

EBDM Decision Point: Law Enforcement Response

Why this Decision Point is Important:

- The arrest (law enforcement contact) decision point is the beginning of the criminal justice process. As such, there is an opportunity at this very early stage to determine whether an individual will be brought into or diverted from the system.
- This decision point has significant short-and long-term impact on the individual and their family, the victim and their family, community safety, and the public trust and confidence in the justice system.
- Decisions made at the arrest/law enforcement response stage have significant economic impact in terms of workload and operational costs for police, correctional staff (for custodial arrests), defense attorneys, district attorneys and court personnel.

What Should Happen at this Decision Point:

1. Dispatchers consistently collect information, identify the appropriate parties to respond to the situation and relay pertinent information to responders.
2. Responding officers have as much information as possible as quickly as possible to support effective decision making (i.e., for calls for service, information about the behavior that occurred that precipitated the call; information about what has happened before the officer's arrival; whether previous calls for service were made).
3. Responding officers approach the parties with respect and an 'unbiased lens,' and with the knowledge and skills to identify/assess/respond effectively to safety concerns as well as situations where trauma or mental illness may be a factor.
4. Crisis Intervention Training (CIT) and techniques are utilized where appropriate.
5. Responding officers are equipped to effectively support and respond to victims' concerns and needs.
6. Responding officers have available and use structured objective criteria (i.e., a risk assessment tool; structured decision making tool) to inform their decision about how to respond. These criteria are applied throughout the state, ensuring consistent, fair and equitable practices.
7. Responding officers fairly and appropriately make charging decisions.
8. Responding officers have a range of diversion options available to them for those instances where penetration into the formal justice system is not necessary.
9. Responding officers consistently document the facts and circumstances surrounding citizen contact, and actions taken (including those contacts that demonstrate service that does not result in a citation/summons/arrest/etc.).

Selected Research:

- Police officer's conscientiousness in treating criminal suspects in a procedurally fair manner may have crime reducing effects. *Primary Citation:* Paternoster, Bachman, Brame, & Sherman (1997)
- Consistent with research indicating that criminal justice contact can increase offending risk (e.g., Loughran et al., 2009), both caution and intervention diversion programs were more effective in reducing general recidivism compared to the more restrictive traditional forms of criminal justice processing (i.e., incarceration and probation). *Primary Citation:* Wilson & Hoge (2013a)
- Low risk youths are more likely to benefit from caution programs, while moderate to high risk youths are more likely to benefit from intervention programs (namely, CBT-based interventions). *Primary Citation:* Wilson & Hoge (2013a)
- Pre-booking diversion options for adult offenders with serious mental illness is associated with fiscal savings. *Primary Citation:* Cowell, Hinde, Broner, & Aldridge (2013)
- The introduction of objective actuarial risk assessment tools (e.g., ODARA) into police decision-making tasks can support the identification of higher risk individuals. *Primary Citation:* Hilton, Harris, & Rice (2007)

Resources:

Further resources on the topic

