

C.A.R.E.S Diversion Program

403.1 PURPOSE AND SCOPE

This procedure provides guidance for the Union City Police Department regarding when and how to offer the C.A.R.E.S diversion program.

403.2 C.A.R.E.S DIVERSION PROGRAM DEFINITION

COMMUNITY ASSESSMENT REFERRAL AND ENGAGEMENT SERVICES (C.A.R.E.S) is a pilot program available to all Alameda County Law Enforcement Agencies. The Alameda County District Attorney's Office has partnered with La Familia Counseling Services and created the C.A.R.E.S. diversion program. The purpose is to re-direct low-level offenders into supportive services and away from incarceration and the criminal justice system. This program serves individuals experiencing a mental health or substance use episode. The C.A.R.E.S. Navigation Center is located at 3315 International Blvd, Oakland, CA. The program business hours are 1100 hours -1900 hours. Officers can refer individuals until 1800 hours.

403.3 ELIGIBILITY CRITERIA

To be eligible for this program, the individual must meet all of the following criteria:

- (a) The individual is an adult that is arrested for a misdemeanor or other qualifying crimes.
- (b) The adult is displaying mental health and/or substance use behaviors or you learn that mental illness and/or substance use is a chronic problem for the individual.
- (c) The adult is not violent with officers.
- (d) The adult does not require medical treatment.
 1. Minor injuries treated on scene are accepted at the C.A.R.E.S diversion program.
 2. The adult is not eligible for the C.A.R.E.S diversion program if they need to be medically transported.

403.4 COMMON QUALIFYING CRIMES TO CONSIDER FOR REFERRAL

- 242 PC – Battery
- 484 PC – Petty Theft
- 602 PC – Trespassing
- 594 PC – Misdemeanor Vandalism
- 647 PC – Loitering
- 11364 HS – Possession of drug paraphernalia
- 11550 HS – Under the influence of a controlled substance
- Misdemeanor drug possession

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403.5 COMMON CRIMES THAT DO NOT QUALIFY FOR REFERRAL

- Any offense for which a person, if convicted, would be required to register as a sex offender per PC 290
- Domestic Violence PC 243(e)(1)
- Stalking PC 646.9
- Driving under the influence VC 23152 (a) and (b)
- Felony offenses
- Individuals with active warrants

403.6 PROCEDURE

- Officers are encouraged to use the C.A.R.E.S diversion program for low-level offense that meet the eligibility criteria.
- Officers shall activate their Body Worn Camera (BWC) throughout the interaction.
- Officers should conduct a criminal investigation to determine if a qualifying crime has been committed. Officers should also determine if a mental illness/substance use is a contributing factor.
- If the adult is arrested for a qualifying crime, the officer should offer the C.A.R.E.S. diversion program.
- The admonition written on the (Blue/Orange) palm card shall be read to the adult, which states the following:
 - (a) You may be eligible for pre-charging diversion for the criminal conduct alleged here today. If you are eligible for and complete diversion no criminal charges will be filed. Do you understand?
 - (b) To be considered for pre-charge diversion you must be assessed for eligibility at the CARES Navigation Center. Do you agree to be transported to the CARES Navigation Center?
- If the adult voluntarily agrees to accept C.A.R.E.S. services, then;
 - (a) Call the C.A.R.E.S. Navigation Center to check on availability at 510-300-3156.
 - (b) Cite and release the individual and provide them with their copy of the citation.
 - (c) Provide a courtesy ride to the C.A.R.E.S. Navigation Center unhandcuffed.
 - (d) Upon arrival at the facility, officers should complete the intake forms and show staff a copy of the arrestee's citation so that they can take a photo of it.
- If the adult declines C.A.R.E.S services, then;
 - (a) Complete the arrest process per departmental policy and procedure. Document the decline of C.A.R.E.S services at the end of the crime report.

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403.7 DOCUMENTATION

- The crime report and evidence should be completed per department policy like any other cite and release arrest.
- List "Diversion Program" in the "Copies To" section of the crime report and at the end of the probable cause declaration.
- If the arrestee agrees to accept C.A.R.E.S. services, then write "Diversion Program Accepted" at the end of the crime report.
- If the arrestee does not agree to accept C.A.R.E.S. services, then write "Diversion Program Not Accepted" at the end of the crime report.

<u>Offense</u>	<u>Rpt Add'l</u>	<u>Solvability Factors</u>	Report Misc	<u>Cross Reference</u>
ASSET FORFEITURE				
USE OF FORCE				
HATE CRIME				
PREP FOR ADULT D.A.				
PREP FOR JUV PROBATION				
CRIME GUN				
COPIES TO				

403.8 RECORDS UNIT RESPONSIBILITY

The Records Unit will forward all reports that list "Diversion Program" in the "Copies To" section of the crime report to the DA's Office for review.

403.9 REVISIONS

Adopted Procedure: July 19, 2021