



# AN ANALYSIS OF TEXAS JAIL BOOKINGS:

## How Texas Counties Could Save Millions of Dollars by Safely Diverting People From Jail

April 2019

### Introduction

Increasingly, state and local governments are recognizing that in order to maximize public safety, the criminal justice system must use jails wisely, only incarcerating people who pose a threat to public safety. In fact, a growing body of research has shown that the costs of jailing people who are not dangerous vastly outweigh the benefits.<sup>i</sup> This includes both the financial costs to counties to actually house the individuals, but more importantly, the cost to public safety. When people who pose no risk to public safety are unnecessarily booked into jail, their risk of being arrested for another crime in the future increases significantly.

Jail stays, even short ones, can cause sustained damage on people's lives. When people are booked into jail they may lose their employment, damaging their families' economic stability. They may also lose their housing or even custody of their children. Services that they may be receiving for mental health treatment or addiction are interrupted. Their physical health may suffer as well, given the extraordinarily stressful environment and lack of access to regular medications.<sup>ii</sup> In short, jail does far more harm than good for people who are not dangerous. That is not to say that low-risk people should not be held accountable for actions that constitute criminal behavior--only that the accountability demanded by the criminal justice system should not make the entire community worse off by increasing crime rates.

This report answers basic questions about how Texas counties are using jails: who is being booked into jail, for what charges, and how long they are staying. In doing so, the report examines ways in which our system is unnecessarily detaining people into jail who do not need to be there for public safety reasons and how counties could simply and safely reduce jail populations.

Unfortunately, there is limited statewide data on Texas county jails. The Texas Jail Commission collects some data and publishes regular population reports containing the percentage of people held in all jails pretrial, after sentencing or for other reasons. That data contains a monthly average of the number of people in jail at the time for each charge level (i.e., felony, state jail felony or misdemeanor) and the percent capacity of each county's jail at that time. But their data does not contain information about offenses leading to booking and length of stay, as well as other relevant information.

Given the lack of statewide data, Texas Appleseed began to collect jail booking records from large counties in 2017. Our methodology for this report, including the data collected and the analysis performed, is described more fully in Appendix A to this report. In sum, we obtained data from 12 of the largest 25 counties that we were able to analyze for purposes of this report. Those 12 counties represent 39% of the state population and great geographic diversity, and allow us to draw conclusions about the ways in which jail is being used and misused statewide.<sup>iii</sup>

This report presents conclusions about jail use in those 12 counties based on analysis of their jail booking records. **Our overarching finding is that tens of thousands of people who are booked into Texas jails each year never need to be booked in jail at all.** The offenses for which they were charged are intended to be punished by only a fine or are eligible for citation in lieu of arrest. Moreover, many are staying far too long on low-level charges. Our findings are followed by recommendations about how to change state law and local policies so that fewer people are booked into jail unnecessarily and so that those who are booked but do not need to be detained are quickly released.

**Finding 1: The majority of people are booked into Texas jails for misdemeanor offenses rather than felony offenses.**

Examining jail booking records shows that in at least 9 of 10 large counties, misdemeanor bookings outweighed felony bookings. In the remaining county, only slightly more than half of bookings were for felony charges.<sup>iv</sup> People are often booked into jail on more than one charge, particularly when they have outstanding warrants on other charges. So, if a person were arrested for possession of a controlled substance, and the arresting officer learned they also had warrants for unpaid traffic tickets, the jail booking records would reflect bookings for both possession of a controlled substance and the traffic charges. This analysis takes that into account and only looks at the “leading charge” driving the booking, meaning the highest-level charge for which someone is booked into jail not taking into account any lesser charges. So, a felony booking below may include misdemeanor charges as well, but a misdemeanor booking would not include any felony charges.

**Felony and Misdemeanor Jail Bookings by Leading Charge (2017)<sup>v</sup>**

County	Total Jail Bookings	Total Felony Bookings (%)	Total Misdemeanor Bookings (%)
Bell	10,911	3,922 (36%)	6,989 (64%)
Collin	19,424	7,011 (36%)	10,407 (54%)
Dallas*	53,946	30,728 (57%)	22,758 (42%)
Fort Bend	15,243	4,436 (29%)	8,112 (53%)
Galveston	18,400	3,563 (19%)	12,655 (69%)
Hidalgo	21,617	8,579 (40%)	12,904 (60%)
Jefferson	15,762	2,206 (14%)	10,393 (66%)
Montgomery*	14,299	6,174 (43%)	8,122 (57%)
Tarrant	63,054	25,942 (41%)	27,188 (43%)
Travis	46,310	14,262 (31%)	31,989 (69%)

## **Finding 2: Many of the most common charges leading to jail booking are nonviolent misdemeanors and drug possession charges.**

Nonviolent misdemeanors, many of which are eligible for citation in lieu of arrest under current law, are among the most common charges leading to jail booking in the counties analyzed.<sup>vi</sup> Along with these misdemeanor offenses, possession of a controlled substance charges account for tens of thousands of jail bookings. Driving while intoxicated and domestic violence assault are the other most common charges across counties. Appendix B to this report provides the top 10 most common charges for each individual county.

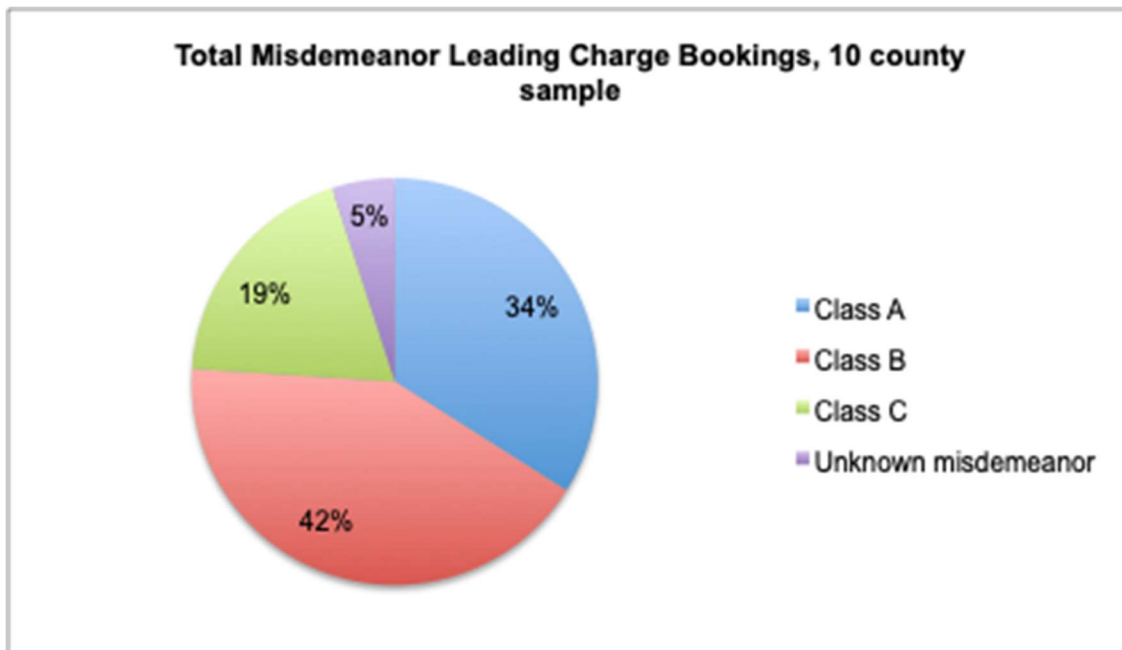
### **Top 10 Most Common Charges Leading to Jail Booking Across All Counties (2017)<sup>vii</sup>**

Rank	Offense	Charge Level	Total Charges	Percent of All Charges
1	Driving while Intoxicated	Class A or B Misdemeanor	36,034	7%
2	Possession of Marijuana	Class A or B Misdemeanor	35,031	7%
3	Possession of Controlled Substance	Any Felony Level	32,215	6%
4	Theft	Any Misdemeanor Level	20,515	4%
5	Assault Causing Bodily Injury/ Family Violence	Class A Misdemeanor	16,977	3%
6	Traffic violation (including speeding, disregarding traffic control device, expired registration, expired license plates or inspection)	Class C Misdemeanor	16,162	3%
7	Probation Violation	Any Charge Level	16,033	3%
8	Possession of Controlled Substance	Any Misdemeanor Level	10,955	2%
9	Trespass	Class A or B Misdemeanor	10,573	2%
10	Theft	Any Felony Level	10,506	2%

Not all people accused of some of these charges could safely be diverted from jail without booking or automatically released upon booking. For example, assault family violence will often require jail booking until the victim's safety is assured and a protective order is arranged if necessary.

However, many are nonviolent charges for which no jail booking is necessary, such as traffic violations which are Class C misdemeanors intended to be charged by fine alone and no jail time. Similarly, possession of marijuana and Class B theft charges are misdemeanors for which law enforcement is already permitted by statute to charge through citation in lieu of arrest.<sup>viii</sup> Nonetheless, these crimes illogically top the list of offenses for which people are booked into jail.

**Finding 3: People charged with fine-only misdemeanors and no more serious charge are make up an alarming number of jail bookings in most counties analyzed.**



Class C misdemeanors are intended to be punished by a fine and no jail time, and yet people are pouring into the county jails for these offenses. **Across 11 counties analyzed, more than 30,000 people were booked into Texas jails for a Class C misdemeanor and no more serious charge in a single year.**<sup>ix</sup>

There is some county-by-county variation in how often people charged with Class C misdemeanors are regularly booked into the county jail. The percentage of all jail bookings that were for fine-only misdemeanors ranged from a low of 1% in Dallas County to a high of 37% in Jefferson County. The remaining counties ranged from 7% (approximately 1 in 14 jail bookings) to 16% (approximately 1 in 7 jail bookings).

Notably a low number of county jail bookings for Class C misdemeanors may not necessarily indicate people are not jailed for such offenses in that county. People may instead be booked into municipal jails in the area, which are often used by local police departments for people charged with Class C misdemeanor. For example, the City of Dallas City Marshal operates their own detention center for people arrested on Class C misdemeanors, and there are also several other municipal jails in the Dallas suburbs.<sup>x</sup> So while jail bookings for Class C misdemeanors in the Dallas County jail are quite low, people being incarcerated in Dallas County for Class C misdemeanors are not necessarily reflected in that number.

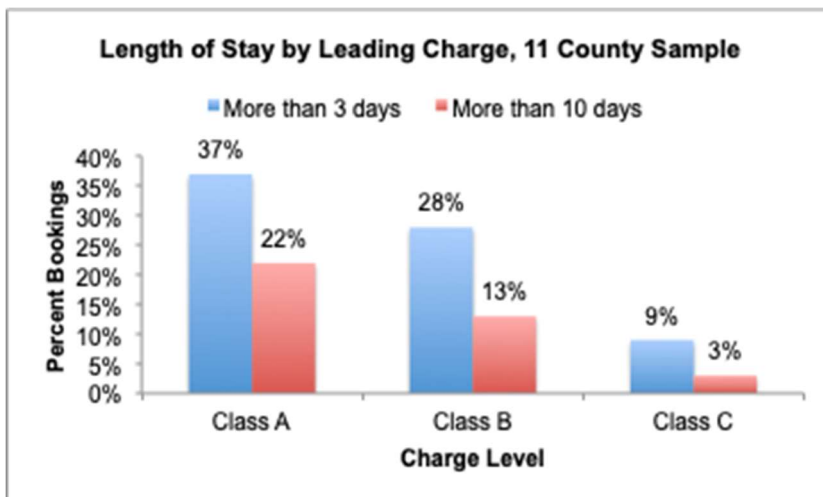
Arrests and jail for traffic offenses and Class C misdemeanors are disproportionate to the charges, which are not intended to be punished by jail time. If the legislature were to end arrests and jail time for Class C misdemeanors, tens of thousands of Texans could avoid being booked into jail each year, saving individuals from unnecessary arrest records and other negative consequences, like lost employment, that result from a jail stay. Moreover, it would also prevent law enforcement from expending a huge amount of resources on arresting and detaining people who pose no public safety threat. Research has demonstrated that the more law enforcement resources dedicated to collecting fines and fees, the vast majority of which are imposed in Class C misdemeanor cases, the lower the clearance rate for violent crimes and property crimes.<sup>xi</sup>

**Finding 4: About 1 in 4 people charged with nothing more serious than a Class B misdemeanor stay in jail longer than 3 days—a critical length of time after which many negative consequences of jail stays quickly escalate.**

In a groundbreaking study of defendants in Kentucky jails, low-risk defendants held at least 2 to 3 days were almost 40% more likely to commit a new crime before trial than a low-risk defendant held no more than 24 hours. Further, the longer low-risk defendants were held, the more likely they were to reoffend. Those detained more than a month were 74% more likely to commit a new crime before trial than those released within 24 hours.<sup>xii</sup>

The point is that even a couple of additional days in jail increases one’s risk of rearrest. Each day in jail is a day of missed work, a day without access to substance abuse and mental health treatment, a day away from family and children. When jail booking cannot be avoided entirely, counties must prioritize releasing low-risk people as quickly as possible back to their community before trial.

Yet, a substantial number of people are staying past this three-day mark after being charged with nothing more serious than a Class B misdemeanor. **More than 24,000 people charged with either a Class C or Class B misdemeanor and nothing more serious spent more than 3 days in jail over the course of a single year in 11 counties.**<sup>xiii</sup> Of these, about half (i.e., more than 12,000 people charged with a Class C or Class B misdemeanor and nothing more serious) spent more than 10 days in jail in those counties.



## Finding 5: Misdemeanor jail bookings accounted for more than 850,000 jail bed days in just 10 counties.

Counties are spending millions of dollars to jail people charged with misdemeanors alone. **Across only 10 counties, there were 858,959 jail bed days allocated to misdemeanor defendants in a single year.** Despite the fact that people charged only with misdemeanors often stay for only short time periods in jail, housing misdemeanor defendants accounted for a huge number of jail bed days due to the sheer number bookings.

- Class C misdemeanors accounted for 61,825 jail bed days.
- Class B misdemeanors accounted for 316,639 jail bed days
- Class A misdemeanors accounted for 480,495 jail bed days.<sup>xiv</sup>

A conservative estimate of the daily cost to hold a person in jail for 24 hours is about \$60 per day.<sup>xv</sup> **So, misdemeanor jail stays are conservatively costing just these 10 counties \$51 million dollars annually.** While jail cost savings can be difficult to realize given that there are many fixed costs associated with operating a jail that don't necessarily decrease proportionately with each avoided jail booking, the number of jail bed days for misdemeanor bookings is so great that the potential for true cost savings exists.

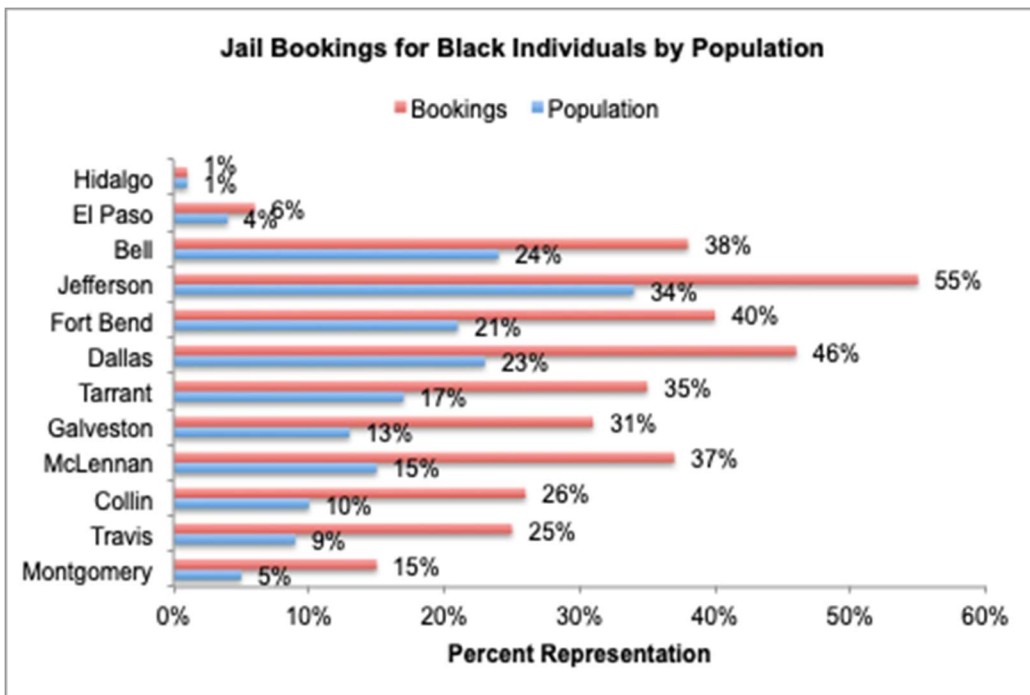
### Jail Bed Days for Misdemeanor Charges Only by Charge Level (2017)<sup>xvi</sup>

County	Class A Misdemeanor Jail Bed Days (%)	Class B Misdemeanor Jail Bed Days (%)	Class C Misdemeanor Jail Bed Days (%)	Total Misdemeanor Jail Bed Days (%)
Bell	27,206 (12.0%)	14,337 (6.3%)	759 (0.3%)	42,302 (18.7%)
Collin	25,498 (7.3%)	20,474 (5.8%)	1,330 (0.4%)	47,302 (13.5%)
Dallas	87,834 (5.3%)	72,979 (5.3%)	894 (0.1%)	161,707 (9.7%)
El Paso	30,955 (5.5%)	12,604 (2.2%)	3,296 (0.6%)	46,855 (8.3%)
Fort Bend	20,000 (7.7%)	14,011 (5.4%)	1,963 (0.8%)	35,974 (13.9%)
Hidalgo	41,796 (9.8%)	34,178 (8.0%)	2,909 (0.7%)	78,883 (18.6%)
Jefferson	19,817 (9.4%)	19,463 (9.2%)	28,979 (13.7%)	68,259 (32.3%)
Montgomery	7,257 (3.1%)	7,546 (3.2%)	1,499 (0.6%)	16,302 (7.0%)
Tarrant	128,895 (10.0%)	69,946 (5.5%)	15,861 (1.2%)	214,702 (16.7%)
Travis	91,237 (13.6%)	51,101 (7.6%)	4,335 (0.6%)	146,673 (21.9%)

## Finding 6: Black individuals are overrepresented in county jail bookings across Texas.

In almost every Texas county analyzed, black individuals were overrepresented among people booked into county jail compared to their representation in the county population. The only exception was Hidalgo County, where only 1% of the population is black. In 7 of 12 counties analyzed, black individuals' representation in jail bookings was at least double their representation in the county population.

Racial disparities have been documented at every stage of the criminal justice system from arrest to sentencing, and there are myriad factors contributing to these deeply troubling disparities, among them policing practices, racial profiling and the war on drugs.<sup>xvii</sup> While this report does not explore the cause for these disparities, we document the racial disparities present in Texas county jail bookings and flag this as a cause for tremendous concern. In a criminal justice system intended to provide to equal justice for all, policymakers must intentionally and immediately seek to rectify these disparities.



## Finding 7: Roughly one-fifth of people booked into Texas jails are women.

The rising number of women being booked into county jails has been the focus of recent media attention and reports.<sup>xviii</sup> While jails overall are rapidly expanding with a five-fold increase in jail population nationwide since 1970, the number of women in jail is climbing faster than that. Since 1970, the number of women in jails nationwide has increased 14-fold.<sup>xix</sup>

In a recent report, the Texas Criminal Justice Coalition documented trends among women in Texas criminal justice system and reported that the number of women being held in Texas jails pre-trial had increased almost

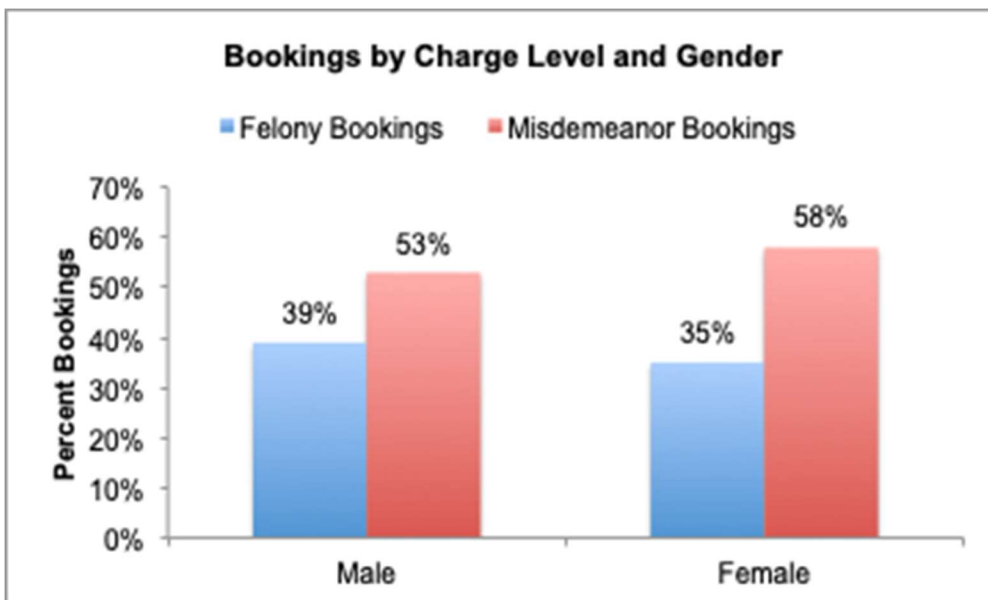
50% in just a few years since 2011.<sup>xx</sup> The jail booking records from Texas counties reflect that trend and its consistency across counties. In each county analyzed, somewhere between 19% to 27% of all jail bookings were women.

**Jail Bookings by County and Gender (2017)<sup>xxi</sup>**

County	Female Bookings	Percent Total Bookings
Bell	2,619	24%
Collin	4,863	25%
Dallas	11,503	21%
El Paso	5,366	19%
Fort Bend	3,251	21%
Galveston	4,936	27%
Hidalgo	4,139	19%
Jefferson	3,653	23%
McLennan	5,073	27%
Montgomery	3,582	25%
Tarrant	15,010	24%
Travis	10,729	23%
<b>Grand Total</b>	<b>74,724</b>	<b>23%</b>

Women are disproportionately poor and are already more likely to live in poverty than Texas men.<sup>xxii</sup> An even greater percentage of those entering the justice system face financial challenges compared to the general population. More than half of TCJC’s survey respondents reported an annual income of less than \$10,000 before being arrested; and 4 in 5 reported an income of less than \$30,000.<sup>xxiii</sup> Unnecessary jail stays exacerbate individuals’ financial struggles, driving women deeper into poverty.

Moreover, most women in jail are parents. Four in 5 women surveyed by TCJC were mothers, reflecting similar national findings about the percentage of detained women with children. An increasing number of women in jail means an increasing number of Texas children hurt by having an incarcerated mother. Like the overrepresentation of black individuals in jail bookings, we flag the growing number of women booked into Texas jails as cause for grave concern and the necessity to develop policies designed to curb this growth.





## RECOMMENDATIONS

An analysis of the bookings in these Texas county jails demonstrates that there are tens of thousands of jail bookings annually that are unnecessary and could be avoided, protecting Texans from the harms of a jail stay. For those who are booked in jail, quick pretrial release after jail booking should be prioritized so that the negative consequences of a jail stay do not escalate whenever possible. Specifically, we recommend the following to reduce unnecessary jail bookings in Texas.

### **(1) End jail bookings for Class C misdemeanors.**

Class C offenses are not intended to be punished by jail, but by fine alone. Nonetheless, law enforcement authority has the authority to arrest someone charged with such an offense without a warrant. They may also arrest them if a warrant has been issued when the person failed to appear in court or failed to pay a fine in a Class C misdemeanor case. Arrests are disproportionate to the crime charged and a waste of law enforcement resources. Courts can use alternative practices that do not involve law enforcement resources to collect unpaid fines and costs, allowing people to avoid the harms of jail and allowing counties to avoid the associated costs.

### **(2) End most jail bookings for offenses eligible for citation.**

A number of Class A and B misdemeanor offenses, including for example Driving with an Invalid License, Possession of Marijuana and Theft, are already eligible for citation in lieu of arrest under Texas law. Yet few law enforcement agencies have cite-and-release policies that enable them to take advantage of this option. Each agency should have a policy in place providing that citation in lieu of arrest will be used as the default option for any eligible offense. Exceptions to that policy should be rare, such as when the person presents a threat to themselves or others. Furthermore, the legislature should expand the list of offenses eligible for citation in lieu of arrest. Other Class B misdemeanors like trespassing and prostitution should be included, along with drug possession of any charge level.

### **(3) Quickly release most people after jail booking on personal bond.**

Many people can be automatically released on personal bond after jail booking. Harris County judges have recently implemented a standing order in that county stating that anyone charged with certain misdemeanor offenses—not including family violence assault, DWI, violation of bond conditions and a few others—is entitled to automatic release on personal bond. Other counties around the country have implemented similar policies with positive results.<sup>xxiv</sup>

Anyone not automatically released should be presumed to be eligible for prompt release on personal bond, without any money bond required. If the judge determines certain conditions of release are necessary to reasonably ensure public safety or court appearance, the judge could impose those conditions as well. Only in cases where the judge found by clear and convincing evidence that public safety or court appearance could not reasonably be ensured through release on personal bond should a monetary bond be required or a person be detained before trial.

#### **(4) Implement diversion programs.**

Each law enforcement agency should implement policies through which people arrested for certain offenses are diverted directly to services and treatment without ever being booked into jail. For example, someone arrested for drug possession could be brought by law enforcement to a drug treatment facility rather than booked in jail.<sup>xxv</sup> Someone who was experiencing a mental health crisis could be diverted to a mental health treatment facility in the community where their needs would be better addressed compared to the county jail. Through such law enforcement diversion, jail bookings could be completely avoided in certain circumstances. A handful of such programs exist in Texas, but they need to be dramatically expanded.

Similarly, district attorneys should develop programs through which they offer diversion for people charged with certain offenses. For example, upon successful completion of a treatment program, charges would be dropped. This also would allow people to avoid jail time and a criminal record if they complete the requirements of the programs.

#### **(5) Analyze local data to develop local solutions to reduce jail use.**

Each county should analyze their local data to determine what is driving jail populations and develop policies to reduce jail bookings based on that local analysis. Counties should ensure that local law enforcement are taking advantage of opportunities for citation in lieu of arrest and develop programs for diversion to community-based treatment. Counties should also identify strategies to reduce racial disparities in their jail bookings and to curb the growth of women being booked in jail.

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<sup>i</sup> See, e.g., Christopher T. Lowenkamp et al., Laura & John Arnold Foundation, *Hidden Costs of Pretrial Detention 10-11* (2013); Paul Heaton et al., *The Downstream Consequences of Misdemeanor Pretrial Detention* (2016), available at <https://www.law.upenn.edu/live/files/5693-harriscountybail>.

<sup>ii</sup> See Ram Subramanian et al., Vera Institute, *Incarceration's Front Door: The Misuse of Jails in America* (2015), available at <https://www.vera.org/publications/incarcerations-front-door-the-misuse-of-jails-in-america>

<sup>iii</sup> See Appendix A for a full inventory of data and methodology in this report.

<sup>iv</sup> Looking at the Texas Commission on Jail Standards Population Reports can give the impression that most people booked into jail have been charged with felonies. Because people charged with felonies stay longer in jail than those charged with misdemeanors, and the TCJS data provides a monthly average, there often appear to be more people charged and convicted of felonies in jail. However, these monthly averages do not reflect all of the jail bookings over the course of a period of time, so undercounts the number of people who are booked in and stay for shorter periods of time.

<sup>v</sup> Dallas and Montgomery County data reflects jail bookings in 2016 not 2017, because that was the only data we were able to obtain from those counties. McLennan County and El Paso County data was not available for purposes of this particular analysis. For some counties the totals do not equal 100%, because they were missing charge level for a portion of jail bookings.

<sup>vi</sup> Note for this particular analysis, leading charge was not considered, and instead all charges were counted.

<sup>vii</sup> Dallas and Montgomery County data reflects charges leading to jail booking in 2016 not 2017. El Paso County was not able to be included in this analysis.

<sup>viii</sup> Texas Code of Criminal Procedure art. 14.06(c) & (d).

<sup>ix</sup> Dallas and Montgomery County reflect jail bookings in 2016 not 2017. McLennan County is not included in analysis.

<sup>x</sup> See <https://dallascityhall.com/departments/courtdetentionservices/Pages/Dallas-City-Marshal.aspx>;  
<http://www.ci.garland.tx.us/gov/lq/safety/police/unit/support/detention.asp>;

<https://www.cityofirving.org/906/Irving-City-Jail>; <https://www.grapevinetexas.gov/1440/City-Jail>; <https://www.nrhtx.com/648/Jail-Information>.

<sup>xi</sup> Rebecca Goldstein et al., "What happens to police departments that collect more fines? They solve fewer crimes," *Washington Post* (Sep. 24, 2018), available at [https://www.washingtonpost.com/news/monkey-cage/wp/2018/09/24/want-your-police-department-to-collect-more-fines-it-will-solve-fewer-crimes/?utm\\_term=.a27f377feecc](https://www.washingtonpost.com/news/monkey-cage/wp/2018/09/24/want-your-police-department-to-collect-more-fines-it-will-solve-fewer-crimes/?utm_term=.a27f377feecc)

<sup>xii</sup> Christopher T. Lowenkamp et al., Laura & John Arnold Foundation, *Hidden Costs of Pretrial Detention 10-11* (2013).

<sup>xiii</sup> Dallas and Montgomery County reflects 2016 jail bookings, not 2017. McLennan County is not included in this analysis.

<sup>xiv</sup> Dallas and Montgomery County reflects 2016 jail bookings, not 2017. Galveston County and McLennan County are not included in this analysis.

<sup>xv</sup> Texas Ass'n of Counties, *The Cost of County Government: The 2016 Unfunded Mandated Survey* (2016), available at [https://www.county.org/TAC/media/TACMedia/Legislative/Unfunded\\_Mandates\\_Complete\\_Book.pdf](https://www.county.org/TAC/media/TACMedia/Legislative/Unfunded_Mandates_Complete_Book.pdf)

<sup>xvi</sup> Dallas and Montgomery County reflects 2016 jail bookings, not 2017. Galveston County and McLennan County are not included in this analysis. These numbers are conservative, because they do not include the jail bed days of people who were booked in during the year analyzed but whose release occurred the following calendar year.

<sup>xvii</sup> See, e.g., Sentencing Project, *Report to the United Nations on Racial Disparities in the U.S. Criminal Justice System* (2018), available at <https://www.sentencingproject.org/publications/un-report-on-racial-disparities/>.

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- <sup>xviii</sup> See, e.g., Cary Aspinwall, “More women are jailed in Texas even though arrests are down. Why?,” Dallas Morning News (Dec. 2017), available at <https://www.dallasnews.com/news/social-justice-1/2017/12/03/women-jailed-texas-even-though-arrests-gone>; Elizabeth Swavola, et al., Vera Institute, *Overlooked: Women and Jails in an Era in Reform* (2016), available at <https://www.vera.org/publications/overlooked-women-and-jails-report>.
- <sup>xix</sup> Elizabeth Swavola, et al., Vera Institute, *Overlooked: Women and Jails in an Era in Reform* (2016), available at <https://www.vera.org/publications/overlooked-women-and-jails-report>.
- <sup>xx</sup> Texas Criminal Justice Coalition, *A Growing Population: The Surge of Women in Texas’ Criminal Justice System* (2018), available at <https://www.texascjc.org/sites/default/files/publications/TCJC%20Womens%20Report%20Part%201%20Executive%20Summary.pdf>
- <sup>xxi</sup> Dallas and Montgomery County data reflects 2016 jail bookings, not 2017. McLennan and El Paso counties are not included in this analysis.
- <sup>xxii</sup> Talk Poverty, Texas 2017 at <https://talkpoverty.org/state-year-report/texas-2017-report/> (16% of working-age women vs. 11.5% of working-age men have an income below the federal poverty line).
- <sup>xxiii</sup> See TCJC, *A Growing Population*, *supra* note xix.
- <sup>xxiv</sup> Aurelie Ouss and Megan Stevenson, “Evaluating the Impacts of Eliminating Prosecutorial Requests for Cash Bail,” George Mason Legal Studies Research Paper No. LS 19-08, February 17, 2019 available at <https://ssrn.com/abstract=3335138>.
- <sup>xxv</sup> See, e.g., Drug Policy Alliance, *New Data Shows Promise For Santa Fe’s Innovative Law Enforcement Assisted Diversion (LEAD) Program* (Oct. 2018), available at <http://www.drugpolicy.org/press-release/2018/10/new-data-shows-promise-santa-fes-innovative-law-enforcement-assisted>.