



# **USING FRONT END INTERVENTIONS TO ACHIEVE PUBLIC SAFETY AND HEALTHY COMMUNITIES:**

## **CHALLENGES AND OPPORTUNITIES FOR ADVANCEMENT**

**A Report on the National Symposium  
on Front-End Interventions**



# **Using Front-End Interventions to Achieve Public Safety and Healthy Communities: Challenges and Opportunities for Advancement**

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**DEFINITION:**

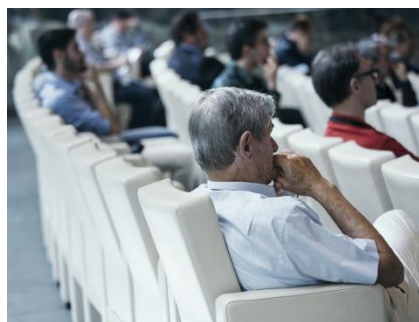
# FRONT-END INTERVENTIONS

Strategies outside of traditional arrest and case processing that have as goals reducing future crime, addressing behavioral health or substance abuse issues earlier in the process, encouraging the efficient use of criminal justice resources.



# Background

From overcrowded jails, to delays in case processing, to high recidivism rates, criminal justice professionals are working to address many challenges. Over the past few decades, and on the heels of numerous criminal justice reform efforts,<sup>1</sup> justice officials have sought ways to address these and other persistent challenges by focusing change efforts at decision points or intercepts at the front of the justice continuum, such as at arrest, pretrial release or detention decision-making, case screening/charging, and adjudication. The reasons for designing such “front-end interventions” are wide-ranging and contingent on local circumstances, but they often focus on addressing a particular problem and their implementation requires deliberate partnerships among stakeholders. Nationally, some common drivers for the increase in front-end interventions include: a growing understanding of the system’s inadvertent consequences for individuals and their families; increased costs to federal, state, and local governments to process and incapacitate large numbers of individuals; and increasing support among justice professionals for the use of alternatives to arrest, detainment, conviction, sentencing, or post-sentence incarceration. As an example, the growth of many diversion programs<sup>2</sup> nationally has occurred as a response to the high proportions of justice-involved individuals with mental illness or substance use problems (and the associated costs of justice stakeholders addressing what are truly public health problems), the change in public opinion about drug policies, the adoption of harm reduction models, and a growing research base illustrating the effectiveness of behavioral health treatment and interventions.



## Symposium Introduction

To continue the national conversation on front-end interventions, the National Institute of Corrections (NIC), the National Association of Pretrial Services Agencies (NAPSA), and the Center for Effective Public Policy (the Center) convened the National Symposium on Front-End Interventions on May 31 and June 1, 2017.

The event built upon previous collaborative efforts by these partners to provide technical assistance, training, and resources to the field to expand best and evidence-based practices at the pretrial stage and to promote public safety. Previous efforts included the provision of technical assistance to local jurisdictions participating in NIC’s Evidence Based Decision-Making (EBDM) initiative<sup>3</sup> and the

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<sup>1</sup> These include, but are not limited to, bail reform, efforts to address the behavioral health needs of justice-involved individuals, reentry/transition from incarceration initiatives, justice reinvestment efforts, and initiatives to support collaborative, evidence-based decision making.

<sup>2</sup> For more information on diversion programs operating across the country, see Center for Health & Justice at TASC, 2013a, 2013b.

<sup>3</sup> EBDM is a systemwide initiative—from pre-arrest through final disposition and discharge—that is testing a framework for state and local justice systems to improve system outcomes through collaborative partnerships,

Interventions at the pretrial stage have evolved to encompass a continuum of alternatives to traditional arrest and case processing, applied at multiple decision points by different stakeholders, for distinct purposes.

conducting of a National Symposium on Pretrial Diversion<sup>4</sup> in May 2012, which focused on prosecutorial diversion and judicial interventions, such as problem-solving courts. All three entities are dedicated to partnering with criminal justice professionals and support evidence-based justice practices to more clearly define and advance the use of interventions at the front of the justice system to achieve public safety, reduce recidivism, and increase the health of individuals and communities.

In the 5 years since the 2012 symposium, the field has witnessed a significant increase in the adoption and development of front-end interventions across the country. These interventions are occurring at various decision points across the justice continuum, from initial contact with law enforcement to adjudication. This continuum includes not only traditional alternatives to case processing overseen by prosecutors (e.g., diversion and deferred prosecution) but also innovations advanced by law enforcement and the expansion of judicial options beyond the problem-solving and specialty court models. They are implemented with various purposes, such as to address first-time offenders, assist individuals with substance abuse (including opioid addiction) and/or mental health problems who end up in the justice system, or address homelessness among justice populations.

While the design and implementation of these various justice interventions may be informed by local data and/or research findings from related fields of study (e.g., post-conviction EBPs, behavioral health research), the research base on the effectiveness of these specific types of justice alternatives is still being developed. While some programs have been formally evaluated,<sup>5</sup> more have not been evaluated, and many are challenged to collect data on recidivism outcomes.<sup>6</sup> With the exception of drug courts,<sup>7</sup> front-end interventions as a whole have not been subjected to rigorous experimental or quasi-experimental research designs or meta-analyses.<sup>8</sup>

Before the field can determine the effectiveness of these alternatives to traditional justice case processing, justice professionals must address the challenge of defining, under the same umbrella,

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systemic use of research, and a shared vision of desired outcomes. See <https://info.nicic.gov/ebdm/> for more information on the EBDM initiative.

<sup>4</sup> The National Symposium on Pretrial Diversion: Strengthening the Evidence-Based Framework was held May 30–31, 2012, in Washington, DC. NIC and NAPSA conducted the 2012 symposium with a goal to “strengthen the evidence-based framework” by educating practitioners and policymakers about effective diversion programs and making such initiatives standard to all high-functioning criminal justice systems. During the symposium, nationally recognized experts defined the state of diversionary interventions, highlighted trends and best and promising practices, presented case studies, and facilitated discussions on the future of diversion.

<sup>5</sup> Examples include LEAD (see Clifasefi & Collins, 2016, and Clifasefi, Lonczak, & Collins, 2016), D.C. Community Court (see Westat, 2012), and drug courts.

<sup>6</sup> Camilletti, 2010; NAPSA, 2010.

<sup>7</sup> See Mitchell, Wilson, Eggers, & MacKenzie, 2012.

<sup>8</sup> For additional discussion of the research on CIT, pretrial diversion programs, and problem-solving courts, see Center for Health & Justice at TASC, 2013a.



the diverse “front-end” initiatives conducted by various actors across the justice system decision points. Key questions for the field to consider include:

- What are the goals to be achieved by these interventions?
- How are intervention efforts best applied and by whom?
- Which individuals should be targeted?
- What outcomes can be expected from the implementation of successful front-end interventions?

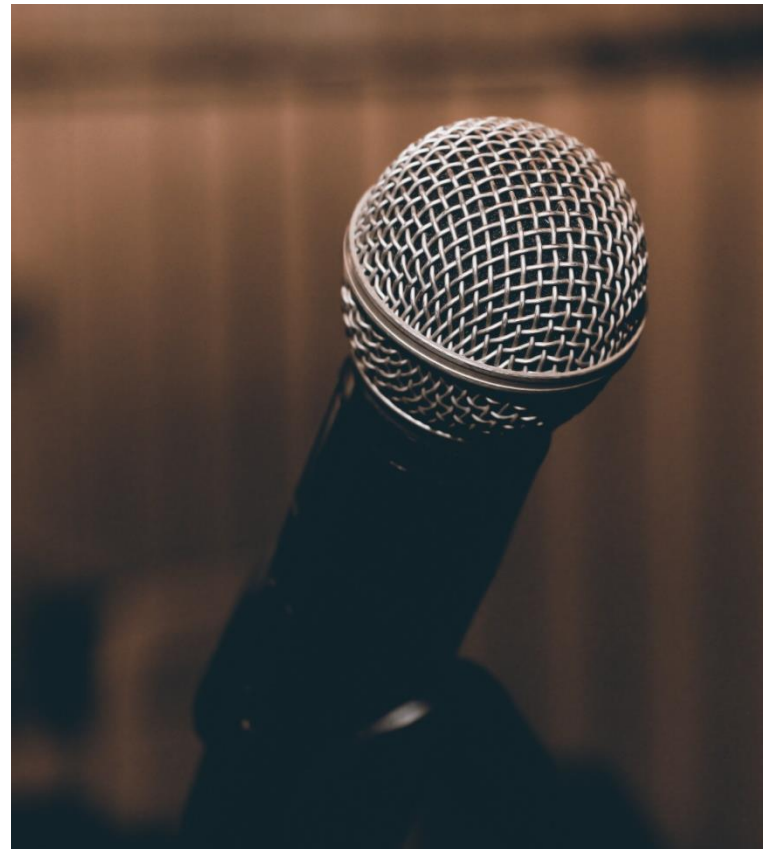
This symposium represented an initial step toward answering these questions. By more clearly defining the objectives and components of front-end interventions, the field would be better poised to begin standardizing outcome measures (e.g., public safety, public health, cost) and identifying more clearly the impact of these initiatives.

## Purpose and Goals

A key objective of the 2017 symposium was to introduce the concept of front-end interventions as a variety of activities occurring at the pretrial stage to respond to crime, other than traditional arrest and case processing.

Specifically, the goals of the symposium included:

- defining the concept of front-end interventions and the many forms they take in America’s justice systems, specifically across the decision points of initial contact with law enforcement, case screening/charging, and pre-adjudication
- highlighting the development of best and promising intervention practices across these decision points
- providing a forum for symposium participants to discuss the various challenges and barriers to implementing effective front-end interventions, and to identify strategies to support the expanded use of these interventions locally and across America’s justice systems.



## Symposium Attendees

NIC and NAPSAs engaged in a deliberate process to identify and invite a wide range of individuals to attend the symposium. The objective was to convene a broad range of practitioners and policymakers to contribute to a national discussion on front-end interventions and to share their experiences and perspectives on the value of various interventions across the early justice decision points.

Invitations were extended to policymakers (i.e., those responsible for outlining procedures and the scope of these interventions through legislation and funding decisions), directors of national professional associations, and representatives from government agencies and other public and private organizations with interest or experience in implementing or expanding alternative interventions.

In addition, approximately half of the attendees represented state and local jurisdictions from Indiana, Wisconsin, and Virginia that are participating in the EBDM initiative. Of the 20 local EBDM policy teams represented at the symposium, more than half (13) are implementing, or are planning to implement, diversion or other front-end interventions as part of their jurisdiction's larger strategy for building EBDM justice systems: systems that are collaborative, efficient, strategic, and informed by research.

Finally, individuals identified as subject matter experts or practitioners (both within and outside of the EBDM jurisdictions) with experience implementing promising interventions were asked to serve in a faculty role and to conduct plenary presentations or moderate panels for one of the various symposium workshops.

In the end, more than 100 individuals attended the event, including those representing local, state, and federal agencies, as well as various stakeholder groups: law enforcement, prosecutors, defense counsel, judges, court personnel, pretrial service providers, treatment professionals, justice coordinators, professional association representatives, and federal agency representatives.<sup>9</sup>



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<sup>9</sup> See Appendix B for a complete list of attendees.

# Symposium Agenda

The symposium's agenda<sup>10</sup> was developed to highlight best and promising<sup>11</sup> front-end intervention efforts at three distinct stages: initial contact with law enforcement, prosecutorial case screening and charging, and case adjudication and sentencing. During the sessions, participants learned about various state and local efforts to implement interventions across the country.<sup>12</sup> Workshop participants also shared their experiences implementing these strategies in their own jurisdictions.

A significant component of the symposium agenda provided opportunities for small group sessions during which participants engaged in discussions on the challenges or barriers to implementation and strategies for encouraging the development or adoption of front-end interventions—both locally and nationally.

- A group of national representatives (i.e., policymakers, professional association representatives, and practitioners with operational programs) met to develop a set of recommendations for building support among the field and advancing the use of front-end interventions across the country.
- Representatives from the EBDM initiative met within stakeholder groups to discuss discipline-specific challenges and opportunities. They also met with others from their respective states to discuss various stakeholder perspectives on front-end interventions, as well as state-specific challenges to implementation, and to identify next steps for moving forward intervention efforts in their state and local jurisdictions.



<sup>10</sup> The full agenda is provided in Appendix A.

<sup>11</sup> We refrain from using the term “evidence-based” to describe front-end interventions given the lack of empirical research on these programs as a whole and the fact that many individual programs are currently collecting process/outcome data and/or have not undergone formal program evaluations.

<sup>12</sup> See the section *Illustrations of Front-End Interventions from Across the Country* for more information on the initiatives highlighted at the symposium.

## An Overview of Front-End Interventions Across Early Justice Decision Points

On the first day of the symposium, participants were welcomed by Holly Busby, Chief of the Community Services Division at the National Institute of Corrections, and Penny Stinson, President of the National Association of Pretrial Services Agencies. NIC and NAPSA both indicated their full support of exploring the use of front-end interventions as a strategy to create safer communities and more effective and efficient criminal justice systems. Both organizations have historically partnered to promote and expand the use of evidence-based practices within the pretrial justice field. This symposium was intended to introduce the use of front-end interventions to a larger criminal justice audience and to incorporate these interventions into the field's larger objective of building a knowledge base and applying best and promising strategies to promote public safety.<sup>13</sup>

Spurgeon Kennedy, Vice-President of NAPSA, and Pamela Rodriquez, President of TASC, Inc. (Treatment Alternatives for Safe Communities) set the context for participants to consider the use of front-end interventions. They provided an overview of the types of efforts underway across the country and offered a preliminary framework for thinking about front-end interventions. The following definition was offered as a starting place: *Front-end interventions are strategies outside of traditional arrest and case processing that have as goals reducing future crime, addressing behavioral health or substance abuse issues earlier in the process, or encouraging efficient use of criminal justice resources.* These interventions may be:

- based on risk and needs assessments and be tailored to individual defendants to reduce the likelihood of future arrests
- substance use disorder and behavioral health strategies implemented earlier in the law enforcement contact and adjudication phases
- quick, meaningful, and timely responses to nonviolent defendant criminal behavior to conserve criminal justice resources or redirect resources to defendants accused of more serious crimes or who are considered higher risk.

Front-end interventions are typically initiated to solve a particular problem, can be applied at multiple decision points (from contact with law enforcement to adjudication), require collaboration between multiple stakeholders for successful operation, and place greater emphasis on the collection of data and on the measurement and evaluation of their impacts. The following graphic illustrates potential

"Front-end interventions are the better, less expensive approach to achieve public safety and better justice outcomes. This approach includes a system of alternatives to traditional adjudication for nonviolent individuals grounded in best and promising practices, and... frees up court and corrections resources for the prosecution and punishment of the most serious defendants and offenders."

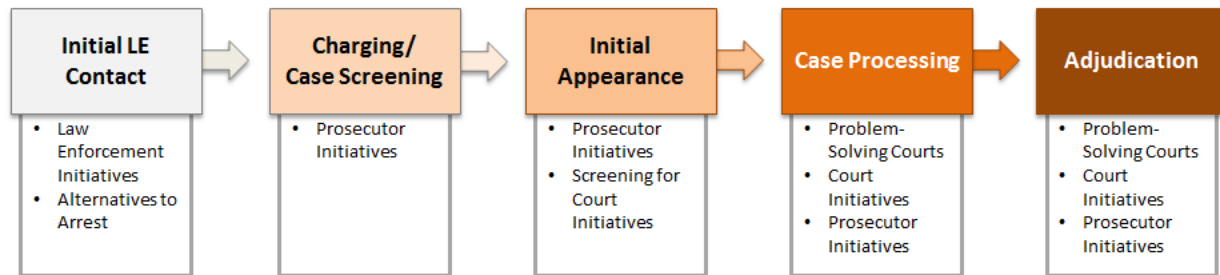
HOLLY BUSBY, CHIEF,  
COMMUNITY SERVICES DIVISION,  
NATIONAL INSTITUTE OF CORRECTIONS

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<sup>13</sup> Holly Busby and Penny Stinson's full remarks are provided in Appendix C.

decision points and examples of stakeholders who might initiate front-end interventions at each point:

## Intervention Decision Points



Informed by results from two recent TASC surveys,<sup>14</sup> Pamela Rodriguez provided an overview of diversion programs in Illinois and nationally at the law enforcement, prosecution/pretrial, and court phases. Common themes emerging from these surveys included the following:

- Most diversion programs surveyed limited eligibility based on offense or criminal history and were only available to first-time offenders.
- Programs were funded by a variety of mechanisms including local budgets and participant fees.
- Community-based services provided to program participants were rarely confirmed as being evidence-based.
- There were no standard definitions, language, or key outcome measures used across programs, making it difficult to make comparisons.

Some key recommendations offered to strengthen the evidence base of diversion programs included:

- incorporating research findings and evidence-based practices into diversion programs (i.e., utilizing a validated risk/needs assessment)
- targeting individuals who are known to benefit most from programming (i.e., medium and high-risk individuals) and using programs (including substance use and mental health services) that are known to achieve the greatest impact
- adopting standardized program goals, outcome and performance measures, and terminology
- adopting standardized data collection and analysis models and mechanisms.

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<sup>14</sup> Center for Health & Justice at TASC, 2013a; 2013b; 2017a.



## Key Considerations of Front-End Interventions Across the Decision Points

While front end-interventions can be applied across the justice continuum, there are special concerns for implementation at different decision points. At the symposium, representatives of professional organizations across the country provided attendees with some key considerations and resources on diversion, such as those below.

### **Initial Contact with Law Enforcement (Chief Don De Lucca, International Association of Chiefs of Police [IACP])**

- One of the earliest examples of prearrest diversion is the practice of citation in lieu of arrest. Dating back some 40 years, this practice is now firmly in place in 87% of all U.S. law enforcement agencies, with 80% of those agencies having the program in place for over a decade. A recent evaluation by IACP and the Arnold Foundation<sup>15</sup> describes a number of benefits: increased officer efficiency, enhanced community-police relations, increased officer and public safety, reduced justice system costs, reduced jail crowding, and diminished burden on low-level offenders.
- There has been a dearth of research on, and evaluation of the impact of, citation in lieu of arrest efforts. For current diversion efforts, it is important to determine how to best measure success, implement these strategies, and align police culture so that it is conducive to a transparent measurement process.
- According to IACP, a number of objectives must be met for a diversion effort to be successful: officer safety, community safety, safety of the individual being diverted, cost-effectiveness of the action, long-term stability (recidivism reduction), and support of the community (i.e., officers, suspects, victims, neighbors).
- The Police, Treatment and Community (PTAC)<sup>16</sup> Collaborative, launched in April 2017, is a national alliance of practitioners in criminal justice, behavioral health, research, advocacy, and public policy who are committed to providing national vision, leadership, voice, and action on prearrest diversion initiatives, and to enhancing behavioral health capacity through partnerships with law enforcement.
- Consistent with diversion efforts, IACP started the One Mind Campaign to encourage successful interactions between police officers and persons affected by mental illness. It asks police agencies to take critical steps to engage successfully with persons affected by mental illness, including partnering with mental health professionals, putting a policy in place for police response, training all sworn staff on Mental Health First Aid (MHFA), and training a portion of sworn staff on crisis intervention teams (CIT).

### **Case Screening and Charging (David LaBahn, Association of Prosecuting Attorneys)**

- The Association of Prosecuting Attorneys developed the Prosecutor-Led Diversion initiative<sup>17</sup> to assist prosecutors around the country to plan, implement, sustain, enhance, and evaluate drug

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<sup>15</sup> International Association of Chiefs of Police, 2016.

<sup>16</sup> International Association of Chiefs of Police, 2017.

<sup>17</sup> See <http://www.apainc.org/prosecutor-led-diversion/>.

treatment, mental health, and human trafficking pretrial diversion programs within their jurisdictions.

- Goals for successful prosecutor-led diversion programs include: saving resources by diverting eligible individuals and expediting case resolution, avoiding incarceration costs where applicable; allowing people to avoid collateral consequences of conviction; providing a “second chance”; reducing contact with higher risk individuals during incarceration; and achieving restorative justice.
- In the prosecutor-led diversion model, the prosecutor is primarily responsible for determining eligibility standards for the program, whether an offer is made in a given case, diversion program conditions, and whether an individual has successfully completed the program.
- Prosecutors must take a lead role in developing programs to respond to individuals with mental illness and substance abuse and to limit their unnecessary criminal justice involvement. Prosecutors must work to ensure that treatment is easily accessible and meets the need level of the community.
- Performance measures and ongoing oversight of programs are critical; they should be driven by clear criteria and benchmarks. Success should be defined by recidivism reduction.

### ***Case Adjudication and Sentencing (Vanessa Price, National Drug Court Institute [NDCI])***

- The National Drug Court Institute<sup>18</sup> is a division of the National Association of Drug Court Professionals (NADCP) which provides training and resources to drug courts across the nation to support treatment of justice-involved individuals with substance use and mental health disorders. NDCI training is grounded in the drug court model’s ten “key components”<sup>19</sup> and is geared to helping practitioners implement the latest drug court standards.<sup>20</sup>
- In recent years, in response to the opioid crisis, there has been an increased need for information on Medication Assisted Treatment (MAT). NADCP now offers an online training on best practices related to MAT<sup>21</sup> as well as training and a fact sheet on Naloxone.<sup>22</sup>
- A key concern noted was the need for drug courts to ultimately serve the segments of the population that are most often arrested and for equal access to these interventions.

## **Illustrations of Front-End Intervention Efforts from Across the Country**

A key discussion point among symposium participants was the acknowledgement that front-end interventions, as a whole, have not been empirically tested to date; the collection of outcome data is only in the beginning stages. More fully understanding the impact of these initiatives is critical to identifying them as “evidence-based practices.” Still, jurisdictions across the country are developing innovative and alternative responses to crime, oftentimes as part of larger efforts to learn about “what works” to address crime and improve their systems.

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<sup>18</sup> <https://www.ndci.org/>

<sup>19</sup> National Association of Drug Court Professionals Drug Court Standards Committee, 1997.

<sup>20</sup> National Association of Drug Court Professionals, 2013a, 2013b.

<sup>21</sup> <https://www.ndci.org/resources/training/medication-assisted-treatment/>

<sup>22</sup> <https://www.ndci.org/resources/training/e-learning/naloxonetraining/>



*A key discussion point among symposium participants was the acknowledgement that front-end interventions, as a whole, have not been empirically tested to date.*

*More testing and data collection are needed.*



# Overview of Front-End Interventions Highlighted at the Symposium



## Initial Contact with Law Enforcement

### INTERVENTION/PROGRAM:

Law Enforcement Assisted Diversion (LEAD) in Santa Fe, New Mexico<sup>23</sup>

#### Oversight

LEAD's Policy Coordinating Group includes law enforcement, district attorneys, public defenders, city and county community service departments, Drug Policy Alliance, and community members

#### Program Description and Goals

Law enforcement officers redirect persons suspected of nonviolent low-level crimes, such as shoplifting, minor theft, and/or drug possession, to community-based services instead of jail and prosecution.

#### Goals:

- Improve public safety, reduce crime, and reduce the harm to the individual and the community
- Reduce the costs incurred by the justice and public health systems to address drug use
- Reduce the stigma related to drug use

#### Key Practices

- Utilize an intensive case management approach to drug use (including bi-weekly staffing meetings of all stakeholders)
- Connect low-level drug offenders to support services instead of jail
- Do not penalize or deny services to participants if they do not achieve

<sup>23</sup> An outcome evaluation of the program is underway; results are anticipated in 2018. See <https://www.lead-santafe.org/>.



#### INTERVENTION/PROGRAM:

### Mental Health Awareness Flag in Janesville, Indiana

<b>Oversight</b>	Janesville Police Department, Indiana
<b>Program Description and Goals</b>	<p>Officers on the street are alerted when an individual they are responding to has a history of mental illness.</p> <p><b>Goals:</b></p> <ul style="list-style-type: none"><li>• Less use of force</li><li>• Fewer days in hospital</li><li>• Reduced calls for service</li><li>• Better patient care</li><li>• Less use of criminal justice system resources</li></ul>
<b>Key Practices</b>	<ul style="list-style-type: none"><li>• Provides an alert or flag, as well as a crisis plan, on the call for service screen so that officers have the necessary information to keep them and the individuals in crisis safe</li><li>• Crisis plans are collaboratively developed by police and mental health providers, with consent from the individual</li></ul>

#### INTERVENTION/PROGRAM:

### Jail Diversion in Bexar County, Texas<sup>24</sup>

<b>Oversight</b>	Diversion efforts are collaborative and include an array of stakeholders, such as city, county, and state government officials; law enforcement; criminal/civil courts; prosecutors and public defenders; mental health service providers; hospitals; and advocacy programs
<b>Program Description and Goals</b>	<p>Stakeholders have been developing and expanding diversion interventions for persons with mental health and substance use disorders since the early 2000s. Efforts to date include:</p> <ul style="list-style-type: none"><li>• Prearrest diversion efforts (i.e., CIT, mobile outreach teams, MH screening)</li><li>• A 24/7 Restoration Center (e.g., detox, sobering, psychiatric, and substance abuse services) and homeless campus</li><li>• Pretrial services integrated with public defender and mental health</li><li>• Post-arrest diversion by magistrates</li></ul> <p><b>Goals:</b></p> <ul style="list-style-type: none"><li>• Reduced jail population</li><li>• Reduced recidivism</li><li>• Reduced cost</li><li>• Increased access to care</li></ul> <p>Increased public safety</p>
<b>Key Practices</b>	<ul style="list-style-type: none"><li>• Use of mental health screenings/assessments to determine eligibility</li><li>• Opportunities for diversion across the decision points</li><li>• Integrated clinical case management and pretrial case management</li></ul>

<sup>24</sup> See Evans, 2014.



- 
- Crisis care, immediate treatment, and comprehensive services provided through the Restoration Center
- 

#### **Oversight**

Eau Claire County District Attorney's Office

#### **Program Description and Goals**

Pre-charge diversion is offered to individuals receiving criminal city ordinance violations and lower-level misdemeanor offenses. Individuals who successfully complete the program avoid formal filing of citations/criminal charges.

##### **Goals:**

- Limit criminal justice involvement and reduce recidivism among low risk individuals (who tend to be self-correcting)
- Reduce the resources spent on the prosecution of low risk individuals, preserving funds for the medium and high risk

#### **Key Practices**

- Participants enter the program by referral by law enforcement or by prosecutors
- Utilize a screening tool to determine eligibility based on risk level
- Program participants must pay a fee and restitution, attend a short education session, and remain offense-free

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<sup>25</sup>See Callister & Braaten, 2016.

#### INTERVENTION/PROGRAM:

### Diversion Efforts in Baltimore City, Maryland

<b>Oversight</b>	Baltimore City State's Attorney's Office, Behavioral Health Systems Baltimore, and Baltimore Police Department
<b>Program Description and Goals</b>	<p>Stakeholders in Baltimore are working to expand diversion efforts from post-booking options to include pre-booking diversion.</p> <p><b>Goals:</b></p> <ul style="list-style-type: none"><li>• Decrease the number of jail bookings</li><li>• Provide drug treatment, mental health services, and housing</li><li>• Decriminalize possession of small amounts of marijuana</li></ul>
<b>Key Practices</b>	<ul style="list-style-type: none"><li>• Baltimore initially started a diversion program for individuals with prostitution charges, but has since expanded it to include simple possession of drugs and/or paraphernalia</li><li>• Stakeholders are also piloting a LEAD program, which is currently in its first year</li></ul>

#### INTERVENTION/PROGRAM:

### Early Intervention Programs in Milwaukee County, Wisconsin<sup>26</sup>

<b>Oversight</b>	Milwaukee County District Attorney's Office and Public Defender's Office
<b>Program Description and Goals</b>	<p>Early intervention programs in Milwaukee include a pre-charge diversion for low risk defendants and deferred prosecution for moderate to high risk defendants.</p> <p><b>Goals:</b></p> <ul style="list-style-type: none"><li>• Harm reduction</li><li>• Implementation of key research principles</li><li>• Reduced time, cost, and collateral consequences associated with traditional case processing</li></ul>
<b>Key Practices</b>	<ul style="list-style-type: none"><li>• Pretrial services screen defendants within 24 hours of booking using a risk and needs assessment, and determine eligibility for a diversion program or deferred prosecution</li><li>• Eligibility and risk/need information is shared with the District Attorney and Public Defender</li><li>• At booking, the defendant meets with a lawyer, who explains the offer of diversion or deferred</li></ul>

<sup>26</sup> For more information, see Carter, 2016.

- 
- prosecution
  - A “minimum intervention” approach (focused on accountability) is used for the low risk diversion participants
  - A risk reduction approach (focused on addressing criminogenic needs) is used for the moderate risk deferred prosecution participants
- 



#### **INTERVENTION/PROGRAM:**

### **Mental Health Docket in Prince William County, Virginia**

#### **Oversight**

Prince William General District Court

#### **Program Description and Goals**

The General District Court established a special mental health docket, called DIVERT, that allows for coordination among defense attorneys, prosecutors, pretrial services, the jail, mental health providers, and the court to better meet the needs of defendants with mental health issues.

#### **Goals:**

- Address the needs of individuals with mental illness
- Reduce jail bed usage
- Increase efficiency of case processing

#### **Key Practices**

- Any stakeholder (law enforcement, jail, pretrial staff, attorneys) who identifies a person as potentially suffering from mental health issues can request the defendant's case be removed from the regular criminal docket and placed on the DIVERT docket
- Mental health screenings are conducted within 24 hours of booking into jail

- Eligibility is not based on charge; participants receive services in the jail or in the community
- Multidisciplinary group of stakeholders meet regularly to staff cases (i.e., develop case plans and monitor the status of services)

#### INTERVENTION/PROGRAM:

### Veterans Enhanced Treatment Court in Spokane, Washington

#### Oversight

Spokane County District Court

#### Program Description and Goals

The District Court established a specialty court to serve veterans struggling with addiction, serious mental illness, and co-occurring disorders. Individuals who successfully complete the program may have their charges dismissed or reduced.

##### Goals:

- Divert veterans from conventional criminal justice processing
- Provide veterans with the tools they need to successfully reintegrate back into society

#### Key Practices

- Collaboration between justice stakeholders (judge, prosecutor, public defender, probation officer), behavioral health providers and veterans' services (Veterans Benefits Administration, veteran mentors, and veterans' family support organizations)
- Utilizes a drug court model to promote sobriety, recovery, and stability
- Veterans with misdemeanors, gross misdemeanors, and felonies, with the exception of sexual and serious violent offenses, are eligible

#### INTERVENTION/PROGRAM:

### Statewide Standards for Judicial Interventions in Wisconsin

#### Oversight

Wisconsin Association of Treatment Court Professionals (WATCP)

#### Program Description and Goals

Develop standards<sup>27</sup> for treatment courts in Wisconsin and provide training to ensure consistent understanding/application across the state.

##### Goals:

- Apply research-based standards at the state level to create uniform practices while allowing

<sup>27</sup> To read the 2014 standards, see Wisconsin Association of Treatment Court Professionals, 2014.



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courts to tailor programs to meet their local needs

- Understand state-level experience developing and delivering training
  - Demonstrate the connection between treatment court standards and data collection, performance management, and evaluation
- 



#### Key Practices

- Provide guidance around standards to local courts when planning and implementing a treatment court
  - Collaborate with multiple stakeholders when developing standards to ensure buy-in
  - Provide trainings statewide
  - Develop performance measures for courts<sup>28</sup>
  - Use a web-based database to collect data from courts across the state
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## Recommendations for Advancing Front-End Interventions Nationally

During the symposium, participants identified as “national representatives” (i.e., policymakers, professional association representatives, and practitioners with operational programs outside of the EBDM states) met to develop a set of recommendations for building support among the field and advancing the use of front-end interventions across the country. The following summarizes the recommendations discussed by this diverse group of justice professionals.

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<sup>28</sup> For more information about performance measures for adult drug and hybrid courts, see Cheesman, Broschious & Kleiman, 2016.

### **Defining Front-End Interventions:**

A key recommendation that emerged from this group’s discussion was to clearly define the concept of “front-end interventions” and develop common terminology. Key concepts or components to be included in a definition might include that front-end interventions:

- are preemptive (intended to address a problem in a proactive manner) and focus on both the health of individuals and public safety
- occur early in the justice continuum and are often designed to help individuals avoid traditional justice processing/criminal history records (i.e., arrest, conviction)
- target higher need individuals who require specific services that cannot be adequately addressed by the justice system or who demonstrate behaviors related to non-criminal conditions (mental health, substance abuse, homelessness)
- transfer “responsibility” from the justice system to the healthcare and behavioral healthcare systems, and reserve criminal justice resources for high risk populations
- address issues as part of a larger system of care (i.e., are not discrete programs).

The national group recognized the importance of emphasizing different benefits or components of the definition (e.g., public safety, healthy communities, cost savings) for different audiences (e.g., funders, localities, associations) when promoting the use of front-end interventions.

### **Determining Appropriate Target Populations:**

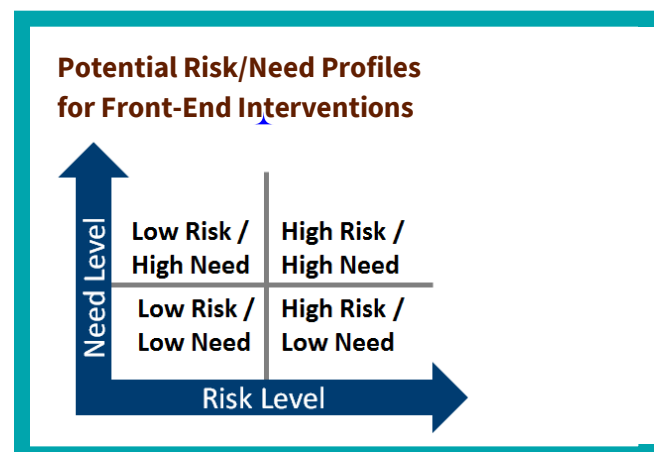
A large focus of the discussion among the national representatives was the need to identify appropriate individuals for these interventions. First, they noted that front-end interventions are often designed as solutions to specific problems facing jurisdictions, such as substance abuse, mental health, and homelessness. Therefore, the specific interventions, as well as appropriate target populations for such interventions, are ideally identified based on local data regarding criminal behavior, health needs, and so on. Participant eligibility criteria may then be established based on type of charge/criminal history, assessed level of criminogenic risk and needs, assessments of behavioral health issues, or some combination of these and other factors.

### **Determining How Risk and Need Information Should Be Utilized:**

The national group highlighted the importance of receiving clarification or guidance on how to use risk and need information to identify appropriate individuals for front-end interventions. A key confounding factor is defining whether “risk” refers to risk to reoffend (rather than risk to relapse with a behavioral health issue) and whether “need” refers to criminogenic and/or behavioral health needs.

Group members identified some examples of how risk and need may be considered. For example, an intervention intended to simply divert with no or few services might focus on low risk/low need populations, while an intervention with substance abuse or mental health treatment services might be made available to individuals with high needs in these areas.

There is an assumption that most interventions currently target low risk/low need individuals, particularly when conserving justice resources or reducing jail populations is the driving factor. Future



guidance on how to appropriately incorporate risk and need profiles (see Exhibit 2) into selection criteria for front-end interventions may look similar to guidance developed for purposes of identifying appropriate interventions for participants in drug courts.<sup>29</sup>

### **Identifying Risk Tolerance and Responding to Failures:**

Since many front-end interventions are focused on behavioral health populations, there is a level of risk tolerance or acceptance needed for when relapse and failures occur. The national group identified stakeholders' and community's level of risk tolerance/aversion as a necessary topic for discussion by local justice stakeholders. Stakeholders will need to develop unified plans for responding to program failures or critical incidents when they occur.

### **Recommendations for Federal Agencies:**

A number of recommendations were identified by the national group for consideration by NIC and other federal funding agencies to help advance the use of front-end interventions. Most importantly, practitioners look to federal agencies for guidance on front-end interventions, including identifying desired outcomes for the field. Federal agencies should set reductions in crime as an expectation and include front-end interventions as part of a crime reduction strategy. They should promote the implementation of front-end interventions at the earliest decision point possible and define the justice decision point(s) at which they are appropriate. In giving guidance, federal agencies should also recognize the differences in implementing front-end intervention strategies with rural and urban populations.

Federal agencies can also play a key role in providing a forum for practitioners from across the country to share information and practices specific to front-end intervention efforts.

It was noted that federal agencies, such as NIC, are well positioned to keep evidence-based behavioral health approaches at the forefront of national discussions on criminal justice, for example, incentivizing various stakeholders (law schools, law enforcement training, universities) to add behavioral health concepts to their curricula and requiring justice-behavioral health collaborations as a condition for funding/grants.

In addition, it was recommended that NIC and other federal justice agencies partner with federal agencies outside of the criminal justice arena who have an interest in promoting and/or funding front-end interventions (e.g., SAMHSA).

Finally, federal agencies should promote the conduct of research on front-end intervention efforts to build the national knowledge base. In doing so, they must ensure that local jurisdictions see evaluations as a way to improve services rather than as a potential way for agencies to penalize them or withdraw funding.

### **Recommendations for Professional Associations:**

National representatives discussed a number of strategies that professional associations could implement to promote the use of front-end interventions. It was suggested that professional associations develop guidance or position statements that define certain behaviors as non-criminal and requiring a non-criminal justice response (e.g., drug use, behaviors related to mental health) and that advocate for the expansion of behavioral health services for justice populations (to include the

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<sup>29</sup> See, e.g., Marlowe, 2012.

need for additional funding streams). Of particular importance is the need for professional associations to collaborate with each other to strengthen the message around front-end interventions, including coordinating education of stakeholders and co-publishing on this topic. Finally, professional associations should ensure that future guidance or standards allow local jurisdictions to have some discretion to innovate and try different strategies, as appropriate.

## **Stakeholder Perspectives on Front-End Interventions**

Symposium participants from the EBDM sites engaged in cross-state discussions with others in their stakeholder group to discuss the challenges and opportunities for implementing front-end interventions specific to their disciplines. The following summarizes the key discussion points from these stakeholder group meetings:

### **Law Enforcement**

- It is both an opportunity and a barrier for law enforcement officials to be the first line for diversion efforts. Specifically, they must make decisions with limited information and often limited resources/ways to respond.
  - A significant barrier facing law enforcement is the limited community resources/capacity to address the needs of individuals identified for diversion. In many situations, taking someone in crisis into custody seems to be the safest and most accessible option.
  - Another barrier is the absence of consistent records management across states. Officers may not see a complete criminal risk profile if they have no access to records outside of their immediate jurisdiction. They are also unable to access other type of records, such as mental health records.
- Law enforcement is first witness to the opioid crisis and mental health issues facing communities. Without partnerships, law enforcement is forced to respond to these issues through a strictly public safety lens. Two other social structures need to be involved in diversion efforts: the medical community and the behavioral health community.
- The “one-stop shop” approach similar to that implemented by Bexar County was noted as a promising model for a police–behavioral health handoff, as well as a way to reduce the amount of justice system resources responding to these cases. After the transfer, police can return to their policing duties.
- There is an opportunity to frame the discussion with front-line officers on how front-end interventions can be interpreted as a valid method (in a continuum of interventions) to achieve public and community safety.

### **Prosecutors**

- As the gatekeepers to the justice system, prosecutors shoulder an enormous responsibility. They recognize their responsibility and power to divert individuals from jail and from the courtroom.
- Prosecutors noted that they are committed to moving diversion programs forward because of the potential success they will create for individuals and communities.

- The development of statewide diversion protocols would provide guidance and outline some program standards (e.g., staffing, etc.). However, protocols will need to allow jurisdictions some flexibility in terms of local implementation, particularly because statutes differ from jurisdiction to jurisdiction and may conflict with, or supersede, any developed standards.
- Prosecutors need a clearer definition of “diversion” and “front-end interventions” and feel that it is important that they be a part of the definition development.

### ***Pretrial Services***

- Educating all stakeholders is important, as front-end interventions may be implemented across the justice continuum (i.e., from arrest to post-charge diversion).
- Pretrial officials noted a need for a framework that would include common terms, language, and standards for front-end interventions.
- It is important for jurisdictions to step back and consider all opportunities for diversion across the system. Often, diversion opportunities are focused on a single issue (e.g., substance abuse, mental health, or dual diagnosis).
- Additional resources would be helpful for those jurisdictions that are running programs at capacity and that must increase programming to meet the need.
- Data collection and measurement are necessary to document the effectiveness of these initiatives (and are another reason to have consistent standards).
- Training all justice stakeholders and their staff is critical; training should be tailored, as appropriate.
- Diversion interventions require that treatment resources be available to address the needs of the targeted population(s).

### ***Defense Attorneys***

- A critical issue discussed was the need for attorney representation prior to charging so that defense attorneys can be active participants in the diversion process.
- There is a great need for social services support to ensure that the system can divert to something (i.e., mental health treatment, housing, etc.).
- Front-end interventions provide an opportunity for the justice system to get better at providing trauma-informed strategies to address the impacts of trauma on individuals.
- When identifying the individuals who qualify for programs (i.e., setting selection criteria), stakeholders must consider the types of individuals who would most benefit from interventions (i.e., risk level) and the types of criminal histories that are acceptable (i.e., the conduct of violent acts, domestic violence, gun offenses, sexual assault would not be acceptable).
- Effective expungement laws are necessary to ensure that front-end interventions are appealing.
- Justice stakeholders with interest in early-intervention programs need to develop careful strategies for communicating with the public. Educating the public (through media and other methods) about the program ahead of a crisis or negative event can help temper negative media coverage or citizen pushback.



### **Judges and Magistrates**

- There is a need for continued data collection and evaluation to ensure that front-end interventions are achieving the impacts that they seek. Judges from the EBDM sites identified the importance of data collection and evaluation as an integral piece of their EBDM process. They also emphasized the importance of demonstrating results to securing additional resources to implement these programs in their jurisdictions.
- Judges noted the importance of closely considering the different challenges (and opportunities) faced by rural jurisdictions in implementing such interventions.

### **EBDM Site/Criminal Justice Coordinators**

- The coordinators recognized that there is growing interest in front-end interventions and diversionary programs, but there remains much confusion in the field because the language is inconsistent, and a variety of efforts (addressing a variety of populations) are being categorized together into one concept.
- The coordinators agreed on the need for statewide frameworks on front-end interventions so that they can talk about these interventions in a way that is consistent across localities and so that they can evaluate them (i.e., identify what is working and what is not).
- Since research is lacking on these initiatives, the collection of data is paramount so that outcomes can be measured.
- As coordinators for EBDM efforts within their justice systems, participants noted that they are responsible for looking at efforts across the decision points in the system and would want to ensure that any efforts to implement front-end interventions fit within an EBDM framework.

# Recommendations for Advancing Front-End Interventions in the EBDM States

Representatives from the EBDM sites met with their in-state colleagues to discuss the value of implementing and/or expanding the use of front-end interventions within their states. The following sections summarize the key points discussed by each group (including challenges, strengths, and needed supports) and identify some potential strategies for advancing the work in the three EBDM states: Indiana, Wisconsin, and Virginia.

## Indiana

- Representatives from Indiana reported an interest in making front-end intervention initiatives a focus of their EBDM efforts moving forward.
- Standardizing language and definitions regarding front-end intervention concepts was noted as critically important to advancing this work in Indiana and to implementing these initiatives across individual counties.
- They noted the importance of the following supports to move forward front-end intervention initiatives in the state:
  - national models of practice of front-end interventions at the various decision points and other information shared by national entities such as NIC
  - access to research related to front-end intervention efforts at the various decision points
  - continued technical assistance, including in the context of EBDM, to ensure sustainability
  - continued investment from the legislature, as it continues to focus on criminal code reform.
- Concerns or challenges to implementing front-end interventions include:
  - the possibility that a change in the Affordable Care Act will reduce the level of mental health and substance abuse treatment services available (as Indiana is a Medicaid expansion state)
  - difficulties expanding their focus beyond pretrial release and finding resources to advance other statewide initiatives (their current focus is on implementing, and then expanding, their pretrial pilot beyond the 11 current pilot counties)
  - challenges with data collection at all justice decision points (particularly at arrest and jail booking) and an inability to analyze outcomes on a statewide basis. Currently, various information/data systems used by justice stakeholders throughout the state are not compatible with one another.

## Wisconsin

- Representatives discussed the value of front-end interventions to:
  - “see fewer and the right people in the criminal justice system for the right amount of time and for the right reasons”
  - make both individuals and communities healthier and safer
  - reserve system resources for those who represent the highest risk to the community
  - reduce the load on the system/stakeholders further along in the justice continuum.
- They also recognized that the criminal justice system should not be the primary treatment resource for persons with behavioral health problems.
- The following were noted as current strengths or assets that could bolster efforts to advance front-end interventions across the state:
  - The Wisconsin state team has agreed to develop diversion standards to include definitions and recommended guidelines for local jurisdictions.
  - Efforts already underway in Milwaukee and Eau Claire serve as models of practice and provide useful resources (i.e., implementation protocols, documented outcomes).
  - Stakeholders in Wisconsin have historically had open and honest discussions, stepping past their adversarial roles to focus on their desired outcomes.
- Some challenges to advancing the use of front-end interventions in Wisconsin include:
  - how to define outcome measures for front-end intervention programs, simply measuring recidivism does not reflect what Wisconsin is trying to accomplish
  - a need to change the metrics used to evaluate success for different stakeholders (e.g., prosecutors have increased caseloads for front-end intervention populations and reduced felony and misdemeanor caseloads)
  - a need to increase resources for the diverted population, especially housing that is co-located with services
  - determining how to work with mental health providers and community agencies to better coordinate care for individuals who are “Medicaid super-utilizers.”
- The following supports were identified as necessary to advancing these efforts in the state:
  - a formal alliance with the behavioral health community to determine the ways in which an individual’s success, beyond avoiding future criminal justice system involvement, can be measured (e.g., prosocial life, housing, employment, relationships with family/children)
  - officer training and additional resources so they are better prepared to respond to behavioral health needs and divert individuals to appropriate services outside of the justice system
  - stakeholders who are willing to have honest and thoughtful discussions about their risk tolerance and who recognize that the use of risk assessments to determine

“Front-end interventions are what we should be doing and what the public expects. That is, we should use our power in the Justice system in the smartest and most effective way possible. The default should not be traditional processing for many cases. EBDM principles demonstrate that, with certain groups of defendants, we do more harm than good by over-responding or missing an opportunity to intervene where it can make the most difference.”

Tom Reed, First Assistant State  
Public Defender, Wisconsin

eligibility for front-end interventions is not a foolproof method for predicting how every individual will behave

- community “confidence” and stakeholder buy-in for the use of front-end intervention programs
- communication strategies that are in place before a negative news story is released and that include the rationale for front-end interventions (i.e., making our community safer) and a description of individuals who are more appropriate for alternative responses than for a traditional criminal justice response.

## Virginia

- Representatives stated that anticipated benefits of implementing front-end interventions included deferring people who are likely to be self-correcting, reducing jail populations, and impacting recidivism long term.
- There is a desire to explore a post-arrest model of front-end interventions that would place prosecutors as the primary decision makers. It was noted that opportunities for diverting individuals prior to arrest are limited given current Virginia laws.
- The two target populations of interest discussed were low level or low risk individuals (for whom the goal is to reduce their contact with the system as much as possible since they are often “self-correcting”) and individuals with higher needs—those individuals who will not receive the required treatment while incarcerated.
- A key opportunity in Virginia is to build on statewide efforts already underway to implement legal and evidence-based pretrial justice services and bail decision making, as well as to develop processes to achieve more meaningful court appearances.
- Representatives proposed that the state’s Department of Criminal Justice Services might lead the effort to develop guidelines or standards for front-end interventions in the state (as it has done for pretrial) to ensure quality control and consistency in implementation. Such a statewide effort might include defining diversion procedurally (i.e., determining the status of the case as it goes through the system decision points) and developing methods for data collection and performance measurement to ensure the impacts they seek.
- There is a desire to utilize a risk assessment tool to inform diversion decisions. (Currently, the tools being used to inform pretrial release decisions in the Commonwealth are the VPRAI and the MOST/OST.)
- A potential opportunity was identified for expanding the role of pretrial services to provide information post-arrest to enhance decision making about intervention strategies.
- Of particular concern to this group was the Commonwealth’s capacity to provide the needed treatment services. They noted that their capacity is already stretched, given current initiatives (i.e., they would need to work on the “divert to what” question).
- Other noted needs or challenges for advancing front-end interventions in Virginia include:
  - seeking clarification from the state policy team regarding its position on the use of front-end interventions
  - gaining legislative support for implementing front-end interventions (e.g., current legislation includes the inability to expunge the records of felony cases)
  - incentivizing the Commonwealth’s attorney to divert individuals (i.e., the current funding formula is based on the number of case filings)

- the need to educate justice stakeholders, their staff, and the public, particularly on the value of risk/need assessments
  - lack of staff resources needed to implement front-end interventions.
- External supports that would help them implement front-end interventions include additional funding, enhanced treatment capacity, and implementation technical assistance or guidance/support.

*Every part of the corrections field shoulders tremendous responsibility to seek out the best methods for facilitating an end to end process for change, not only for the individual, but society.*



## **Conclusion:**

### **Emerging Themes on Using Front-End Interventions in an Evidence-Based Justice System**

The symposium highlighted promising law enforcement, prosecutorial, and judicial interventions at the pretrial stage and promoted dialogue among justice practitioners on how front-end interventions could fit within an evidence-based, harm reduction-focused criminal justice framework. As illustrated above, participants at the symposium learned about and considered various alternative approaches to increasing public safety and addressing health issues facing their communities. They also shared their experiences with—and perspectives on—implementing front-end interventions in their own jurisdictions.

Throughout the symposium workshops and the various small group discussions, a number of themes emerged regarding the challenges and opportunities around implementing these approaches on the local, state, and national stages, and ways in which the field might advance the development and adoption of front-end interventions to solve persistent social problems. The most prominent themes are summarized below.

#### **Key Goals of Front-End Interventions**

- Front-end intervention efforts (i.e., strategies outside of traditional arrest and case processing) underway across the country encompass a wide variety of activities across various decision points, are targeted to different populations, and serve different purposes. Yet, all stakeholders identify public safety as a key goal of interventions across the decision points. More specific objectives that surfaced at the symposium included addressing mental illness and substance use disorders that the system is not equipped to address, reducing further criminal justice involvement and collateral consequences for low level individuals, reducing system volume, and preserving resources for more serious/higher risk defendants. Some examples of national efforts to address these issues across the decision points include IACP's One Mind Campaign, the development of a Prosecutor-Led Diversion toolkit, and the proliferation of resources for justice stakeholders to respond to the current opioid crisis.

#### **Defining Front-End Interventions and Standardizing Concepts**

- There is a need for the field to develop and agree on common terminology and standardized definitions for front-end interventions, as well as on outcome and performance measures. Standardizing the collection of data across these programs will facilitate additional evaluation and empirical comparisons of these initiatives and their impacts, advancing the research base for the development of future front-end interventions.
- While continued national discussion and the standardizing of concepts must take into consideration local customization and the specific needs of individual communities, participants noted that the development of a national definition, framework, or protocol

would be beneficial to guiding discussions at the state and local levels. In addition, participants from all three EBDM states expressed a desire for state officials to develop guidance or standards to ensure more uniform implementation of initiatives across local jurisdictions.

- New performance metrics for individual stakeholder groups (i.e., police, prosecutors) must also be developed to incentivize their leadership of, or participation in, implementing front-end interventions (e.g., funds for prosecutors are currently allocated based on charges filed).

## **Determining Appropriate Target Populations**

- The identification of appropriate individuals for these interventions is a local decision and varies depending on where in the justice continuum the intervention is being applied and the particular problem or issue the jurisdiction is interested in addressing (e.g., substance abuse, mental health, homelessness). In current programs with offense-based eligibility, stakeholders (in light of their particular political landscape and level of risk tolerance) are likely to consider the types of offenses or criminal histories that they feel are acceptable for including an individual in an intervention and the type of acts that should exclude a person from participation (i.e., violent offenses, domestic violence, gun offenses, sexual assault).
- It was noted that further discussion at the national level of the types of individuals most likely to benefit from such interventions should be carefully considered in light of key findings in the research literature about how to best address recidivism, improve mental health, and avoid relapse. Of significance is the need for clarification or guidance on how risk/need assessment information should be used to identify appropriate individuals for front-end interventions. For instance, a focus on individuals at low or moderate risk (to engage in future criminal behavior) may help break the cycle and keep them from additional exposure to the system, while a focus on individuals who have elevated needs around substance abuse, mental health, and or co-occurring disorders are more appropriately targeted for interventions focused on those particular issues.

## **Building the Evidence for Front-End Interventions**

- Participants acknowledged that while practitioners are developing and/or replicating front-end interventions to move towards evidence-based strategies for addressing crime and improving their systems, there remains a shortage of evaluations and empirical testing of front-end interventions as a whole. There are some exceptions, as more and more efforts are collecting data and undergoing process and outcome evaluations (e.g., LEAD jurisdictions, D.C. Community Court). Nevertheless, more uniform approaches are desired to evaluate or assess the effectiveness of front-end interventions being applied across the decision points. Achieving clarification on the goals and target populations of these interventions is an essential step towards building the evidence base.

## **Building Systems of Care with Non-Justice Partners**

- Participants reflected on the amount of time and resources spent by justice stakeholders (particularly law enforcement) on public health problems and discussed the need to take a closer look at the intersection of criminal behavior and behavioral health issues in justice populations. Participants acknowledged a growing national trend to redefine some behaviors as public health issues, and a greater recognition among justice stakeholders that addiction and mental health issues are best handled outside of the criminal justice system.
- Of critical importance is how justice system policymakers can partner with other social service policymakers to achieve the results they seek. Integral to this discussion is how to redefine each system's roles/responsibilities, as well as their desired outcomes, in addressing community health problems. A common concern expressed by symposium representatives of different stakeholder groups was the lack of resources and capacity to provide the needed services for individuals who are being diverted from the system. Additional service capacity was noted as critical for justice stakeholders to be able to transfer responsibility to the other social systems.

In summary, participants at the symposium expressed great interest in maximizing the value of front-end interventions as part of their strategy for enhancing public safety and achieving healthier communities. While a number of challenges facing the field were noted during the symposium, many opportunities exist for building the knowledge base on the effectiveness of alternative approaches to traditional case processing and advancing their adoption across the country. Ideally, the themes and next steps that emerged from this symposium will be used to inform future efforts to more clearly define front-end interventions, their goals and target populations, best practices for their implementation, and methods to measure their impact.



# NEXT STEPS

In follow-up to this symposium, NIC has identified the following as its priority next steps:

## **1. CATCH UP MEETINGS**

Convene meetings with Federal Partners to provide an overview of the Symposium for those who did not attend, review input from the field and their recommendations for advancing front-end interventions, and discuss emerging themes on using them in an evidence-based Justice System. Federal Partners will use this forum to promote the future work of clearly defining front-end interventions, their goals and target populations, best practices for their implementation, and methods to measure their impact.

## **2. STRATEGIC MEETINGS**

Convene meetings with organizations that represent front-end intervention stakeholders to receive feedback on the recommendations and the themes that emerged from the Symposium. They will also determine the roles of the identified stakeholder organizations to promote the future work of clearly defining front-end interventions, their goals and target populations, best practices for their implementation, and methods to measure their impact.

## **3. BUILD A SUPPORT WORKGROUP**

Create a structure to support an ongoing workgroup to promote and enhance front-end interventions through the identification of best and evidence-based practices.

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## Forthcoming Resources

Additional materials that may be of interest are forthcoming from the U.S. Department of Justice, Bureau of Justice Assistance (BJA). A framework, along with other resource materials, on diversion programming and its potential implementation and impact is under development by the Center for Effective Public Policy in cooperative agreement with BJA. Also, a resource document summarizing diversion efforts specific to behavioral health populations is forthcoming from the Council of State Governments in cooperative agreement with BJA.

## List of Appendices

- **Appendix A:** Symposium Agenda
- **Appendix B:** Attendee List
- **Appendix C:** Transcripts of Opening Remarks

# The National Symposium on Front-end Interventions

Sponsored by: *The National Institute of Corrections*

**May 31-June 1, 2017**

*The Old D.C. City Council Meeting Room  
One Judiciary Square, 441 4<sup>th</sup> Street NW  
Washington, D.C.*

MAY 31, 2017

8:00 am - 8:30 am

## **Registration**

8:30 am - 9:00 am

## **Welcome and Opening Remarks**

Holly Busby, Chief, Community Services Division National Institute of Corrections  
Penny Stinson, President, National Association of Pretrial Services Agencies

9:00 am - 10:00 am

## **Plenary: Front-end Interventions in an Evidence-based System: Innovative Approaches to Crime Reduction**

This session will present a definition of front-end interventions that encompasses the decision points of initial contact with law enforcement, case screening/charging, adjudication, and sentencing. This includes traditional prosecutor-based programs, innovations advanced by law enforcement, and the expansion of judicial alternatives to traditional adjudication and sentencing, including the problem-solving courts model. It will include a discussion on how front-end interventions fit within an evidence-based decision making framework that seeks to reduce crime.

### **Presenters:**

Spurgeon Kennedy, Vice President, National Association of Pretrial Services Agencies  
Pamela Rodriguez, President and CEO, TASC, Inc. (Treatment Alternatives for Safe Communities)

10:00 am – 11:15 am

## **Plenary: Initial Contact with Law Enforcement**

During this panel presentation, the national landscape of pre-arrest intervention programs, including their goals and key components, will be reviewed. Illustrations of specific strategies and how they are being applied at this decision point will be discussed.

### **Moderator:**

Chief Don De Lucca, President, International Association of Chiefs of Police

### **Presenters:**

Shelly Moeller, Santa Fe NM LEAD Program Manager

Jason Lidyard, Deputy District Attorney, 1st Judicial District Attorney's Office of New Mexico  
David Moore, Chief of Police, Janesville, WI

- 11:15 am – 12:00 pm **Model of Practice: The Bexar County Model**  
Norma Greenfield-Laborde, Deputy Director, Pretrial Services  
Gilbert Gonzales, Director, Behavioral and Mental Health Department  
Ronald Rangle, Administrative Judge, Bexar County Criminal Court
- 12:00 pm – 1:00 pm **LUNCH**
- 1:00 pm – 2:15 pm **Plenary: Case Screening and Charging**  
This plenary describes the goals and key components of front-end interventions lead by prosecutors. The session also will highlight the prosecutor's expanding role as an essential partner in law enforcement and problem-solving interventions.
- Moderator:**  
David LaBahn, President/CEO, Association of Prosecuting Attorneys
- Presenters:**  
Gary King, Eau Claire County District Attorney  
Mike Herring, Commonwealth Attorney, Richmond, VA  
Lisa Smith, Director of Policy and Legislative Affairs, Baltimore City States Attorney's Office.
- 2:15 pm – 3:00 pm **Model of Practice: The Milwaukee County Early Intervention Program**  
The Honorable Maxine A. White, Chief Judge First Judicial District  
Thomas Reed, First Assistant State Public Defender  
Dave Malone, Assistant District Attorney  
Nick Sayner, Executive Director, JusticePoint, Inc
- 3:00 pm - 4:15 pm **Plenary: Case Adjudication and Sentencing**  
This session will review goals and key components of interventions at the adjudication and sentencing decision points. Discussion will include examples of pre- and post-conviction strategies, problem solving initiatives, and alternatives to traditional sentencing.
- Moderator:**  
Vanessa Price, Director, National Drug Court Institute
- Presenters:**  
The Honorable William E. Jarvis, 31<sup>st</sup> Judicial District, Prince William County, Virginia  
The Honorable Vance Peterson, Veterans' Enhanced Treatment Court, Spokane, WA.
- 4:15 pm – 5:00 pm **Model of Practice: Standards for Judicial Interventions: One State's Example**  
Beth A. Robinson, EBDM Site Coordinator, Outagamie County, WI
- 5:00 pm **Adjourn**

# JUNE 1, 2017

8:30 am – 8:45 am	<b>Welcome and Review of Day Two Agenda</b>
8:45 am -12:00 pm	<b>Concurrent Group Sessions on Front-end Interventions</b> Front-end interventions focus law enforcement, prosecutorial and court resources to reduce crime. The concurrent group sessions—broken into EBDM State/Local and National tracks—will discuss the merits of interventions at various decision points, identify challenges to and opportunities for implementing these efforts, and outline strategies to address challenges and support opportunities.
12:00 pm – 1:15 pm	<b>LUNCH</b>
1:15 pm – 3:00 pm	<b>Plenary: An Agenda for the Future: Front-end Interventions in an Evidence-based System</b> Each break-out group will share their central discussion points and recommendations to the larger group. Presenters will close the symposium with a summary of key themes, recommendations, and next steps for advancing interventions as evidence-based approaches to crime reduction.  <b>Facilitator:</b> Spurgeon Kennedy, Vice President, NAPSA
3:00 pm	<b>Closing Remarks/Adjournment</b>



# The National Symposium on Front-end Interventions

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# The National Symposium on Front-end Interventions

## Opening Remarks of Holly Busby, Community Services Division Chief, National Institute of Corrections

WEDNESDAY, MAY 31, 2017

Good Morning. I am Holly Busby, Community Services Division Chief for the National Institute of Corrections. On behalf of NIC and our partners, the National Association of Pretrial Services Agencies, and the Center for Effective Public Policy, it is my pleasure to welcome you to the *National Symposium on Front-end Interventions*. This symposium is the first of its kind and marks NIC, NAPSA and CEPP's goal to make best and promising practices at the pretrial stage the reality in America's justice systems. Over the next two days, we will introduce some and re-acquaint others with this important component to effective criminal justice systems and discuss how interventions from initial contact with law enforcement to adjudication fit within an evidence-based, harm reduction-focused criminal justice framework.

First, let me thank the Washington, D.C. Criminal Justice Coordinating Council and its Director, Ms. Mannone Butler, for their gracious sharing of the old D.C. City Council meeting room and our breakout session rooms. I also would like to recognize and commend NIC Program Specialists, Katie Greene and Lori Eville, for taking the Symposium from idea to reality. Finally, please help me acknowledge and thank NIC's Acting Director, Shaina Vanek, for her support of and guidance to this initiative.

NIC's mission is to serve the nation as a center of learning, innovation, and leadership that shapes and advances effective correctional practice and public policy. Over the years, we have been recognized nationally for our unique role and high level of excellence in providing services to the field and leading the direction of public safety practice and policy. We have been fortunate as well to form productive partnerships with Federal, state and local government and non-governmental entities, as well as every national professional association in the corrections field.

NIC is proud to have helped advance evidence-based practices in America's justice systems that help improve system outcomes and reduce criminal behavior among those individuals under criminal justice oversight. In 2008, we launched the Evidence-Based Decision Making Initiative to build upon the growing scope of knowledge on what works to enhance public safety. We wanted to draw upon and draw together the strongest of the research findings and the best of the practices, and construct new ways of working together towards the goal we all share—fewer victims and safer communities.

A principle lesson learned from EBDM and other crime reduction strategies is the need to fill the void in knowledge regarding the critical decisions about bringing individuals into the justice system, appropriately screening and charging individuals with crimes, and adjudicating cases to reduce the likelihood of crime. As we are learning from the initiatives that we will feature during the Symposium, for many justice-involved individuals, these decision points are the best places to implement strategies that better manage system resources or address the root causes of criminal behavior. For these non-violent individuals, front-end interventions are the better, less expensive approach to achieve public safety and better justice outcomes. This better approach includes a system of alternatives to traditional adjudication for nonviolent individuals, grounded in best and promising

practices and committed to offering appropriate sanctions for criminal behavior and freeing up court and corrections resources for prosecution and punishment of the most serious defendant and offender. Thanks to the efforts of locally-based criminal justice practitioners, hundreds of front-end interventions strategies are being applied nation-wide, offering community-based alternatives that appropriately sanctions criminal behavior and address the underlying social and psychological issues behind criminality—at a much lower cost than traditional case processing. Thanks to their achievements, we are developing the knowledge base of “what works” at these critical decision stages and have far better tool set to address crime and ensure safer communities.

Our goal for this symposium is to highlight front-end interventions as important components to any evidence-based criminal justice framework. Over the next two days, we will define front-end interventions and their benefits to creating safer communities and better functioning criminal justice systems. You will hear directly from practitioners on the local level how they created and applied strategies that not only modify and control individual behavior, but allow the system to address much earlier in the process some of the significant root causes of arrest and crime. These include our growing problem of substance use disorder—especially of opiate-based drugs—mental health and other behavioral issues, and homelessness. You will hear how these initiatives have strengthened collaborations among justice professionals in some jurisdictions and created those partnerships in others. You will learn about front-end intervention best and promising practices, hear first-hand accounts of how these programs have helped strengthen local justice systems—including in our EBDM sites—and help us define and face the challenges we face in growing these initiatives nationally.

Finally, and most important, you will have the opportunity to share your knowledge about front-end interventions and help us identify a strategy to promote these initiatives nationally. Admittedly, we were quite selfish in our invitations to this event. You are here because as experienced practitioners, you know the value of front-end interventions and can help us shape the best arguments for their expansion. As criminal justice professionals taking the first steps to develop or improve these strategies in your jurisdictions, you can help us define the additional information the field needs to apply interventions in justice systems nationally. As policy makers, you can tell us honestly why pretrial interventions are—or are not—part of your justice improvement strategies and what we must do to make these initiatives more attractive. As persons who influence the national discussion on criminal justice, you can best advise us on the key messages supporters of front-end interventions must develop, whom this message should target, and how would it be best communicated. We hope you all are eager for the challenge. We encourage you to participate openly, to give us your best and most honest input, and take what you have learned to those you think need to hear the message most.

NIC looks forward to working NAPSAs, CEPPs and our other partners here and nationally to introducing this important concept to America’s justice systems. Thank you and please enjoy your time with us.

# The National Symposium on Front-end Interventions

## Opening Remarks of Penny Stinson, President, NAPSA

WEDNESDAY, MAY 31, 2017

Good morning and welcome. I am Penny Stinson, President of the National Association of Pretrial Services Agencies. On behalf of NAPSA's Board of Directors and members, I would like to thank NIC for sponsoring this symposium and for its continued and valuable support of the pretrial field.

NAPSA is the national professional association for the pretrial release and pretrial diversion fields. Our association is the voice of the pretrial practitioner and is committed to making pretrial justice the norm in America's courts. Our goals include being a national forum for ideas and issues in the area of pretrial services, promoting research and development in the field, and increasing professional competence through professional standards and education.

As Holly mentioned, the initiatives we will highlight during this Symposium are home grown. Local justice systems now are laboratories for innovative strategies to make smarter use of system resources, address the behavioral factors associated with crime, and make public safety a system-wide emphasis. Many of these initiatives occur between initial contact with law enforcement and through to case adjudication, with the idea that quicker interventions focus system resources to more serious defendants and offenders and with the evidence-based knowledge that earlier behavioral interventions increase the likelihood of success. These alternatives offer appropriate sanctions for criminal behavior and free up court and corrections resources for more serious criminal matters. Systems nationwide have made greater use of "problem-solving" initiatives such as drug courts, mental health initiatives, and community-based sanctions for quality of life crimes that address underlying issues or problems that contribute to criminality.

NAPSA's focus regarding front-end interventions is to introduce these strategies to the larger criminal justice audience and to fit them within the broader discussion on improvements to pretrial-level decision-making and outcomes. As we have heard, hundreds of front-end intervention programs exist nationwide, offering their jurisdictions an effective and early response to criminal behavior and a means to address future criminality. Despite this, many criminal justice practitioners and those who help influence criminal justice policy and direction are not fully knowledgeable about these innovations and their benefits to local systems. To help strengthen this knowledge base, NIC, NAPSA and the Center for Effective Public Policy have partnered to identify and highlight promising crime reduction practices at the front-end. With this developing knowledge base available, our next challenge is to make this information available and relevant to criminal justice practitioners and policymakers who would benefit the most from it.

This symposium is the first step in this partnership. This event supports our mutual goals of expanding evidence-based practice within the pretrial field and encouraging justice systems to apply proven strategies to promote public safety. Encouraging front-end interventions also helps meet the growing demand among criminal justice professionals for problem solving ideas that can be applied broadly, seamlessly, and quickly by a variety of law enforcement, prosecution, and court agencies. Fostering

these intervention's use nationwide would give more jurisdictions better options to supervise and manage appropriate defendants and arrestees.

Over the next two days, we will outline front-end intervention practices and the successes jurisdictions have had when incorporating these practices within their justice systems. With your help, we also will identify the best ways to communicate the benefits of these programs to those who would benefit the most from this information.

On behalf of NIC, NAPSAs and CEPP, thank you all for being a part of this discussion and for helping us chart the best path for the future. We look forward to an invaluable time with you.