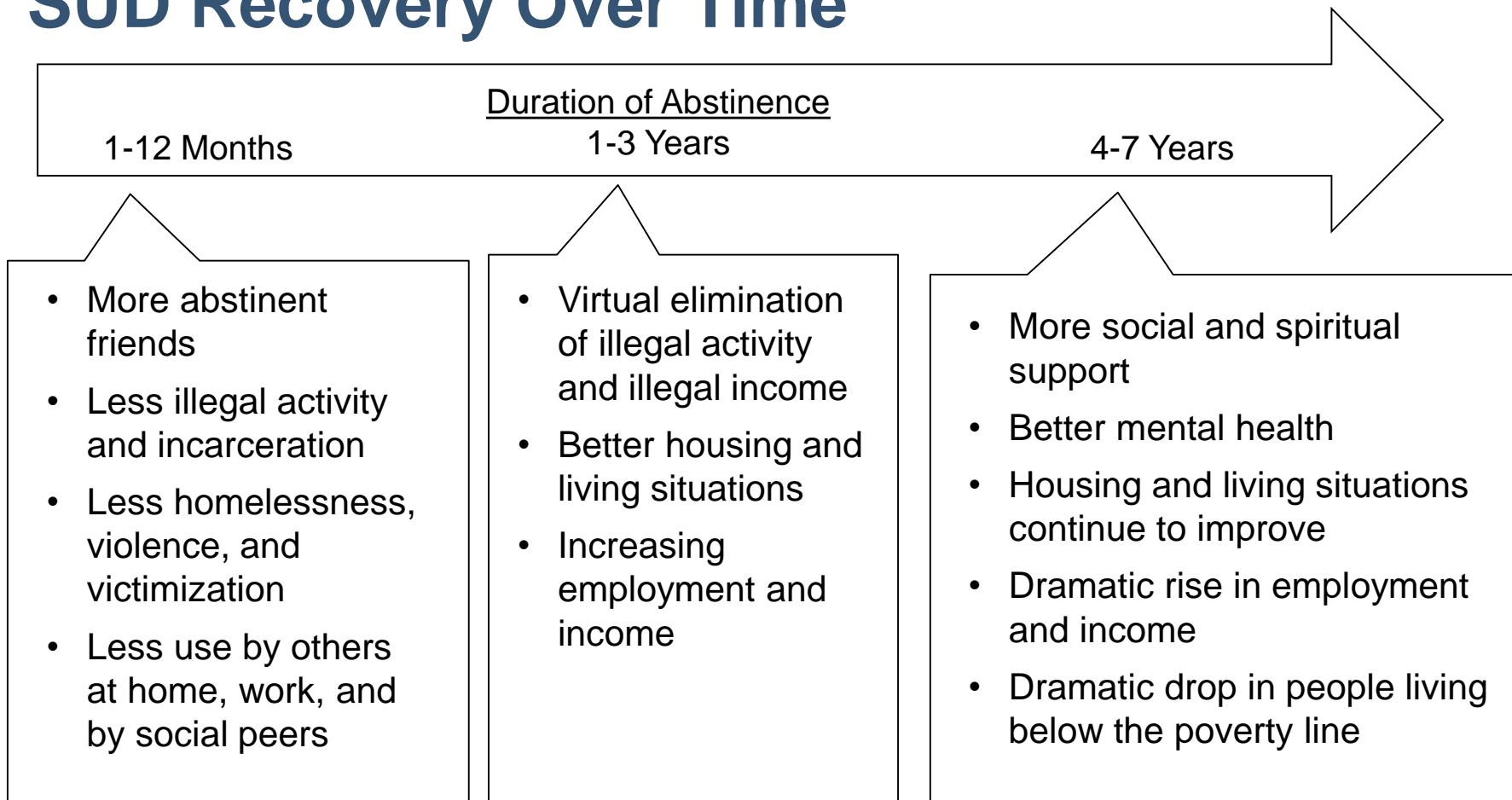




# Required Deflection Collaboration Scores by System and Pathway



# SUD Recovery Over Time



Source: Dennis, Foos & Scott, 2007



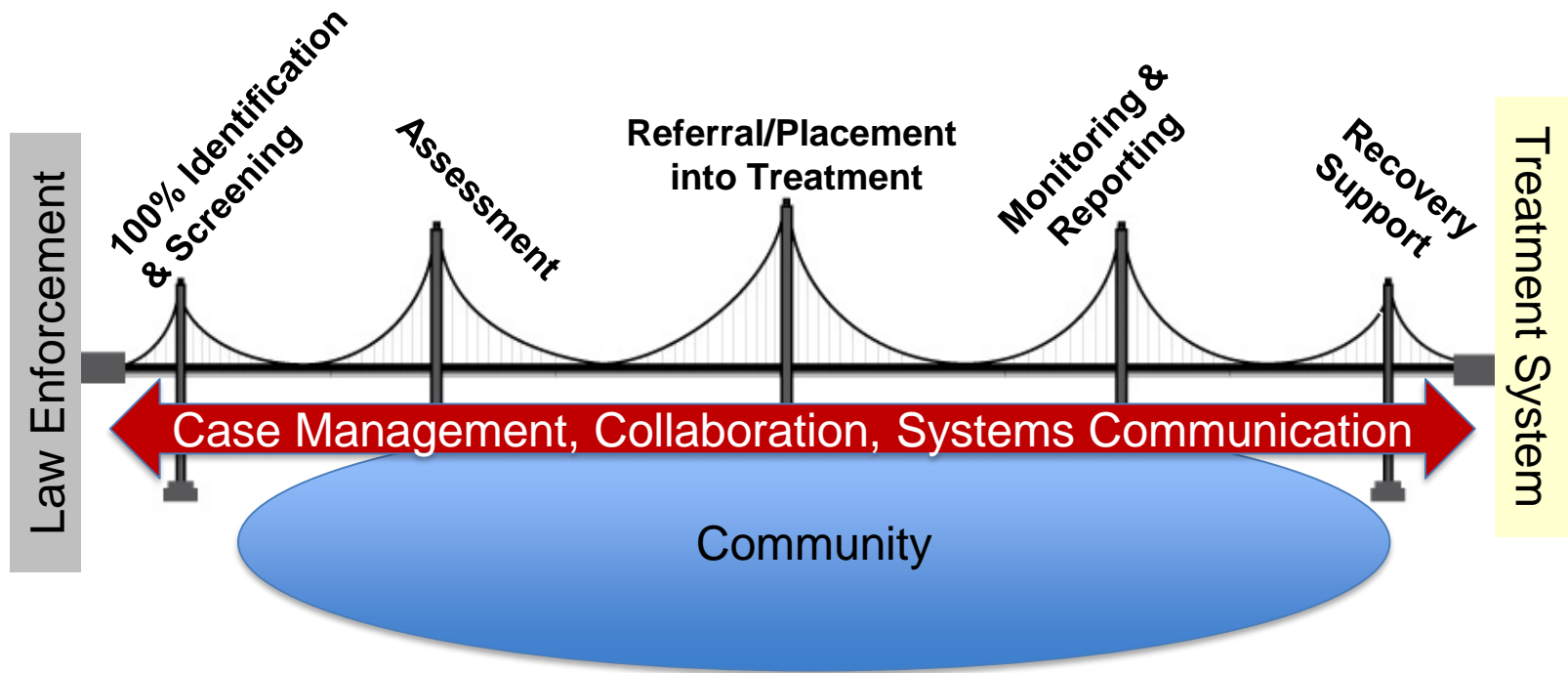
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# The Pathways to Treatment

## The TASC Model



## A Way of Connecting Different Systems



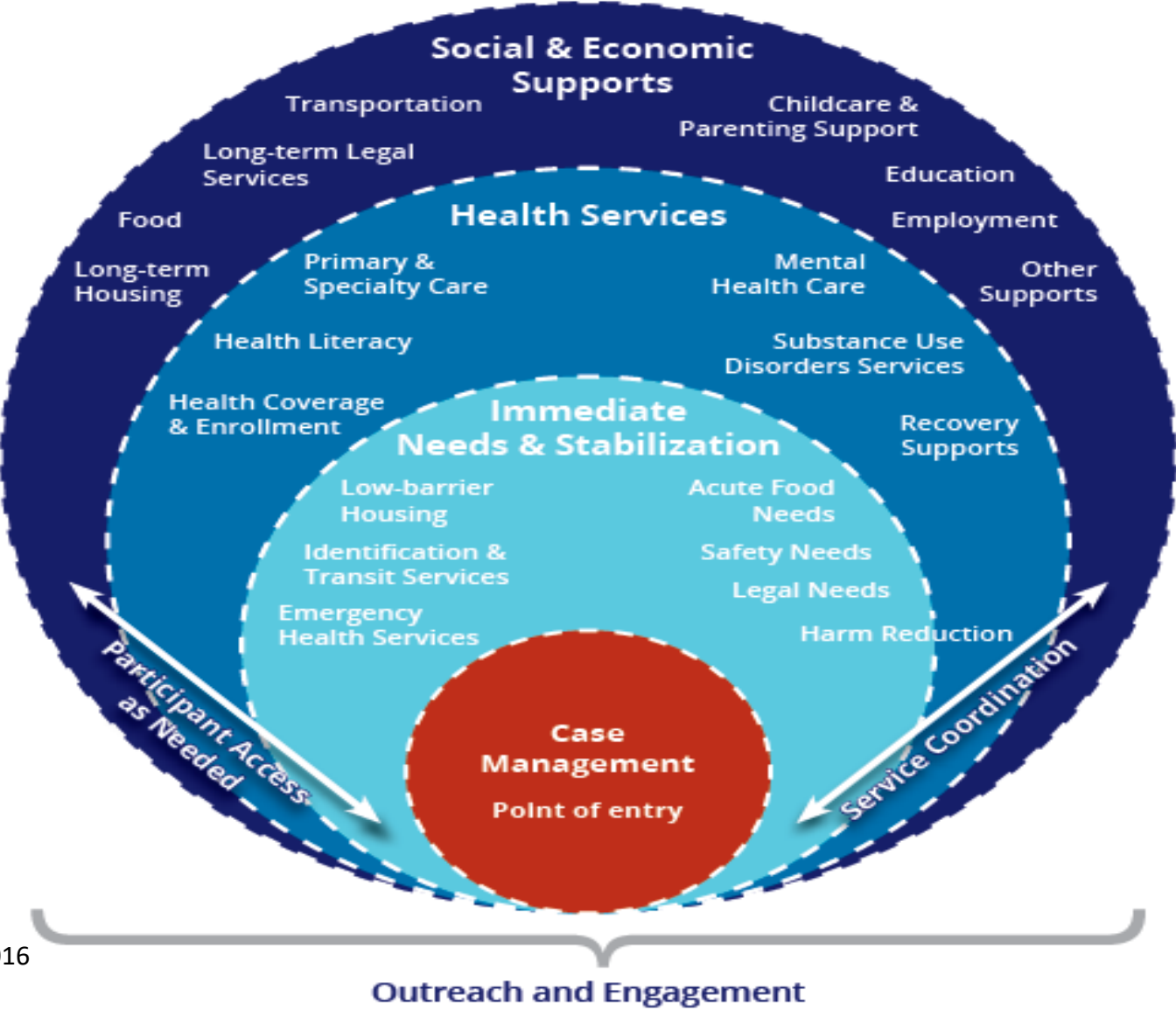
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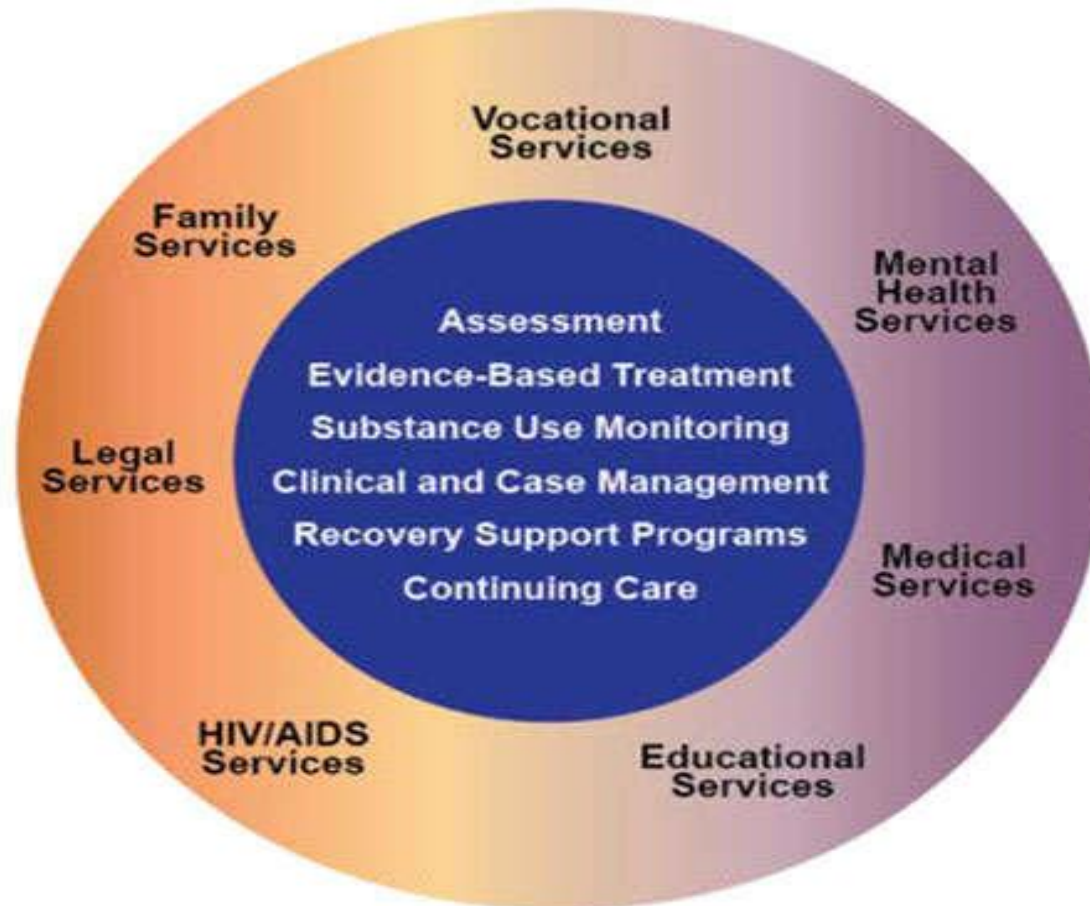
# Case Management Matters (Big!):

Most individuals entering the justice system have multiple & complex service needs



Source: Community Catalyst, 2016

# Components of Comprehensive Drug Addiction Treatment



***The best treatment programs provide a combination of therapies and other services to meet the needs of the individual patient.***

National Institute of Drug Abuse



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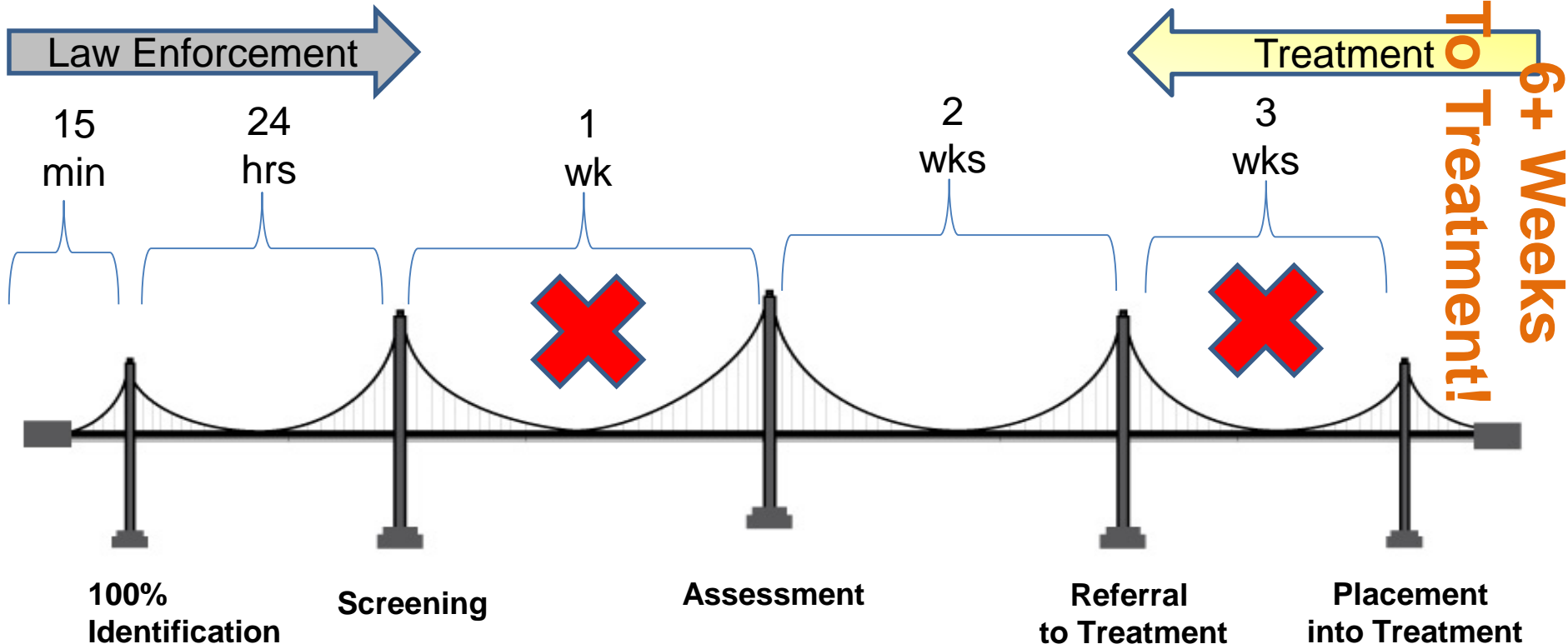
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# A “Warm Handoff”

## THE Critical Time and Place Connection for Deflection

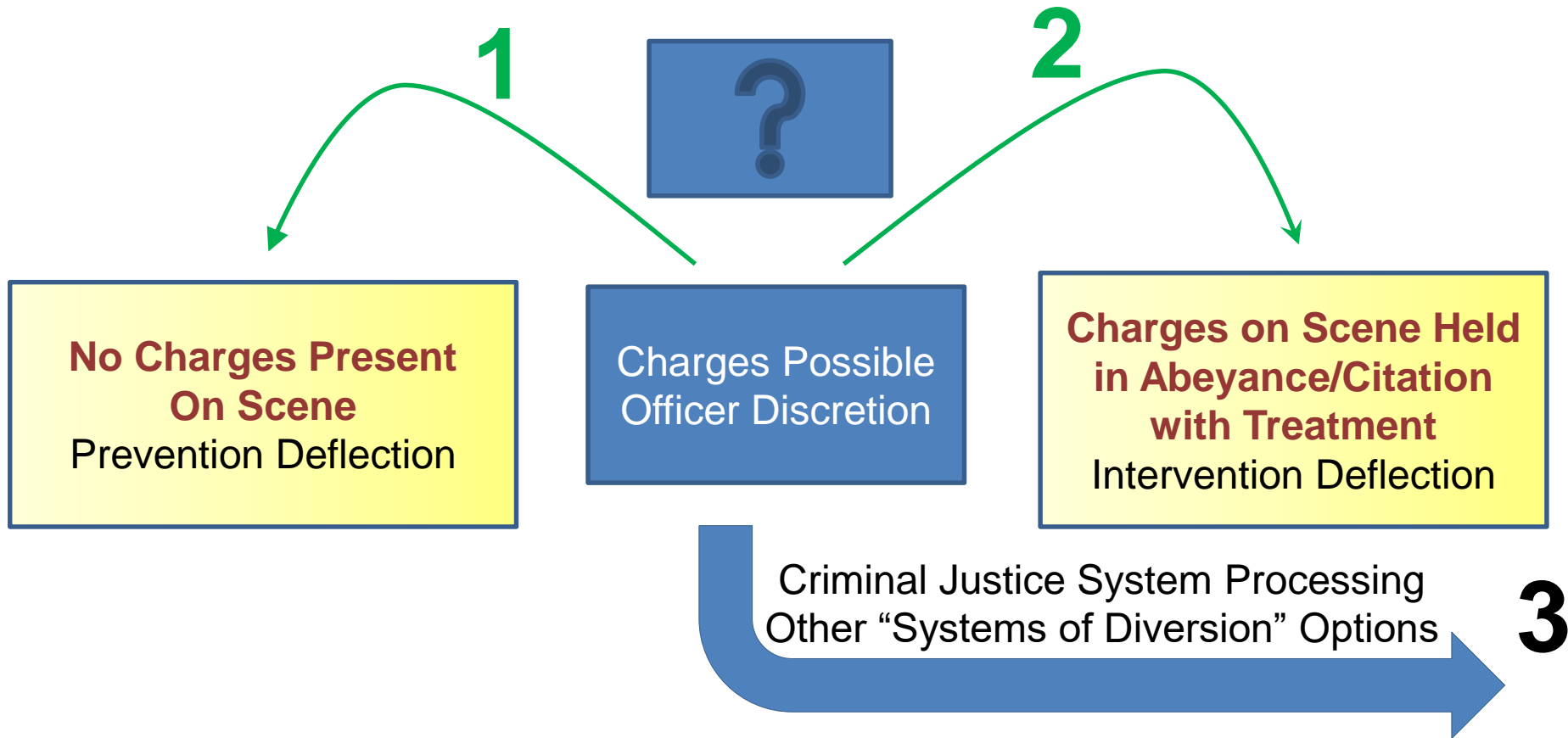


# The Importance of a Warm Handoff

- **Deflection deals with people “in the moment”** – actively using drugs, in the middle of a mental health episode, facing real challenges
- **Diversion deals with people that are generally stabilized**
- **Reduced officer processing time** – deflection takes less time on scene than an arrest allowing officers to return to duty quicker
- **Reduced officer processing effort** – deflection takes less work to process than an arrest (Intervention Deflection) and reduces repeat calls/encounters



# Deflection Decision Making Options Officer “Discretionary Middle”



# Deflection Risk-Need Decision Matrix (Officer Intervention Pathway Only)

	High Risk	Low Risk
High SA Needs (moderate – severe)	Option #3 Justice Processing	Option #2 Intervention Deflection
Low SA Needs (mild)	Option #3 Justice Processing	Option #1 Prevention Deflection



# Deflection: Part of the Solution

- **Reduced crime**
- Improved public safety (real and perceived)
- **Reduced drug use**
- Better outcomes during crisis encounters
- **Building police-community relations**
- Lives saved, lives restored
- Reduced burden on criminal justice to solve public health and social challenges – reduction in the “social burden”
- Building (more) police-public health/behavioral health relations
- Correct movement of citizens into/away from the justice system
- Cost savings
- **Keeping families intact**
- “Net-narrowing”
- **Addressing racial disparity**



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# COLLABORATIVE

*The National Voice of  
and Knowledge Leader for  
Deflection and Pre-Arrest Diversion*



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# PTACC Collaborative:

## Our Mission, Purpose, and Cornerstone

- **Mission** – To strategically enhance the quantity and quality of community behavioral health and social service options through engagement in pre-arrest diversion
- **Purpose** – To provide NATIONAL vision, leadership, advocacy, and education to facilitate the practice of pre-arrest diversion across the US
- **Cornerstone** – PTACC is open-source, open to any and all. PTACC is “non-denominational” as to which model/brand of pre-arrest diversion is appropriate for a jurisdiction; each community must determine which approach(es) solves its problem, fits the local situation, and can be addressed through current behavioral health capacity.



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# PTACC National Partners



★ C4 RECOVERY FOUNDATION  
IMPROVING TREATMENT ACCESS, QUALITY, & INTEGRITY



★ Indicates PTACC National Founding Partner



# PTACC National Partners



★ Indicates PTACC National Founding Partner



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# PTACC National Partners



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# PTACC Resources for the Field:

- **PTACC Visual 5 Pathways to Treatment** – The first visual depiction of all known deflection and pre-arrest diversion pathways
- **PTACC Core Measures of Pre-Arrest Diversion** – Recommended metrics for sites to use covering police, treatment, community, and race.
- **PTACC 11 Guiding Principles for Behavioral Health Pre-Arrest Diversion** – Currently being aligned with CARF accreditation standards.
- **PTACC Research Brief** – The first field-wide synopsis of deflection research
- **PTACC Pre-Arrest Diversion Presentations** – PAD Basics, PAD Policy, Naloxone Plus



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# Deflection Legislation



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# National Deflection Legislative Review

PRESENTATION BY LARS TRAUTMAN

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SENIOR FELLOW, THE R STREET INSTITUTE



# Legislative Trends for Diversion and Deflection

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**State of Diversion Legislation:** Over the last five years, almost 400 bills, including 234 that became law, related to diversion in some form.

**Deflection Legislation:** Only 16 bills, including 8 that became law across 6 states, had strong ties to deflection.

## **Types of Deflection Legislation:**

- ❖ Explicitly endorses deflection programs
- ❖ Funds deflection programs
- ❖ Indirectly supports deflection programs, primarily through measures that increase law enforcement discretion



# Laws Explicitly Authorizing Deflection Programs

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**Legislative intent:** Remove any ambiguity regarding the legality of deflection, provide legislative guidance for deflection programs, and formalize state support for these efforts and encourage their adoption.

## Examples

**Florida:** Communities and educational institutions are authorized to adopt a deflection program. State law provides a model program but does not specify a particular type of deflection.

**Illinois:** Authorizes law enforcement to establish deflection programs, which may include: post-overdose, self-referral, active outreach, officer prevention, or officer intervention deflection. Further requires the state to collect data on deflection programs.

**New Jersey:** Authorizes law enforcement to establish law enforcement assisted addiction and recovery self-referral programs, which will be supported and guided by the state Department of Human Services.

# Laws Related to Funding Deflection Programs

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**Legislative intent:** To directly support deflection programs, while using the power of the purse to indirectly guide these efforts.

## Examples

**Colorado:** State law mandates that some of the tax revenue from marijuana sales be used to support drug and mental health treatment programs, jail alternatives, and other diversion efforts.

- ❖ The law did not describe how this money must be allocated to particular programs; instead, grants must be established through the regular budget process.

**Maine:** A state Substance Abuse Program provides grants to municipalities and counties for projects designed to reduce substance abuse, substance abuse-related crimes and recidivism.

- ❖ This includes grants to municipal and county governments, or regional jails for diverting alleged low-level offenders into community-based treatment and support services.

# Indirect Support of Deflection Programs

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**Legislative Intent:** To indirectly support and increase the use of deflection by reducing legal barriers to these efforts.

## Examples

**Florida:** Law enforcement is authorized to issue civil citations or utilize similar deflection programs for misdemeanors.

**New Jersey:** Law enforcement is authorized to divert veterans who appear to have a mental illness in lieu of filing a criminal complaint for certain low level criminal offenses.

**West Virginia:** An individual who was the subject of emergency medical assistance for an overdose can receive Good Samaritan protections against criminal prosecution if they complete a court approved substance abuse treatment or recovery program.

# Other Legislation Helpful to Deflection

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## Substance Abuse Good Samaritan Laws

- ❖ **Purpose:** To encourage individuals to call for emergency services in the event of a suspected overdose and allow law enforcement to engage in a noncriminal response.
- ❖ **Resource:** SAMHSA report “Preventing the Consequences of Opioid Overdose: Understanding 911 Good Samaritan Laws”  
<https://www.samhsa.gov/capt/sites/default/files/resources/good-samaritan-law-tool.pdf>

## Authority to Issue a Citation in Lieu of Arrest

- ❖ **Purpose:** To provide options that de-escalate the law enforcement response and allow for noncriminal responses.
- ❖ **Resource:** National Conference of State Legislatures chart on citation in lieu of arrest: <http://www.ncsl.org/research/civil-and-criminal-justice/citation-in-lieu-of-arrest.aspx#fiftyState>

# Legislative Efforts in Support of Deflection are Ongoing

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This legislative review only provides a snapshot in time at the end of the 2018 legislative session. Often, these bills only pass after multiple attempts spread across a handful of years.

## **Examples of legislation that was introduced but did not pass:**

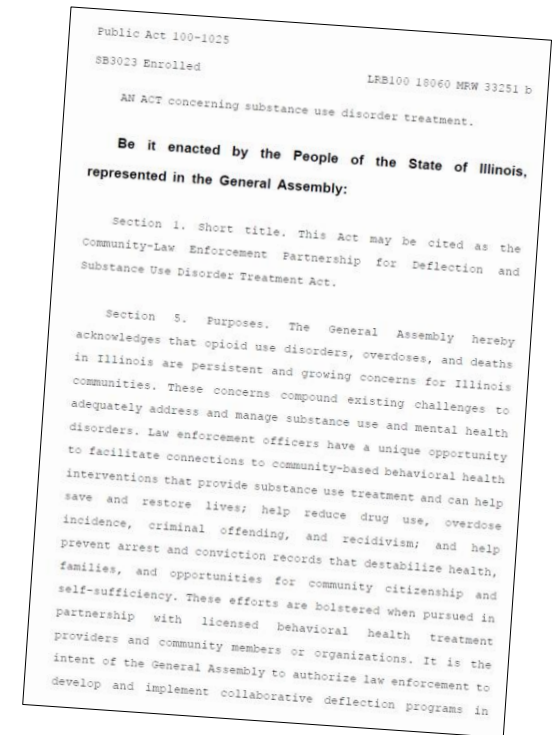
- ❖ **Hawaii (2018):** Bill would have established a deflection pilot project
- ❖ **Indiana (2018):** Bill would have established a right to pretrial diversion for individuals revived from an overdose; citation must also issue in lieu of arrest in these instances
- ❖ **Kentucky (2017/2018):** Resolution urging local police departments to establish deflection programs for nonviolent drug offenders
- ❖ **New Jersey (2018):** Bill would have created a Mental Illness Diversion Program. Another bill would have created a veterans diversion program.

# 2018 Illinois Deflection Legislation: Senate Bill 3023

- *The Community-Law Enforcement Partnership for Deflection and Substance Use Disorder Treatment Act*
- Authorizes and encourages local law enforcement leaders to create collaborative local programs that “deflect” individuals with substance use problems away from the criminal justice system into addiction treatment services
- Provides a roadmap for partnerships between law enforcement, substance use treatment providers, and community members to guide the development of deflection programs

# SB 3023: Key Provisions

- Lays out deflection program types and their key features offering guidance and a range of options to municipalities
- Ensures that program impact is measured by requiring development of minimum data to be collected and a performance measurement system
- Provides immunity from civil liabilities to law enforcement partners for program-related activities provided in good faith
- Authorizes (but does NOT require) appropriations for deflection program activities
- Does not *require* law enforcement to create deflection programs



# Senate Bill 3023: Successful Passage

- Passed state legislature with strong bi-partisan support 5/31/18
- Signed into law 8/22/18 → Public Act 100-1025
- \$500,000 appropriated for FY19 grants in the State budget
- Notice of funding opportunity announced 9/4/18
  - Applications due 10/25/18





# Senate Bill 3023: Successful Passage

- Supportive materials
  - Clear, brief, [available](#), shared
- Broad, diverse base of support
  - > 140 proponents – including law enforcement; criminal justice, healthcare, behavioral healthcare, peer, and faith-based advocates; substance use and mental health providers; public defender, etc.
- Key champions
  - Bipartisan legislative champions
  - Law enforcement as primary spokespeople
  - > 85 police departments or law enforcement association proponents
- Permissive rather than mandatory



Mundelein Police Chief Eric Guenther (R), and Dixon City Manager (former Police Chief) Danny Langloss (L), backed SB 3023 at a Senate hearing in Springfield. -Photo by D. Ormsby



# Deflection Evaluation:

*We Don't Know A Lot...*  
*But We Do Know Something*



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# Deflection Eval – PTACC 5 Key Findings

## PTACC Field-Wide Deflection/Pre-Arrest Diversion (PAD) “5 Key Findings” Research Brief: June 2019

1. PAD is a prime opportunity to divert individuals with mental health conditions (MDCs) and SUDs.
2. The majority of adults in jails require MH services and SUD treatment.



# Deflection Eval – PTACC 5 Key Findings

3. BH conditions and SUDs are predictors of repeat CJS contact and jail readmission.
4. PAD programs assess and address BH needs associated with CJS involvement.
5. Participants that engage in PAD programs have lower rates of recidivism compared to nonparticipants.

Available online: [https://ptaccollaborative.org/wp-content/uploads/2019/06/PTACC Key Research 6.9.19.pdf](https://ptaccollaborative.org/wp-content/uploads/2019/06/PTACC_Key_Research_6.9.19.pdf)



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# Deflection Evaluation

- **Self-Referral**
  - Brand: Angel
  - 95 percent adults who contact the police and are eligible for treatment receive direct placement
  - Source: <https://paariususa.org/>
- **Naloxone Plus**
  - Brand: QRT
  - 19 percent of encounters referred to treatment
  - 23 percent of encounters connected to treatment
  - Source: Firesheets, K. “QRT: When Naloxone is Not Enough.” Interact For Health.



# Deflection Evaluation

- **Officer Prevention Pathway**
  - Brand: LEAD
  - Compared to the group that was prosecuted, LEAD participants demonstrated 60 percent lower odds of arrest in the six-month period following program initiation
  - Source: [www.leadbureau.org](http://www.leadbureau.org)
- **Officer Intervention Pathway**
  - Brand: Civil Citation
  - 91 percent successfully completed the program
  - 87 percent was not arrested after participation in the program
  - Source: [www.civilcitationnetwork.com](http://www.civilcitationnetwork.com)



# Deflection Evaluation

- **Tucson PD Deflection Evaluation**
  - Brand: N/A
  - 61 percent of individuals offered deflection agreed to participate
  - 31 percent of individuals who agreed to go to treatment are currently engaged in SUD treatment
  - Source: Korchmaros, J.D. (2019) “Tucson police department deflection program: 6 month evaluation findings.” University of Arizona Southwest Institute for Research on Women. Tucson, AZ.



# Deflection Evaluation

- **Illinois Criminal Justice Information Authority (ICJIA) Study: Evaluation of a Police-Led Addiction Treatment Referral Program**
  - Brand: N/A
  - 55 percent tried, but unable to get into treatment in past
  - 87 percent were not arrested after participation in the program
  - Limitation: For many, this was their first time in treatment
  - Communities considering a program should assess availability of treatment *and* aftercare
  - Source: Reichert, J. (2019). Evaluation of a police-led addiction treatment referral program. [Powerpoint Slides]





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