

Law Enforcement Assisted Diversion: A Worthy Reform?

By Harris Rosenblum - Master of Planning candidate, Department of Urban Planning and Spatial Analysis, Price School of Public Policy, University of Southern California.

Policing as a Planning Issue

Policing as a planning issue is rarely discussed within the field. However, policing practices create indelible marks on a neighborhood's sense of place, and planning should have a role in guiding these practices towards the benefit of communities, especially communities of color who face the largest burden from policing. Los Angeles and their police department, like many cities in the US, have had a long and checkered past in dealing with communities of color. Massive events, such as the 1965 Watts Riots and the 1992 riots, exploded due to the LAPD's policing strategies, constant mistreatment of communities of color, and the resulting racial tensions that arose (Garcia, 2017). These events reshaped the physical landscape of Los Angeles and the way people viewed certain neighborhoods and communities. Los Angeles needs to emphasize new forms of collaborative and community policing, such as Law Enforcement Assisted Diversion, to counteract the negative impacts created by traditional practices and planners should have an active role in guiding this conversation.

Negative Impacts of Punitive Policing

The negative impacts of punitive policing are well documented, and many are demanding new approaches, new ways of thinking, and entirely new systems to replace the "racialized system of control over people of color," (Jobin-Leeds, 2016, p. 53). Public health researchers are beginning to link one of policing's nastier symptoms, racially based police violence, to lower health outcomes (Cooper & Fullilove, 2016). Sewell and Jefferson (2016) found that living in a neighborhood with a higher density of stop and frisk incidents is associated with experiencing more psychological distress for all residents, not just the individuals in contact with police. Gomez showed in her research that perception of police among black residents was unsurprisingly low, believing that police were present to surveil and intimidate them and that the War on Drugs was a War on Black people and neighborhoods (2016).

Observable truth grounds these perceptions shown in Gomez's research. In 2016, drug-related crimes accounted for around 82,000 federal prisoners and close to 708,000 state prisoners (Carson, 2018). Despite, "clear evidence that drug use and dealing are evenly distributed across race lines...the vast majority of people in prison for drug offenses are black or brown: over 90% in New York State," (Vitale, 2017, p. 138-139). According to the Department of Justice, in 2012, 76% of drug offenders serving time in federal prison were Black or Hispanic. In order to address the inequities within traditional policing, new collaborative approaches are needed.

A New Approach

Law Enforcement Assisted Diversion is an alternative method of policing that some cities are starting to utilize, partly in response to these growing pressures, and partly in response to concerns of overcrowded and increasing costs of the prisons, growing homelessness and drug-related deaths, and the overburdened criminal justice system (Beckett, 2014; Knafo, 2014). LEAD aims to redirect people cycling through the criminal justice system on low-level drug offenses into recovery programs rather than prison. The program has reduced arrests, incarceration, and recidivism, while simultaneously providing social services such as intensive case management and supportive housing (Beckett, 2014; Vitale, 2017). Participants that achieved housing and employment through the program were associated with 17% and 33% fewer arrests respectively (Clifasefi, Lonczak, & Collins, 2017).

LEAD should be replicated and expanded because it aims to decriminalize drug use, focuses on harm-reduction, and tries to mitigate the negative outcomes associated with the war on drugs. However, some have argued that using the police as gatekeepers limits the programs ability to provide the best service for the drug-addicted, homeless, and mentally ill (Vitale, 2017). While a valid argument, the benefits of creating a multifaceted and collaborative approach among social workers, public health officials, city officials, and police officers, stretch beyond the initial health impacts. Some of the benefits of Seattle's program were explicit, such as transforming institutional relationships and creating stronger ties between police officers, social workers, public defenders, and community members (Beckett, 2017).

Others were implicit, such as altering how police officers viewed drug addiction, rehabilitation, and the people associated with that world (Beckett, 2017).

A Step Forward

How can planners engage in the conversation around new policing strategies to create structurally safe communities? On a broad scale, planners could develop and integrate a crime and policing general plan element or community specific crime and policing plans to look at ways land use and other planning practices can improve community safety and alter police practices. This type of element would encourage planners to work with law enforcement agencies, public health practitioners, advocacy organizations, community-based organizations, and other stakeholders to identify and remedy community specific structural problems that lead to violence, crime, and over policing. Using an element focused on crime and policing could serve as a launching pad for planners to become more involved in the search for and development of new police practices that more accurately fit community need.

Los Angeles is currently piloting a LEAD program, after receiving a \$5.9 million grant in 2017. The City plans to scale up LEAD in the coming months (Long Beach Press Telegram, 2017). Planners in city government, private practice, and especially community advocacy need to be involved in LEAD's scaling up process to ensure the program grows successfully. As a planning issue, policing and mass incarceration traumatically reshape our cities, communities, and spaces and impacts the health of individuals and neighborhoods. Methods such as LEAD provide critical opportunities to challenge and change policing. Los Angeles is making the right call to prioritize, encourage, and expand this new approach in order to shift the way that policing works, towards reducing harm to communities, not causing it.

References:

- Beckett, K. (2014, March 21). *Seattle's Law Enforcement Assisted Diversion Program: Lessons Learned from the First Two Years*. Retrieved from http://clerk.seattle.gov/public/meetingrecords/2014/pscrt20140402_1d.pdf
- Carson, A.E. (2018, January). *Prisoners In 2016*. Washington, DC: US Dept of Justice Bureau of Justice Statistics.
- Clifasefi, S., Lonczak, H., & Collins, S. (2017). Seattle's Law Enforcement Assisted Diversion (LEAD) Program. *Crime & Delinquency*, 63(4), 429-445.
- Cooper, H., & Fullilove, L. (2016). Editorial: Excessive Police Violence as a Public Health Issue. *Journal of Urban Health*, 93(Supplement 1), 1-7.
- Garcia, R. (2017, January 01). Riots and Rebellions: Los Angeles Police Reform Time Line 1965-2012. Retrieved from <https://www.kcet.org/history-society/riots-and-rebellions-los-angeles-police-reform-time-line-1965-2012>
- Gomez, M. (2016). Policing, Community Fragmentation, and Public Health: Observations from Baltimore. *Journal of Urban Health*, 93(Supplement 1), 154-167.
- Jobin-Leeds, G. (2016). *When We Fight We Win: Twenty-First-Century Social Movements and the Activists that are Transforming our World*. New York, NY: The New Press
- Knafo, S. (2014, August 28). Change of Habit: How Seattle Cops Fought An Addiction to Locking Up Drug Users. *Huffington Post*. Retrieved from https://www.huffingtonpost.com/2014/08/28/seattle-lead-program_n_5697660.html
- Long Beach Press Telegram. (2017, August 26). Get help or go to jail? Some criminals in the Long Beach area will soon have a choice. *Press Telegram*. Retrieved from <https://www.presstelegram.com/2017/08/26/get-help-or-go-to-jail-some-criminals-in-the-long-beach-area-will-soon-have-a-choice/>
- Sewell, A., Jefferson, K., & Lee, H. (2016). Living under surveillance: Gender, psychological distress, and stop-question-and-frisk policing in New York City. *Social Science and Medicine*, 159, 1.
- United States Department of Justice. (2015). *Drug Offenders in Federal Prison: Estimates of Characteristics Based on Linked Data*. Available from <https://www.bjs.gov/content/pub/pdf/dofp12.pdf>
- Vitale, A. (2017). *The End of Policing*. Brooklyn, NY: Verso