



2-79 LAW ENFORCEMENT ASSISTED DIVERSION (LEAD) PROGRAM

Related SOP(s), Form(s), Other Resource(s), and Rescinded Special Order(s):

A. Related SOP(s)

- ~~2-19 Response to Behavioral Health Issues~~
- ~~2-80 Arrests, Arrest Warrants, and Booking Procedures~~

B. Form(s)

~~Albuquerque Police Department LEAD Intake Client Screening Form~~

C. Other Resource(s)

~~NM Stat NMSA 1978, § 43-1-10 (Emergency Mental Health Evaluation and Care)~~

D. Rescinded Special Order(s)

~~SO X Subject None~~

2-79-1 Purpose

The purpose of this policy is to provide ~~guidelines~~ requirements for Albuquerque Police Department (Department) personnel employees trained in the Bernalillo County Law Enforcement Assisted Diversion (LEAD) Program, which provides for ~~jail~~ the diversion of low level, non-violent offenders individuals into treatment.

2-79-2 Policy

~~It is the policy of the Albuquerque Police Department (Department) to participate in the Bernalillo County LEAD Program, which enables police officers sworn personnel to use discretion in diverting an individuals with low-level, non-violent offenders offenses away from the criminal justice system, or whose offense is driven by problematic debilitating substance use disorders, or mental illness behavioral health disorders, homelessness, or poverty, away from the criminal justice system.~~
It is the policy of the Albuquerque Police Department (Department) to participate in the Bernalillo County LEAD Program, which enables police officers sworn personnel to use discretion in diverting an individuals with low-level, non-violent offenders offenses away from the criminal justice system, or whose offense is driven by problematic debilitating substance use disorders, or mental illness behavioral health disorders, homelessness, or poverty, away from the criminal justice system.

N/A 2-79-3 Definitions

A. Criminal Justice System

The system of law enforcement that is directly involved in apprehending, prosecuting, defending, sentencing, and punishing these individuals who are suspected of criminal offenses.



~~B. Criminal Justice System Diversion~~

~~When an individual's criminal behavior appears to stem from a substance use disorder, and/or a behavioral health disorder, and he or she the individual would be an amenable candidate for LEAD, sworn personnel shall will can use discretion for diversion. Instead of arrest, LEAD-trained sworn personnel shall will submit the LEAD Referral Intake Client Screening Form and divert all charges from the criminal justice system setting.~~

~~C. Harm Reduction~~

~~A range of public health policies designed to lessen the negative social and/or physical consequences associated with various human behaviors, both legal and illegal. Harm reduction emphasizes public health and human rights. Harm reduction programs provide essential health information and services while respecting individual dignity and autonomy.~~

~~D.B. Jail Diversion~~

The process to address the situation in which an individual's criminal behavior appears to stem from a behavioral health disorder and/or a substance use disorder and where the individual he or she would be better served in a treatment location setting, rather than in a criminal justice setting. ~~Sworn personnel should shall will can seek such use utilize jail diversion interventions~~ instead of arrest. Jail Diversion options can include:
~~e:~~

1. Issuing a verbal warning;
2. Issuing a citation;
3. Giving a summons for misdemeanors or submitting a non-violent felony case to the District Attorney; or
4. Transporting a person to a mental health provider, either voluntarily or involuntarily, according to NMSA 1978, § 43-1-10.

~~4.5. Utilizing the LEAD Program.~~

~~E.C. Law Enforcement Assisted Diversion (LEAD)~~

A criminal justice system diversion program developed with community input to address individuals with low level, non-violent ~~offenders, offenses engaged in drug or sex work activity~~ to by diverting them in into community-based programs and services instead of jail or prosecution. By diverting eligible individuals to services, LEAD ~~is~~



~~committed~~ aims to improving public safety and ~~and~~ public order, and to reducing criminal behavior of people who participate in the program.

D. ~~F.~~ APD-LEAD Liaison

~~_____ The Albuquerque Police Department LEAD Liaison position will be to a~~ An officer who has successfully completed LEAD training and who assists sworn ~~_____ personnel with the necessary paperwork and guidance needed for a successful LEAD diversion. The LEAD Liaison will be an APD a Department~~ Department sworn personnel who has successfully completed LEAD training. The LEAD Liaison will be responsible for maintaining and updating LEAD referrals/records and ensuring required paperwork related to LEAD diversions and referrals are completed. The LEAD Liaison is a collateral duty assignment overseen by the Albuquerque Police Department Crisis Intervention Unit. The email for the APD ~~Department~~ LEAD Liaison is apdlead@caba.gov.

~~F.~~ E. ~~G.~~ Pre-Arrest Diversion

~~The process of diverting an individual who has committed a LEAD eligible misdemeanor offense from the criminal justice system to a case manager. The diversion takes place at the decision of point of the police sworn personnel of either filing charges against the individual or utilizing discretion to divert the charge. The decision for LEAD diversion takes place when~~ made by sworn personnel when they have established probable cause to make an arrest or to ~~utilize~~ use discretion to divert the individual into the LEAD Program and away from the criminal justice system. If there is a victim involved with the LEAD eligible offense, sworn personnel need to shall seek approval from the victim in order to divert the individual who has been charged away from the criminal justice system(s) of the offender.

~~G.~~ Pre-booking Diversion

~~_____ Pre-booking diversion is the process of diverting an individual, who has committed a LEAD eligible felony offense, from the criminal justice system to a case manager. The diversion takes place at the decision of point of the police sworn personnel of either filing charges against the individual or utilizing discretion to divert the charge with input from the prosecuting agency that has jurisdiction of the case. For misdemeanor cases with an alleged victim, sworn personnels need to seek approval from the victim to divert by having the victim sign the release agreement form.~~

~~H.~~ F. ~~H.~~ Social Contact Referral/Self-Referral

The process of referring an individual who has not committed a criminal offense to a Bernalillo County LEAD Cease M ~~anager~~ anager for services. A s ~~Social contact referrals or self-referral enables police sworn personnels to refer an individual who is currently not committing or~~ has not ~~committed a criminal offense and is afflicted by a~~ problematic substance use ~~disorder, a mental illness behavioral health disorder, poverty, or~~



homelessness to services, ~~without having to wait for~~ prior to them to ~~committing~~ a criminal offense.

~~#G.~~ Substance Use Disorder

~~Substance use disorders occur when~~ The recurrent use of alcohol and/or drugs that causes clinically and functionally-significant impairment, such as health problems, disability, and failure to meet major responsibilities at work, school, or home.

N/A 2-79-4 Eligibility Criteria

A. In deciding whether or not to divert an individual into the LEAD Program, the initial decision-maker will be the sworn personnel who has made contact with an individual who meets the eligibility criteria outlined in this Standard Operating Procedure (SOP). Sworn personnel may make referrals to the LEAD Program twenty-four (24) hours a day, seven (7) days a week.

B. Pre-Arrest Diversion for Misdemeanor Charges

1. An individual with misdemeanor charges is eligible for the LEAD Program if they are an adult who has a known or self-admitted history of a substance use disorder or a behavioral health disorder, or who experiences poverty or homelessness. Sworn personnel may refer the individual to the LEAD Program after probable cause has been established for the following offense(s):

- a. Non-violent misdemeanor(s); or
- b. Non-violent City Ordinance violation(s).

2. For cases involving a victim and the victim is willing to decline prosecution against the individual, sworn personnel can proceed with diverting the individual to the LEAD Program.

C. Pre-Arrest Diversion for Felony Charges

1. An adults who have a known or self-admitted history of ~~a~~ substance use disorder or a behavioral health disorder, or who experiences ~~poverty or homelessness or a behavioral health disorder~~ will be eligible for diversion into a referral to the LEAD Program. Sworn personnel may refer the individual to the Lead Program after ~~when~~ probable cause has been established for the ~~exists that the individual committed any of the~~ following offense(s):

- a. Non-violent Felonies, to includinge, but not limited to:
 - 2. Possession of a Controlled Substance. Sworn personnel determine the (amount that is determined by sworn personnel deemeddetermined considered for personal use);
 - i. ~~3.~~ Shoplifting (over \$500);



- ii. ~~4. Burglary (with the victim's consent);~~
- iii. ~~5. Criminal Damage to Property (over \$500 with the and-victim's consent); or~~
- iv. ~~6. Residential Burglary (with the victim's consent).~~

D. Social Contact Referral or Self-Referral

1. A social contact referral or self-referral is when sworn personnel encounters an individual who meets the eligibility criteria for diversion into the LEAD Program, but the individual is who is not committing a criminal offense or has not committed a criminal offense.
~~Often these are these will be individual is someones whom sworn personnel frequently encounter, on a regular basis, ly and for whom the sworn personnel believes would benefit from the LEAD Program would be beneficial.~~
2. The individual must meet the eligibility criteria and is not disqualified based on does not meet any of the exclusionary criteria.
3. The Sworn personnel who proceed with diverting an individual into the LEAD Program though a social contact referral or self-referral will contact the Bernalillo County LEAD Case Manager for intake and will provide a copy of the LEAD Referral Form/LEAD Client Screening Form to the Bernalillo County LEAD Program Case Manager.

E. Exclusionary Criteria

1. At the time of initial police contact and during the background check, an individuals will be considered ineligible for diversion into the LEAD Program if, at the time of initial police contact and during the background check, the individual meets any of the following criteria they:
 - a. Have been convicted for any of the following crimes within the last three (3) years the individual has any convictions of the following:
 - i. Homicide (all offenses);
 - ii. All felony and misdemeanor sex offenses (felony and misdemeanor);
 - iii. All violent offenses, (including Domestic Violence offenses);
 - iv. Arson;
 - v. Stalking and violations of protection order (all offenses);
 - vi. Kidnapping/false imprisonment;
 - vii. Any criminal offense involving a deadly weapon;
 - viii. All crimes against children;



- ix. Trafficking a controlled substance;
- x. Registered sex offender; or
- xi. Promoting or accepting the earnings of a prostitute.

~~— Are An individual will also be ineligible for diversion into the LEAD Program if:~~

- ~~i. The individual is not amendable to the LEAD Program; or~~
- ~~b. _____~~
- ~~c. The individual is Are under eighteen (18) years of age.~~

~~F. If an individual qualifies for the LEAD Program but needs emergency medical attention or an emergency mental health evaluation, the sworn personnel have the discretion to forward a completed LEAD Referral Form LEAD Client Screening Form to the Bernalillo County LEAD Program Case Manager for follow-up after the individual receives medical attention.~~

~~Individuals with diverted criminal charges will have fourteen (14) days upon release from a medical facility, to contact a LEAD Program Case Manager to complete a LEAD Intake. Individuals will have fourteen (14) days upon release from custody, to contact a LEAD Case Manager and complete a LEAD Intake. Individuals will also have thirty (30) days to maintain compliancy with the LEAD Program before the diverted charges are filed.~~

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~~— If an individual is diverted into the LEAD Program but has an active warrant, they will be arrested and processed for the warrant Sworn personnel have discretion to divert any new criminal charges that are LEAD eligible into the LEAD Program. Sworn personnel will follow the appropriate procedures for the warrant consistent with SOP Arrests, Arrest Warrants, and Booking Procedures and will forward a completed LEAD Referral Form LEAD Client Screening Form to the LEAD Program Case Manager and to the Department LEAD Liaison for the new charges.~~

~~— Individuals will have fourteen (14) days upon release from custody, to contact a LEAD Case Manager and complete a LEAD Intake. Individuals will also have thirty (30) days to maintain compliancy with the LEAD Program before the diverted charges are filed.~~

~~— Sworn personnel should remind the individual(s) that they must comply with the conditions of release set by the court, if applicable.~~

N/A

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~~Rules and Procedures:~~ for Initiating a LEAD Program Referral

7

~~A. Sworn Personnel~~ Pre-Qualification

~~A. Before referring an individual to the LEAD Program, Procedure for Making~~
Initiating a LEAD Referral

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~~— In deciding whether or not to divert an individual into the LEAD Program, the initial decision maker will shall will be the police sworn personnel who has made contact with an individual who meets the eligibility criteria outlined in this Standard~~



~~Operating Procedure (SOP) to enter the LEAD Program. Sworn personnel may make Referrals to the LEAD Program may occur twenty four (24) hours a day, seven (7) days a week.~~

~~Sworn personnel will c:~~

- ~~1. Complete a background check utilizing by using the available databases and resources available to them in other to determine whether the individual has any disqualifying criminal history as indicated in this SOP.~~

B. Referrals for Eligible Individuals

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~~If the individual meets the inclusionary eligibility criteria as based on confirmed through a the background check, sworn personnel can use their discretion to divert the individual into the LEAD Program.~~

- ~~1. When sworn personnel decide to divert an individual into the LEAD Program, they shall:~~

~~4. Contact the Bernalillo County LEAD Case Manager by telephone at (505) 250-6282 for an intake;~~

~~a.~~

~~b. and will Complete the LEAD Referral Form LEAD Client Screening Form located in TraCS, including for social contact referrals/self referrals, and provide which will be supplied to the Bernalillo County LEAD Case Manager either in-person or by email at leadcm@bernco.gov;~~

~~i. Sworn personnel will complete the LEAD Client Screening Form for social contact referrals/self-referrals.~~

~~c. Be responsible for Complete all documentation consistent with Department policy and procedures, including, but not limited to, LEAD Client Screening Forms, Uniform Incident Reports, criminal summons, Felony Supp-Outs, etc.; and~~

~~d. Sworn personnel will Be responsible for all other necessary paperwork as outlined in SOP Arrests, Arrest Warrants, and Booking Procedures and will be forward it ed to the Department LEAD Liaison at apdlead@cabq.gov;.~~

- ~~2. When sworn personnel divert an individual form in cases where in which there is a victim involved, they will:~~

~~a. Explain the LEAD Program to the victim, allow the victim to make their own decision regarding prosecution, and will document the decision made by the victim;~~

~~b. Seek approval from the victim in order to divert the individual who has been charged away from the criminal justice system;~~

~~Complete a background check on the individual by using the databases and resources available to them;~~



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- c. Complete the LEAD Client Screening Form and provide it to the Bernalillo County LEAD Case Manager;
- d. Be responsible for completing all other necessary paperwork as outlined in SOP Arrests, Arrest Warrants, and Booking Procedures; and
- e. Forward all other necessary paperwork to the LEAD Liaison.

3. When sworn personnel decide to divert an individual to the LEAD Program after-hours or when a Bernalillo County LEAD Case Manager is unavailable, sworn personnel can transport the individual to the CARE Campus or email the referral to the Bernalillo County LEAD Case Manager for follow-up via email. at ~~leadem@bernce.gov.~~

~~c. When there are criminal charges diverted, the individual will have fourteen (14) days to complete an initial intake with a LEAD Case Manager and thirty (30) days to be compliant with the LEAD Program. If the individual is non-compliant, the diverted charges will be filed by the sworn personnel with assistance from the Department LEAD Liaison.~~

N

~~a. Sworn personnels will shall decide whether the individual is eligible to enter LEAD. The sworn personnel has have the discretion to use LEAD to divert individuals out of the criminal justice system.~~

~~Sworn personnels will shall will shall conduct a background check utilizing of the individual by using the available databases and resources available to them and resources to see if in other to determine whether the individual has any disqualifying criminal history.~~

N/A

~~If the individual meets the inclusionary criteria as based on the after conducting the background check, the sworn personnel can use their discretion to divert the individual into the LEAD Program.~~

N

~~When sworn personnel decide to divert an individual into the LEAD Program, they shall contact the Bernalillo County LEAD Case Manager by telephone at (505) 250-6282 for an intake.~~

~~The Bernalillo County LEAD Case Manager can complete an intake by responding to the scene, through a phone call with sworn personnel, or the sworn personnel can transport the individual to the CARE Campus (formerly known as MATS) at 5901 Zuni Rd. SE.~~

4. This process helps facilitate a “warm hand-off” between the Bernalillo County LEAD Case Manager, the individual, and sworn personnel.

N/A

C. Individuals Who Are Ineligible

1. If the individual is ineligible, sworn personnel shall file charges and proceed with the procedures outlined in SOP Arrests, Arrest Warrants, and Booking Procedures



(refer to SOP Arrests, Arrest Warrants, and Booking Procedures for sanction classifications and additional duties).

D. Individuals with an Active Warrant

N/A

1. If an individual is diverted into the LEAD Program but has an active warrant, sworn personnel shall arrest the individual and process the individual for the warrant. Sworn personnel will follow the appropriate procedures for the warrant (refer to ~~consistent with~~ SOP Arrests, Arrest Warrants, and Booking Procedures for sanction classifications and additional duties). Sworn personnel ~~and~~ will forward a completed LEAD Client Screening Form to the Bernalillo County LEAD Case Manager and to the LEAD Liaison for the new charges. Sworn personnel should remind the individual(s) that they must comply with the conditions of release set by the court, if applicable.

a. Sworn personnel have the discretion to divert an individual with any new criminal charges that make them eligible for the LEAD Program.

N/A

~~LEAD Liaison~~

~~The LEAD Liaison shall maintain and update LEAD referrals and records and shall ensure that the required paperwork related to LEAD Program diversions and referrals are completed.~~

~~The LEAD Liaison is a collateral duty assignment overseen by the Crisis Intervention Unit (CIU). Department personnel may contact the LEAD Liaison at aplead@cabq.gov.~~

7

~~All sworn personnel assigned to Proactive Response Teams (PRT) shall be trained in the LEAD Program and shall be able to assist other sworn personnel in their respective area commands regarding the LEAD Program.~~

2-79-6 LEAD Program Participation

~~When an individual is diverted for criminal charges, they have fourteen (14) days to complete an initial intake with a Bernalillo County LEAD Case Manager and thirty (30) days to be compliant with the LEAD Program.~~

~~Individuals with diverted criminal charges will have fourteen (14) days upon release from a medical facility to contact a Bernalillo County LEAD Program Case Manager to complete a LEAD for intake.~~

A. An individual will have fourteen (14) days upon release from custody, to contact a Bernalillo County LEAD Case Manager and complete a LEAD for intake. An individual will also have thirty (30) days to maintain compliance with the LEAD



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Program before sworn personnel file the charges for which the individual was the diverted ~~charges are filed~~ from the criminal justice system.

1. If the individual is non-compliant, the diverted charges will be filed by the sworn personnel with assistance from the LEAD Liaison.

B. When an individual is diverted for criminal charges, they have fourteen (14) days to complete an initial intake with a Bernalillo County LEAD Case Manager.

C. An individual with criminal charges who was diverted from the criminal justice system will have fourteen (14) days upon release from a medical facility to contact a Bernalillo County LEAD Case Manager for intake.

N/A

B. LEAD Liaison

~~1. The LEAD Liaison shall maintain and update LEAD Program referrals and records and shall ensure that the required paperwork related to LEAD Program diversions and referrals are completed.~~

~~1. The LEAD Liaison is a collateral duty assignment overseen by the Crisis Intervention Unit (CIU). Department personnel may contact the LEAD Liaison at apdlead@sabq.gov.~~

~~When there are criminal charges diverted, the individual will have fourteen (14) days to complete an initial intake with a LEAD Case Manager and thirty (30) days to be compliant with the LEAD Program. If the individual is non-compliant, the diverted charges will be filed by the sworn personnel with assistance from the Department LEAD Liaison.~~

~~If the individual is non-compliant, the diverted charges will be filed by sworn personnel with assistance from the LEAD Liaison.~~

~~If an individual is diverted into the LEAD Program but has an active warrant, sworn personnel shall arrest the individual and process the individual for the warrant. Sworn personnel have the discretion to divert an individual with any new criminal charges that make them eligible for the LEAD Program. Sworn personnel will follow the appropriate procedures for the warrant consistent with SOP Arrests, Arrest Warrants, and Booking Procedures and will forward a completed LEAD Client Screening Form to the LEAD Program Case Manager and to the Department LEAD Liaison for the new charges. Sworn personnel should remind the individual(s) that they must comply with the conditions of release set by the court, if applicable.~~

~~All sworn personnel assigned to Proactive Response Teams (PRT) shall be trained in the LEAD Program and shall be able to assist other sworn personnel in their respective area commands regarding the LEAD Program.~~



~~The LEAD Liaison shall maintain and update LEAD referrals and records and shall ensure required paperwork related to LEAD Program diversions and referrals are completed. The LEAD Liaison is a collateral duty assignment overseen by the Department Crisis Intervention Unit (CIU). Department personnel may contact the LEAD Liaison at apdlead@cabq.gov.~~

~~Individuals Who Are Ineligible~~

~~If when sworn personnel decide to a LEAD divert an individual to the LEAD Program occurs after hours or when a LEAD Case Manager is unavailable, sworn personnel can transport the individual to the CARE Campus or email the referral to the LEAD Case Manager for follow up at (leadcm@berneo.gov).~~

~~If the individual is ineligible, sworn personnel shall file charges and proceed with the procedures outlined in SOP Arrests, Arrest Warrants, and Booking Procedures (refer to SOP Arrests, Arrest Warrants, and Booking Procedures for sanction classifications and additional duties).~~

N

~~i. Sworn personnel shall complete the LEAD Referral Form LEAD Client Screening Form located in TraCS for all LEAD diversions, including social contact referrals/self referrals, and shall provide. This form is located in the TRACS system. A copy of the Referral Form shall be given to the LEAD Case Manager by the sworn personnel either in person or by email.~~

~~Sworn personnel who initiate the diversion shall complete~~

~~aAll documentation will be completed by the initiating sworn personnel according to consistent with Department Policy and Procedures, including, but not. This is to include but not limited to, LEAD Referral Form LEAD Client Screening Forms, Offense/Uniform Incident Reports, Criminal Summons, Felony Supp Outs, etc.~~

~~If the individual does not, the sworn personnel may divert the individual with the understanding the DA's office may determine the candidate is not eligible. If a candidate or the individual is determined to be ineligible not eligible at a later date, the sworn personnel shall will shall file charges and proceed with the procedures outlined in SOP Arrests, Arrest Warrants, and Booking Procedures (refer to SOP Arrests, Arrest Warrants, and Booking Procedures for sanction classifications and additional duties).~~

~~Sworn personnel will:~~

~~Explain the LEAD Program to the victim, allow the victim to make their own decision regarding prosecution, and will document the decision made by the victim;~~

~~Complete a background check on the individual by databases and resources available to them;~~

~~Complete the LEAD Referral Form LEAD Client Screening Form and provide it to the LEAD Case Manager;~~



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~~Be responsible for completing all other necessary paperwork as outlined in SOP Arrests, Arrest Warrants, and Booking Procedures; and Forward all other necessary paperwork to the LEAD Liaison.~~

~~When an individual is diverted for criminal charges, they have fourteen (14) days to complete an initial intake with a LEAD Case Manager and thirty (30) days to be compliant with the LEAD Program.~~

~~If the individual is non-compliant, the diverted charges will be filed by sworn personnel with assistance from the LEAD Liaison.~~

~~Individuals with diverted criminal charges will have fourteen (14) days upon release from a medical facility to contact a LEAD Program Case Manager to complete a LEAD Intake. Individuals will have fourteen (14) days upon release from custody, to contact a LEAD Case Manager and complete a LEAD Intake. Individuals will also have thirty (30) days to maintain compliancy with the LEAD Program before the diverted charges are filed.~~

~~When there are criminal charges diverted, the individual will have fourteen (14) days to complete an initial intake with a LEAD Case Manager and thirty (30) days to be compliant with the LEAD Program. If the individual is non-compliant, the diverted charges will be filed by the sworn personnel with assistance from the Department LEAD Liaison.~~

~~If an individual is diverted into the LEAD Program but has an active warrant, they will be arrested and processed for the warrant. Sworn personnel have the discretion to divert an individual with any new criminal charges that make them eligible for the LEAD Program. Sworn personnel will follow the appropriate procedures for the warrant consistent with SOP Arrests, Arrest Warrants, and Booking Procedures and will forward a completed LEAD Client Screening Form to the LEAD Program Case Manager and to the Department LEAD Liaison for the new charges.~~

~~Sworn personnel should remind the individual(s) that they must comply with the conditions of release set by the court, if applicable.~~

~~b. (See SOP 2-80).~~

~~c. When probable cause exists, LEAD Officers may determine diverting or arresting an individual or booking and routing the individual to the criminal justice system. If the determination is to arrest, book and route, the LEAD Officer will shall will transport the individual to jail and route the appropriate paperwork. This is to include the LEAD screening form.~~

~~d. Referrals to LEAD may occur twenty four (24) hours a day, seven (7) days a week.~~

N

~~If the When sworn personnel decides to divert an individual into the LEAD Program, they will shall contact the Bernalillo County LEAD Case Manager by telephone at #505-250-6282 for an intake. The LEAD Case Manager can~~



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~~complete an intake by responding to the scene, by telephone with the sworn personnel, or the sworn personnel can transport the individual to the CARE Campus (formerly known as MATS) at 5901 Zuni Rd. SE. the individual shall will be sworn personnel shall transported the individual to the Metropolitan and Assessment Treatment Services (MATS) campus at any time, where they will be cared for until a case manager is available. Initially, case managers will only be available between 0800 and 1700 hours, Monday through Friday. This process helps facilitate a "warm hand-off" between the LEAD Case Manager, the individual, and the sworn personnel. If a LEAD diversion occurs after hours or when a LEAD Case Manager is unavailable, sworn personnel can transport the individual to the CARE Campus or email the referral to the LEAD Case Manager for follow up (leadem@berneo.gov).~~

N

~~e. The APD LEAD Referral Form (PD#1500) will shall be completed for all LEAD diversions to include social/self-referrals. This form is located in the TRACS system. A copy of the Referral Form willshall be given to the LEAD Case Manager by the sworn personnel either in person or by email.~~

~~f. Before initiating a LEAD case, the LEAD Officer willshallwill contact the Bernalillo County District Attorney LEAD Liaison and determine if the individual is eligible to be diverted.~~

~~a. —~~

~~g. If the individual is not eligible, the LEAD Officer willshallwill proceed in the arrest procedures.~~

~~h. If the individual is eligible, the LEAD Officer willshallwill complete a LEAD Client Referral Form and Release Agreement Form and contact the on-duty case manager. If a case manager is on duty, the case manager will make arrangements with the LEAD Officer to pick up the individual or meet the LEAD Officer at the MATS campus intake. (If no case manager is on duty, the LEAD Officer willshallwill transport the individual to the MATS campus at 5901 Zuni Rd SE.). If a case manager is on duty, the case manager will make arrangements with the LEAD Officer to pick up the individual or meet the LEAD Officer at the MATS campus intake.~~

~~i. Once a case manager and LEAD Officer meet, the LEAD Officer will shallwill provide the LEAD Client Referral Form and Release Agreement Form to the case manager, and the individual is handed off to the case manager. If there is no case manager on duty, the LEAD officer will shallwill provide the MATS intake staff with the LEAD Client Referral Form.~~

~~— All documentation will shallwill be completed by the initiating sworn personnel according to Department Ppolicy and Pprocedures, except for the booking process. This is to include but not limited to: Criminal LEAD Referral Forms, Offense/Incident Reports, Criminal Summons, Felony Supp-Outs, etc. LEAD Officers shallwill document the LEAD referral date, time, and the case manager or MATS campus intake staff to whom the individual was released.~~

N



~~All sworn personnel assigned to Proactive Response Teams (PRT) will shall be trained in the LEAD Program and will shall be able to assist other sworn personnel in their respective area commands regarding the LEAD Program.~~

~~The LEAD Liaison will be responsible for shall maintaining and updating LEAD referrals and /records and shall ensuring required paperwork related to LEAD Program diversions and referrals are completed. The LEAD Liaison is a collateral duty assignment overseen by the Department Crisis Intervention Unit. Department personnel may contact the LEAD Liaison The email for the Department LEAD Liaison is at apdlead@cabq.gov.~~

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N

~~B. Eligibility Criteria~~

~~a. An individual with Pre-Arrest Diversions for (m)Misdemeanor (c)Charges) is are eligible for the LEAD Program if they a~~

~~1. Are an adults who have a known or self-admitted history of alcohol, drug a substance use disorder, or a behavioral health disorder, or who experiences poverty or, homelessness, or mental health related needs a behavioral health disorder, will be eligible for a referral to the LEAD Program. Sworn personnel may refer the individual to the LEAD Program after after establishing and may be referred to LEAD in the pre-arrest phases when probable cause has been established for the exists that the individual committed when committing one of any of the following offense(s):~~

- ~~a. Non-violent misdemeanor(s); or~~
- ~~b. Non-violent City Ordinance vViolation(s);~~

~~For cases involving a victim If the offense has a victim and Tthe victim is willing to decline prosecution against the individual, the sworn personnel can can if applicable, to allow the suspect to proceed with diverting the individual to the LEAD Programthe diversion processes;~~

~~Sworn Sworn personnel will shall will:~~

- ~~2. Explain the LEAD Program to the victim, and allow the victim to make their own decision regarding prosecutioprosecution, n; and will document the decision made by the victim;~~
 - ~~a. The individual committed the offense(s) in relation to an alcohol, drug, mental health, poverty, and/or homelessness related need, which can be based on, but not limited to, the following:~~
 - ~~1. Police reports, arrest records, criminal histories, etc., indicating that the individual was engaged in such activity;~~
 - ~~2. Direct observation by police officers of the individual engaged in such activity; or~~



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- ~~3. Police sworn personnels have a reliable basis of information to believe that the individual is engaged in such activity, such as information provided by another first responder, a professional, a self disclosure, or a witness. Sworn personnels will shallwill cComplete a background check utilon the individual by izing available databases and resources available to them; and will cComplete the LEAD Client Screening Form Referral Form and provide it , which will be supplied and Release Agreement Form and supply to the LEAD Case Manager; with a copy of this paperwork. Sworn personnels will shallwill complete an Offense Incident Report form and Criminal Summons. Sworn personnels will shallwill place a copy of this paperwork to file with the Bernalillo County District Attorney's Office for criminal charge(s), if applicable with the area command LEAD officer. Sworn personnel will bBe responsible for completing all other necessary paperwork as outlined in SOP 2-80 (Arrests, Arrest Warrants, and Booking Procedures;,) and which will be fForward all other necessary paperworked to the APD Department LEAD Liaison at apdlead@cabq.gov.~~
- ~~3. d. When there are criminal charges diverted, the individual will have fourteen (14) days to complete an initial intake with a LEAD Case Manager and thirty (30) days to be compliant with the LEAD Program. If the individual is non-compliant, the diverted charges will be filed by the sworn personnel with assistance from the APD Department LEAD Liaison.~~

~~b. Pre-Booking Diversions for (Felony Chargess):~~

- ~~1. Adults who have a known or self-admitted history of alcohol, drug, a substance use disorder, poverty, homelessness or mental health-related needs, a behavioral health disorder will be eligible for a referral to the LEAD Program, and should be referred to LEAD in the pre-arrest phases when probable cause exists that the individual committed any of the following offense(s):~~
- ~~a. Criminal Possession of a Controlled Substance and~~
 - ~~b. Burglary (case by case basis);~~
 - ~~1. The victim is willing to decline prosecution, if applicable, to allow the offender to proceed with diversion processes; sworn personnels will shallwill explain LEAD to the complainant and allow the complainant to make their own decision; and~~
 - ~~2. If the victim is willing, have the victim sign a Release Agreement Form.~~
 - ~~3. i. Non-Violent Felonies to include, but not limited to:~~
 - ~~4. a. Possession of a Controlled Substance (amount determined by sworn personnel deemed for personal use);~~
 - ~~_____~~
 - ~~_____ b. Shoplifting (over \$500);~~
 - ~~_____ c. Burglary (with victim consent on case by case basis);~~
 - ~~_____ d. Criminal Damage to Property (over \$500 and victim consent); or~~
 - ~~_____ e. Auto/Residential Burglary (with victim consent).~~



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- ~~2. The individual committed the offense(s) in relation to an alcohol, drug, mental health, poverty, and/or homelessness related need, which can be based on, but not limited to, the following:
 - ~~a. Police reports, arrest records, criminal histories, etc., indicating that the individual was engaged in such activity; or~~
 - ~~b. Direct observation by police sworn personnels of the individual engaged in such activity; or~~
 - ~~c. Police sworn personnels have a reliable basis of information to believe that the individual is engaged in such activity, such as information provided by another first responder, a professional, self disclosure, or a witness.~~~~
 - ~~3. Sworn personnels will shallwill complete a background check utilizing available databases and resources and will complete the LEAD Client Screening Form and Release Agreement Form Referral Form, which will be supplied and supply to the LEAD Case Manager, with a copy of this paperwork. Sworn personnels s will shallwill complete an Offense Incident Report form and Criminal Summons. Sworn personnels will shallwill be responsible for all other necessary paperwork as outlined in SOP 2-80 (Arrests, Arrest Warrants, and Booking Procedures) and will be forwarded to the APDDepartment LEAD Liaison at apdlead@cabq.gov. place a copy of this paperwork to file with the Bernalillo County District Attorney's Office for criminal charge(s), if applicable with the area command LEAD officer.~~
 - ~~4. If it is determined that criminal charge(s) need to be filed on the individual, the Bernalillo County District Attorney's LEAD Liaison will file the charges.
 - ~~c. When there are criminal charges diverted, the individual will have fourteen (14) days to complete an initial intake with a LEAD Case Manager and thirty (30) days to be compliant with the LEAD Program. If the individual is non-compliant, the diverted charges will be filed by the sworn personnel with assistance from the APDDepartment LEAD Liaison.~~~~
- ~~e. Social Contact Referral or Self Referral~~
- ~~1. A social referral or self referral is when a LEAD Officer sworn personnel encounters an individual who meets the eligibility criteria for LEAD, but is not committing or has not committed a criminal offense. Often these will be individuals who sworn personnels encounter regularly and for whom the sworn personnel believes LEAD would be beneficial.~~
 - ~~2. The individual must meet the eligibility criteria and not meet any of the exclusionary criteria.~~
 - ~~3. The individual must be willing to be transferred to the MATS Campus, at 5901 Zuni Rd SE, to complete the LEAD Intake Assessment and meet with a case manager.~~
 - ~~c. The sworn personnel will contact the LEAD Case Manager for intake and will provide a copy of the LEAD Referral Form.~~

N

~~G. Exclusionary Criteria~~



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~~Individuals shall will be considered temporarily ineligible for diversion into the LEAD Program if, at the time of initial police contact, and during the background check, the individual meets any of the following criteria:~~

~~a. Within the last three (3) years the individual has any convictions of the following:~~

- ~~ii. Homicide (all offenses);~~
- ~~iii. All Ssex Ooffenses (felony and misdemeanor);~~
- ~~iv. All Vviolent Ooffenses (including Domestic Violence offenses);~~
- ~~iv. Arson;~~
- ~~v. Stalking and Vviolations of Pprotection Oorder (all offenses);~~
- ~~vi. Kidnapping/False Imprisonment;~~
- ~~vii. Any Crriminal Ooffense involving a Ddeadly Wweapon;~~
- ~~viii. All Crimes Against Children;~~
- ~~ix. Trafficking a Ccontrolled Ssubstance;~~
- ~~x. Registered Ssex Ooffender; or~~
- ~~xi. Promoting or Aaccepting the Eearnings of a Pprostitute.~~

~~b. An individual will also be ineligible for diversion into the LEAD Program if:~~

- ~~i. The individual is not amendable to the LEAD Program; or~~
- ~~ii. The individual is under eighteen (18) years of age.~~

~~a.~~

- ~~1. The individual does not appear amenable to diversion;~~
- ~~2. The individual is not released on their own recognizance or been a confidential informant;~~
- ~~3. The individual exploits minors or others;~~
- ~~4. There is probable cause to believe the individual committed a violent offense;~~
- ~~5. There is probable cause to believe the individual committed a felony, of any type, except Criminal Possession of a Controlled Substance and Burglary (case by case basis);~~
- ~~6. There is probable cause to believe the individual is promoting prostitution;~~
- ~~7. There is probable cause to believe the individual violated an order of protection;~~
- ~~8. There is probable cause to believe the individual committed a domestic violence offense;~~
- ~~9. The individual is currently under the supervision of Probation and Parole;~~
- ~~10. The individual is a registered sex offender;~~
- ~~11. The individual is under the age of eighteen (18);~~
- ~~12. The individual is in possession of a controlled substance that exceeds six (6) grams; and~~
- ~~13. The individual is in possession of a controlled substance prescription controlled opiates (pills), and where there is probable cause to believe the individual is trafficking for a profit above the subsistence income.~~

~~b. Individuals shall will be permanently disqualified from the LEAD Program if they have ever been convicted of any of the following offenses, including attempts:~~



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- ~~1. Homicide (all offenses);~~
- ~~2. Criminal sexual penetration;~~
- ~~3. Criminal sexual contact;~~
- ~~4. Arson;~~
- ~~5. Robbery (all offenses);~~
- ~~6. Aggravated assault with a deadly weapon;~~
- ~~7. Aggravated battery with a deadly weapon;~~
- ~~8. Aggravated stalking;~~
- ~~9. Kidnapping;~~
- ~~10. Any criminal offense involving a deadly weapon;~~
- ~~11. Aggravated burglary; or~~
- ~~12. Vehicular homicide.~~

~~e. If an individual qualifies for the LEAD Program but needs emergency medical attention or an emergency mental health evaluation, the sworn personnel has the discretion to forward a completed LEAD Client Screening Referral Form to the LEAD eCase mManager for follow up after the individual receives medical attention.~~

- ~~1. Individuals will have three (3) working with diverted criminal charges will have fourteen (14) days upon release from a medical facility, to contact the a LEAD eCase Mmanager and to complete the a LEAD Intake.~~
- ~~1. Assessment unless medical professionals professional's state otherwise.~~

~~d. If an individual qualifies is diverted for into the LEAD Program but has an active warrant, they may will be arrested and processed for the warrant. S The sworn personnel has the discretion to divert any new criminal charges that are LEAD eligible into the LEAD Program. Sworn personnel will follow the appropriate procedures for the warrant (SOP 2-80) consistent with SOP Arrests, Arrest Warrants, and Booking Procedures and will forward a completed LEAD Client Screening Form Referral Form to the LEAD eCase Mmanager and to the APD Department LEAD Liaison for the new charges.~~

- ~~1. Individuals will have three (3) working fourteen (14) days upon release from custody, to contact the a LEAD eCase mManager and complete the a LEAD Intake. Assessment unless the individual is being held at a detention facility. Individuals will also have thirty (30) days to maintain compliancy with the LEAD Program before the diverted charges are filed.~~
- ~~2. Sworn personnels should remind the individual(s) that the diversion only impacts the warrant and not if the individual is under conditions of release with a court. The defendant t they must comply with the conditions of release set by the court, if applicable.~~

N/A

~~The 2-79-76~~ LEAD Case Coordinating Group



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~~a.A.~~ A. The LEAD Case Coordinating Group is a collaboration between the Department and the following:

- ~~1.~~ Bernalillo County Department of Behavioral Health Services; ~~administrators and case managers;~~
- ~~2.~~ The Albuquerque Police Department;
- ~~3.~~ 2. Bernalillo County Sheriff's Office (BCSO);
- ~~4.~~ 3. Second Judicial District Attorney's Office;
- ~~5.~~ 4. LEAD Coordinators with ~~at~~ the Law Offices of the Public Defender;
- ~~6.~~ 5. A person with lived experience of mental health; and
- ~~7.~~ 6. Any party to the LEAD Program Memorandum of Understanding (MOU).

~~b.~~ The LEAD Case Coordinating Committee will shall hold staffing sessions in which referral decisions and LEAD Pprogram participants' progress will shall be reviewed.

~~a.B.~~ B. LEAD Program partners will use the staffing meetings to discuss:

1. LEAD Program participants' situation and progress;
2. Possible withdrawal of program support from participants who are not making effective use of the opportunity;
3. Referral criteria, program capacity, and compliance with the protocol; and
4. Particular cases or individuals to focus the attention of LEAD Program staff to include BCSO and the Department.

~~a.C.~~ C. Individual cases may be staffed more frequently via phone conferences as needed.

N/A/A

~~The 2-79-87~~ LEAD Policy Coordinating Committee

~~a.A.~~ A. The LEAD Policy Coordinating Committee is a collaboration between the following:

1. Bernalillo County ~~administration~~ Department of Behavioral Health Services;
2. Second Judicial District Attorney's Office;
3. LEAD Coordinators ~~at~~ with the Law Offices of the Public Defender;



- 4. Bernalillo County LEAD Case Managers; and
- 5. Any party to the LEAD Program Memorandum of Understanding (MOU).

B. The LEAD Policy Coordinating Committee will hold staffing sessions to discuss major policy changes, program evaluation, funding, and service capacity.

7 2-79-9 General Responsibilities

A. All sworn personnel assigned to Proactive Response Teams (PRT) shall be trained in the LEAD Program and shall be able to assist other sworn personnel in their respective area commands regarding the LEAD Program.

B. LEAD Liaison

1. The LEAD Liaison shall maintain and update LEAD Program referrals and records and shall ensure that the required paperwork related to LEAD Program diversions and referrals are completed.

The LEAD Liaison is a collateral duty assignment overseen by the Crisis Intervention Unit (CIU). Department personnel may contact the LEAD Liaison at apdlead@cabq.gov.

2.

~~b. This The LEAD Policy Coordinating Ccommittee will hold staffing sessions to discuss major policy changes, program evaluation, funding, and service capacity.~~

