



Washington Association of  
**SHERIFFS &  
POLICE CHIEFS**

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Executive Director

December 2, 2019

Mr. Bernard Dean  
Chief Clerk of the House  
Bernard.Dean@leg.wa.gov

Mr. Brad Hendrickson  
Secretary of the Senate  
Brad.Hendrickson@leg.wa.gov

Dear Mr. Dean and Mr. Hendrickson:

Pursuant to Chapter 378, Laws of 2019, the Washington Association of Sheriffs and Police Chiefs has submitted its annual report on the Arrest and Jail Alternatives Grant Program.

Sincerely,

Steven D. Strachan  
Executive Director

SDS:dg  
Enclosure

## **ANNUAL REPORT ON IMPLEMENTATION OF 2SHB 1767 (ARREST AND JAIL ALTERNATIVES--LAW ENFORCEMENT GRANT PROGRAM)**

The Washington Association of Sheriffs and Police Chiefs (WASPC), in consultation with the LEAD National Support Bureau, respectfully submits this annual report on the implementation of 2SHB 1767, creating a grant program to support pre-booking diversion of individuals with behavioral health conditions that contribute to law violations, and jail-based interventions for the same population. WASPC also responds here to the 2SHB 1767 requirement to provide a plan for evaluation and performance-based contracting for the sites funded under this program.

### **BACKGROUND**

#### **ANNUAL REPORT**

2SHB 1767 calls on WASPC to provide an annual report by December 1 of each year, which may be combined with the above plan for evaluation and performance-based contracting:

*[WASPC] must submit an **annual report** regarding the grant program to the governor and appropriate committees of the legislature by December 1st of each year the program is funded. The report must be submitted in compliance with RCW 43.01.036. The report must include information on grant recipients, use of funds, and outcomes and other feedback from the grant recipients. In preparing the report, [WASPC] may consult with the [LEAD National Support Bureau].*

#### **PLAN FOR EVALUATION & PERFORMANCE-BASED CONTRACTING**

2SHB 1767 also calls for WASPC, in consultation with the Law Enforcement Assisted Diversion (LEAD) National Support Bureau, to

*develop a plan, timetable, and budget by December 1, 2019, to **transition the grant program into a performance-based contracting** format and to **establish an evidence-based evaluation framework**. The plan may include making reasonable modifications to the initial expected outcomes for use in grant contracts.*

2SHB 1767 also provides that the Research & Data Division of the Department of Social & Health Services and the Washington Institute for Public Policy (WSIPP) “must provide technical support and consultation to support plan development as requested.”

### **ANNUAL REPORT**

#### **PRE-SOLICITATION AWARENESS AND ENGAGEMENT**

WASPC has worked together with the LEAD National Support Bureau to do outreach to and engagement with WASPC members and other eligible applicants

around the state interested in establishing pre-booking diversion programs. The already strong and geographically distributed interest has been further amplified by legislative action in RCW 10.31.110, requiring every jurisdiction to create protocols for pre-booking diversion of low-level offenses. Jurisdictions are eager to no longer have people struggling with behavioral health conditions and are encouraged about the ability to divert such individuals into a robust system of community-based care to address the underlying conditions that contributed to the violation(s) of law. While the funding stream attached to 2SHB 1767 will only support such diversion programs in a handful of jurisdictions, statewide interest is substantial.

#### DEVELOP CONTRACT WITH LEAD NATIONAL SUPPORT BUREAU

WASPC submitted a contract proposal to the LEAD National Support Bureau in October to provide technical support to WASPC on the solicitation process and on a plan for evaluation, and technical assistance to selected sites in the design and implementation of pre-booking diversion efforts and on evaluation of all funded programs. While the LEAD Bureau not returned a signed contract to WASPC, it has been working closely with WASPC on the program and has recruited and hired a team of 1.2 FTEs, all with LEAD implementation and LEAD project management expertise, who have worked closely with WASPC on RFP planning and recruitment of selection panel members. The LEAD Bureau has also made a number of visits to sites around the state interested in applying to provide background information on pre-booking diversion program design.

#### COORDINATE WITH HEALTH CARE AUTHORITY ON SSB 5380 FUNDING WHICH COMPLEMENTS 2SHB 1767

In the Governor's opioid package, a funding stream was proposed and later adopted for Washington State replication of the LEAD program, launched in Seattle in 2011, evaluated by a University of Washington research team in 2015-2016, and since widely replicated around the country. SSB 5380 funding runs through the Health Care Authority (HCA). The funding provided for SSB 5380 LEAD programs exceeds that provided for 2SHB 1767 grants, and WASPC, the LEAD Bureau, and the HCA decided to coordinate these two grant programs to optimize funding, reduce potential confusion between the two programs, and not over-concentrate funds in just one or two sites. Thus, WASPC, the HCA and the LEAD National Support Bureau have coordinated to put both solicitations in the field at the same time so that both can be intentional about making awards in a way that ensures greatest impact from the two programs combined.

#### GRANT SOLICITATION

The WASPC grant solicitation is ready to launch, but has been in a holding pattern since October, waiting for the HCA solicitation to be ready. The HCA solicitation was originally planned for launch on November 4<sup>th</sup>, was rescheduled for November 15<sup>th</sup>, then November 22<sup>nd</sup>, but is not yet ready as of the date of

this report. As such, the WASPC grant solicitation has not been launched, but will be launched simultaneously with the HCA solicitation. Based on informal inquiries to both WASPC and the LEAD National Support Bureau, we anticipate more responses than can be funded.

## **PLAN FOR EVALUATION & PERFORMANCE-BASED CONTRACTING**

### **PERFORMANCE-BASED CONTRACTING**

It is WASPC's intention to launch the 2SHB 1767 program under a performance-based contracting framework. Selected sites will receive a funding award with installment payments contingent on meeting milestones that recognize this grant program calls, initially, for program design work, and may not induct participants until well into 2020. Grant agreements will spell out the performance metrics that successful sites must meet in 2020 in order to be eligible to receive funding in 2021; for pre-booking diversion programs, these will be based on the LEAD National Support Bureau's experience in supporting the launch of new LEAD and LEAD-aligned efforts around the country, and the observed timelines for jurisdictions that make good progress. In 2021, performance metrics will transition to measures of operations of the newly-launched diversion programs, including data collection, process goals, and tracking of individual experiences and both care connections and criminal legal system outcomes.

No additional funding is anticipated to utilize a performance-based contracting framework. Grant agreements, including performance-based contracting expectations, are expected to be signed by January 31, 2020.

WASPC has forwarded this report to WSIPP and the DSHS Research & Data Division and has solicited their input on the structure of grant agreements to reflect a performance-based contracting framework.

### **PLAN FOR EVALUATION**

The LEAD National Support Bureau has developed the following plan and budget for program evaluation with respect to the outcomes identified in 2SHB 1767:

Budget: \$350,000-\$400,000 for a multi-site evaluation (based on comparable funded proposals and proposals in the field for funding)

- \$50,000 for research design for pre-booking diversion program evaluation (2020)
- \$50,000 for research design for jail-based care, if any such proposals are funded (2020)
- \$300,000 for compiling data, consultation with administrative data experts regarding the data sources and any cleaning of dataset required, data analysis & writing report(s) regarding the impact of the funded programs on

the outcomes specified in 2SHB 1767, as well as any other outcomes specified in the contract for evaluation work that may surface as matters of interest.

## TIMELINE

An outcomes evaluation will not be feasible within this biennium, as the funded programs will need to launch and operate for a sufficient period to induct a “treatment group” sufficiently numerous to be the focus of meaningful analysis. Likely, an outcomes evaluation could not commence until summer 2022 at the earliest.

Planned activities during this biennium include:

- consult with WSIPP and DSHS RDD on evaluation plan (December 2019)
- consult with WSIPP and DSHS RDD on administrative data funded jurisdictions should be asked to collect and furnish (January 2020)
- explore with Health Care Authority (HCA), WSIPP and DSHS RDD whether parallel data collection and reporting requirements for 2SHB 1767 and SSB 5380 are feasible and whether a joint evaluation plan is desirable (January 2020)
- execute contracts with funded jurisdictions requiring data tracking and reporting (by February 1, 2020)
- identify suitable and interested research partners (Q1 2020)
- respond to funding solicitations or proactively solicit funding to support research (Q2-4 2020)
- funded researchers develop research design (Q1-2 2021)
- LEAD National Support Bureau works with funded sites to ensure they are able to collect and are set up to collect required baseline data in all categories before program launch dates in late 2020

If the program continues in the following biennium, evaluation would proceed:

- if original cohort of funded jurisdictions receive continued funding and have continuous operation to study, and achieve sufficient numerosity for research design to produce useful results, research team conducts outcomes evaluation (Q3-4 2022)
- evaluation outcomes report to Legislature and Governor December 31, 2022

The LEAD National Support Bureau’s research and evaluation lead will consult with WSIPP and DSHS RDD to confirm that this approach is optimal and to consider possible alternatives that would yield meaningful analysis and that would not require substantial not-yet-identified funding, but in the absence of such an alternative, will seek sources of support for this research effort.

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