



Best Practices in Youth Diversion

Literature review for the Baltimore City Youth Diversion Committee

Jill Farrell, Aaron Betsinger, and Paige Hammond
The Institute for Innovation & Implementation
University of Maryland School of Social Work
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BEST PRACTICES IN YOUTH DIVERSION

I. Purpose of this Report

The following report provides a summary of youth diversion programs and practices, including best practices in youth diversion at arrest. The report is intended to serve as a reference/summary document for the Baltimore City Youth Diversion Committee in their work to support the Baltimore City Police Department and efforts to bolster youth diversion programming in Baltimore City. The report includes a general overview of youth diversion, summaries of research and best practices, and examples of programs that are supported by research.

II. Introduction

Juvenile crime rates have been experiencing a steep decline over the past two decades—the juvenile arrest rate peaked in 1996 and then declined 70 percent by 2016 (OJJDP Statistical Briefing Book, 2018). Despite this decline, large numbers of youth enter the juvenile justice system each year, and sizeable proportions of these youth are there for nonviolent or minor offenses (Puzzanchera, 2014). For many, this contact results from exclusionary policies—such as expulsions, suspensions, and arrests—in their schools (Farn, 2018); such policies often have a disparate impact on minority students and contribute to the overrepresentation of minorities in the juvenile justice system (Nicholson-Crotty et al., 2009). In addition, many youths who enter the juvenile justice system have mental health disorders or other needs underlying their offenses that could be better met by other service systems or agencies (Skowrya & Coccozza, 2006).

Diversion offers an alternative to traditional case processing for overburdened court systems. Diversion programs hold offenders accountable for their actions while allowing them to avoid negative consequences associated with official juvenile justice system contact (e.g., an official record, associations with more delinquent peers). Further, formal juvenile justice system processing has the potential to increase the likelihood of recidivism among youth, particularly for low risk offenders (Gatti et al., 2009; Petrosino et al., 2013). Because most youth will not have subsequent justice system contact, diversion is a particularly appropriate and proportional response for first-time, status, or other nonviolent offenders. These youths can be appropriately matched to services provided in the community, thereby preserving more intensive and costly out-of-home services for the youth who need them and/or represent a threat to public safety.

III. Youth Diversion Overview

Background

Diversion has been defined as “an attempt to divert, or channel out, youthful offenders from the juvenile justice system” (Bynum & Thompson, 1996, p. 430). Diversion programs emerged as a result of the President’s Commission on Law Enforcement and Administration of Justice in 1967, and their purpose was multifold. In addition to providing an alternative avenue for handling first-time and status offenders, youth diversion programs were intended to prevent or mitigate the stigmatizing effects associated with formal justice system involvement (Schwalbe et al., 2012). According to labeling theory, such contact may brand youth who commit minor offenses as “delinquents” or “deviants” (Becker, 1963; Klein, 1986; Lemert, 1951; Schur, 1971; Tannebaum, 1938). Not only do such labels negatively affect the way others in society view these youth, but they may be internalized by the youth themselves. The consequence of this labeling process may be that youth ultimately view their legitimate options in society as limited and conform to their labels by engaging in additional delinquency.

Enthusiasm for and research into diversion programs waned in the 1980s and 1990s, as political tides shifted and support for “get tough” policies increased (Schwalbe et al., 2012; Annie E. Casey Foundation [AECF], 2018). In addition, because empirical support for labeling theory was limited, by the time research into diversion programs was re-initiated in the 2000s, the theoretical foundation for these programs broadened to include other frameworks, including differential association (Schwalbe et al., 2012). Differential association (Cressey, 1952; Sutherland, 1974) and social learning theories posit that delinquency is likely to increase when youth are exposed to more delinquent peers. Thus, one of the goals of diversion is to prevent youth with minimal delinquent involvement from becoming more heavily involved in delinquency due to their association with and learning from peers with greater justice system involvement.

Intended Outcomes and Benefits of Diversion

The primary intended outcomes of diversion are preventing youth from penetrating the juvenile and/or criminal justice systems and reducing the likelihood of future contact with law enforcement. Diversion programs are generally touted as having many additional benefits, including:

- reducing stigma around justice system involvement;
- preventing association with delinquent peers;
- holding youth accountable for their actions;
- providing proportionate responses to delinquent behavior;
- providing youth with opportunities to connect with services in the community;
- reducing court caseloads, detentions, and out-of-home placements;
- reducing justice system costs and preserving resources for youth who pose a greater public safety risk or have greater needs for services; and
- improving relations between youth, community, and the police.

Potential Harms of Diversion

Despite the extensive list of potential benefits associated with diversion, these programs are also associated with several prospective harms, including net widening, increased recidivism, and inequitable access and use.

Net widening. Chief among possible harms is the potential for net widening, which results when the number of youth who come into contact with the justice system is inadvertently expanded. Although a primary goal of diversion is to limit youth contact with the juvenile justice system, net widening can occur if youth who otherwise would not have had contact with the juvenile justice system are referred to diversion programs (Mears et al., 2016). For example, Macallair and Males (2004) determined that diversion programs in San Francisco in the 1990s primarily served youth who would not have been in contact with the justice system otherwise, as opposed to youth who would have received detention, the intended target population of the program. Similarly, a study of 11 diversion programs in California determined that half of the youth enrolled would not have been exposed to further juvenile justice system processing if the programs did not exist (Bohnstedt, 1978). Mears et al. (2016) also note the potential for net widening when diversion programs are operated by private providers, who may experience pressures to maintain a flow of referrals for sustainability.

Increased recidivism. Another potential concern regarding the use of diversion is the possibility that interventions may actually increase, rather than decrease, recidivism (Mears et al., 2016; Klein, 1979). One explanation offered for increased recidivism following program participation is that diversion interventions may not be viewed by youth as negatively consequential, so youth may feel uninhibited to continue to engage in their delinquent behaviors (Development Services Group, 2017; Mears et al., 2016). Alternatively, in instances where diversion programs are overseen by probation or other agency departments, youth may be treated like conventional probation cases, which are subject to increased levels of surveillance (AECF, 2018). Contrary to the goal of preventing further system penetration, these diversion participants may be subject to court-imposed sanctions for noncompliance. As noted by the Annie E. Casey Foundation (2018, p. 29),

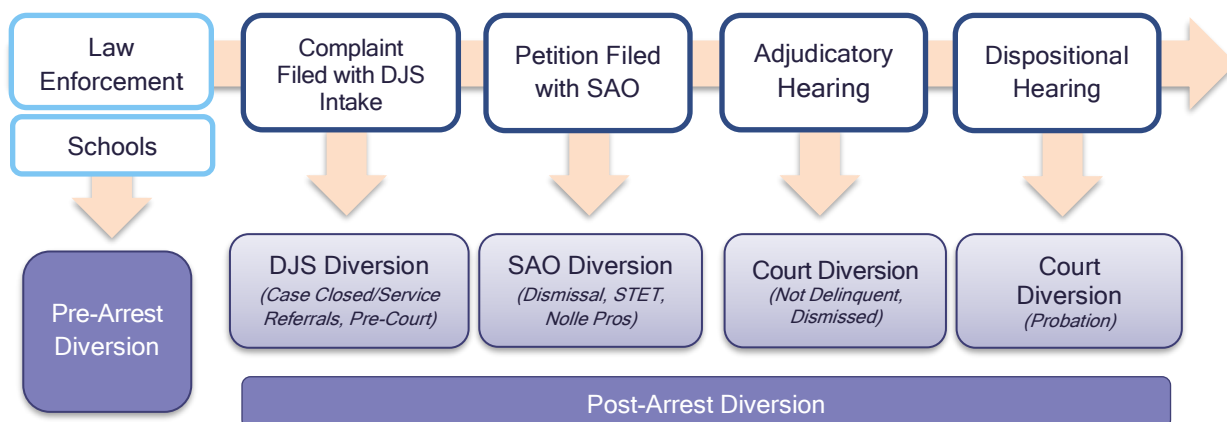
retaining the threat to reopen or process the cases of youth who fail to meet the conditions of the diversion program “is unnecessary and counterproductive because most youth grow out of delinquent behavior without any intervention, and formal processing substantially increases the likelihood of future arrests, while doing little or nothing to improve behavior.”

Inequitable access and use. Another possible harm related to diversion is unequal utilization, which may potentially result in disproportionalities favoring nonminority youth. Several studies have found that African American and Black youth are less likely to receive diversion, probation, and rehabilitative opportunities relative to White youth (Cochran & Mears, 2015; Guevara et al., 2006; Leiber et al., 2009; Leiber & Jamieson, 1995). In addition, some literature found gender-based disparities in the application of diversion programs (e.g., Alder, 1984). Although girls were found to be overrepresented in diversion programs, their referrals to these programs were often the result of issues other than delinquent offending (e.g., “personal problems” or “family difficulties”), again raising concern over net widening (Alder, 1984). At the same time, despite this historical inclination to over-intervene in the lives of girls, much of the programming available in the juvenile justice system, including diversion opportunities, focuses exclusively on boys or otherwise ignores the unique sets of risks and needs experienced by girls (Sherman & Balck, 2015).

Decision Points

Diversion may be defined in a variety of ways (see Whitehead and Lab, 2001) and may occur at multiple points of contact with the justice system (Development Services Group, 2017). For the purposes of this report, diversion is categorized into pre-arrest diversion and post-arrest diversion. **Pre-arrest diversion** may be considered “true” diversion, as it prevents the youth from being formally processed by the juvenile and/or criminal justice systems. This type of diversion may occur when police choose not to arrest youth or when schools decline to involve police or the courts when youth engage in minor acts of lawbreaking that occur within the school (AECF, 2018). On the other hand, **post-arrest diversion** occurs when youths are arrested but are prevented from further justice system penetration because they are deemed to not be threats to public safety. This type of diversion may also be called pretrial, pre-adjudication, or predisposition diversion (AECF, 2018; Development Services Group, 2017). Decisions to divert youth post-arrest may be made by juvenile intake officers, prosecutors, or judges (AECF, 2018). Figure 1 illustrates key juvenile justice process points in Maryland and potential diversion opportunities.

Figure 1. Juvenile Justice Process and Diversion Flow Chart - Maryland



Types of Diversion Programs

Diversion programs vary not only in justice system point of contact but also in form, target population, eligibility criteria, who delivers the intervention, how charges are handled, consequences for non-compliance, and desired outcomes. Some programs, such as caution and warning programs or civil citations, may be accepted in lieu of an arrest. Others, such as teen courts, are initiated after arrest but allow youth to bypass formal adjudication processes. Program requirements for youth can range broadly from writing an apology letter to participation in services.

Diversion programs also vary in their approaches or intervention philosophies. A scan of the literature reveals a wide range of program types and variations in how these are categorized. For the purposes of this report, programs are broadly classified as police-led, service coordination, counseling/skill-building, and restorative justice approaches. **Police-led** programs include caution and warning as well as civil citation programs. **Service coordination** models include case management, service broker, and wraparound approaches. The primary goal of these models is to identify the youth's needs and link them to appropriate services. **Counseling/skill-building** programs typically target the criminogenic needs underlying the youth's delinquent behavior, with the goal of addressing needs and reducing the likelihood of future delinquent behaviors. These programs include therapeutic interventions that focus on the family or the youth's mental health or substance use, as well as skill-building programs that address life skills, educational, or vocational needs. Mentoring programs are also included here, as these programs seek to help engage youth in ways that encourage them to make healthy decisions and reach academic or employment goals.

Central to **restorative justice** approaches is the idea that criminal activity causes harm to individuals, relationships, and the community (Rodriguez, 2005). To address this harm, a collaborative, reparative process is undertaken involving victims, communities, and offenders with the intent of encouraging youth to recognize the harms they caused, accept responsibility for their actions, and make amends for their actions (Seigle et al., 2014) while also providing support to the victim and creating a safer and more supportive community (Rodriguez, 2005; Bradshaw et al., 2006). Common restorative justice approaches in juvenile diversion include victim-offender mediation and family group conferences. Teen courts may also fall under this category. Several justice system practices are also considered restorative justice practices including community service, apology letters, restitution, victim impact statements, and victim impact panels (Ashley & Stevenson, 2006).

Descriptions for different types of diversion programs are provided in Table 1. This summary represents common diversion approaches and is not an exhaustive list. Also, diversion programs may utilize more than one approach.

Table 1. Types of Youth Diversion Programs

Program Type	Description
Police-Led	
Caution and Warning Programs	Youth receive a warning or formal caution instead of further justice system processing. Caution programs generally occur pre-charge and are led by police. Traditional caution programs typically involve a youth, their parents, and a police officer who describes consequences of further delinquent behavior (Wilson et al., 2018). Variations of traditional caution programs include caution plus referral to services and restorative caution, which entails a structured discussion between the offender, affected persons, victim, and a police officer facilitator (Wilson et al., 2018; Wilcox et al., 2004).
Civil Citation Programs	Civil citation programs allow youth to avoid arrest records by accepting citations for misdemeanor offenses (Mears et al., 2016). As a condition of accepting citations and avoiding arrest, youth may be required to complete community service hours, participate in intervention services (e.g., counseling), or be subject to other sanctions (e.g., restitution, apology letters).
Service Coordination	
Case Management	Case management or broker model programs focus on coordinating and linking youth to external services (Schwalbe et al., 2012). Case management programs generally do not provide direct services themselves and rely on referrals to external providers.
Wraparound Services	Wraparound is a comprehensive, child and family-centered approach in which a team is built generally consisting of the young person, their family, their community, wraparound staff, and service providers (National Wraparound Initiative, 2018; Carney & Buttell, 2003). This team works collaboratively, with the youth and family taking a leadership role, to identify needs, locate services, and create an individualized plan (National Wraparound Initiative, 2018). The goal of wraparound services is to surround the family with a supportive team as they work together to meet the family's unique needs and goals.
Counseling/Skill-Building	
Individual-Based Treatment	Individual-based treatment includes individual and group counseling and crisis intervention.
Family-Based Treatment	Family-based treatment includes counseling programs such as Multisystemic Therapy and Functional Family Therapy.
Mentoring	Mentoring programs generally entail the pairing of a youth and an adult, who may serve as a positive role model for the young person and provide a caring and supportive relationship.
Skill-Building Programs	Skill-building programs include employment training, truancy interventions and other educational services, and life skills training.
Restorative Justice	
Victim-Offender Mediation	Victim-offender mediation entails an in-person meeting between the victim and offender(s) guided by a trained staff member or volunteer (Bradshaw et al., 2006; Umbreit et al., 2001). These meetings offer an opportunity to "humanize the process" by allowing the victim to see the person who caused the harm and the offender to see and hear from the victim. Victim-offender mediation also allows for a facilitated dialogue about how the offender can help repair the harm done, including through an apology, restitution, or community service (Umbreit et al., 2001).
Family Group Conferences	Family group conferences often include a wider group of participants in addition to the victim and offender, including family, friends, and other important people in the victim and offender's lives (Jeong et al., 2012; Umbreit & Stacey, 1996). The conference allows for all participants to share their stories and how they were impacted by the crime and collaborate to identify how the offender may make amends. Family group conferences are organized by conference coordinators who may be police officers, school officials, or other individuals (McGarrell & Hipple, 2007; Umbreit & Stacey, 1996).
Teen Court	Teen court (or youth court) is an alternative to traditional court processing in which court proceedings are carried out by youth volunteers who act as prosecutors, defenders, jury members, and other roles. By including other young adults in the process, teen courts aim to utilize positive peer influence to alter youth behavior (Smith & Chonody, 2010; Povitsky, 2005; Forgays & DeMilio, 2005; Choate & Manton, 2014). Teen courts generally do not focus on establishing guilt, as youth often must admit guilt to participate (Bouchard & Wong, 2017; Butts & Buck, 2000). Instead, the primary goal of teen courts is to reach a fair sentence for juvenile offenders with the involvement of their peers. Teen courts generally impose sanctions, such as community service, future teen court jury service, and apology letters (Gase et al., 2016; Schneider, 2007). Teen courts can be diverse in nature; a variety of models exist including the adult judge model, youth judge model, and the peer jury model. They also differ in the types of sanctions imposed, the criteria for participation (e.g., offense type), and other characteristics (Cotter & Evans, 2017).

IV. Research Support for Diversion Programs

Empirical support for diversion programs is decidedly mixed. There are several limitations with juvenile diversion research that are important to note, however. First, many diversion programs are never evaluated (Mears, 2012). In addition, diversion programs are diverse in terms of populations served, services provided, and the time point of diversion, among other factors, which can make comparison across programs and program types difficult. These issues are further complicated by the fact that studies of diversion programs often report on different study characteristics and vary in terms of rigor (Mears et al., 2016). Notably, Wilson and Hoge (2013) found that evaluations with more rigorous study designs often show null effects of diversion and noted the clear need for more evaluations with stronger designs. Another important takeaway from many of these studies is the critical role of program implementation with careful attention to model fidelity standards—programs with higher quality implementation have larger effects on recidivism (Schwalbe et al., 2012; Wilson & Hoge, 2013; Lipsey, 2009; see Appendix I for summary guidance regarding effective program implementation).

Meta-analyses¹ show effectiveness for diversion programs, or at least for subsets of diversion programs. For instance, although a 2012 meta-analysis of 28 studies and 57 experimental comparisons did not find an overall effect of diversion programs on recidivism, it did find that family-based treatment programs produced a statistically significant reduction in recidivism (Schwalbe et al., 2012). Some reviews have found evidence to support the effectiveness of caution and warning programs in reducing recidivism when compared to traditional justice system processing (Wilson et al., 2018; Wilson & Hoge, 2013). Wilson & Hoge's (2013) meta-analysis of 45 evaluation studies and 73 diversion programs suggests programs that maximize diversion and minimize intervention are most effective for low-risk youth. In addition, for low-risk youth, programs that accept referrals pre-charge are more effective than those that accept referrals post-charge. Conversely, programs that provide a higher level of intervention may be most appropriate for medium/high-risk youth. And, among medium/high-risk youth, there are no differences in the effectiveness of diversion programs that accepted youth pre-charge and post-charge.

Research evidence by diversion program type is summarized in the remainder of this section.

Caution and Warning Programs

A 2013 meta-analysis of 73 diversion programs, including both caution programs and intervention programs, indicated that these programs were more effective in reducing recidivism than traditional juvenile justice processing (Wilson & Hoge, 2013). Wilson and colleagues (2018) published a systematic review of pre-arrest, police-initiated diversion programs, including warning, counsel and release, and caution programs, sometimes in combination with referrals to service providers. Their review included 19 evaluations published in the United States, Canada, Australia, and the United Kingdom, and it featured 11 U.S.-based programs implemented between 1974 and 1997. Program participants were low-risk youth with limited or no prior juvenile justice system involvement. The authors found that, compared to traditional system processing, police-initiated diversion programs modestly reduced delinquent behavior among low-risk youth, but there were no significant differences found across different types of programs (e.g., programs that did and did not make referrals to services).

¹ Meta-analysis is a type of statistical analysis that involves combining the results of multiple studies to attempt to synthesize evidence from across the literature. Rather than examining a single study, meta-analyses draw conclusions across several existing studies that examine a similar problem. For example, Schwalbe et al.'s (2012) meta-analysis analyzed the results from 28 prior experimental studies of diversion programs to identify the overall effect of diversion programs on recidivism and the specific types of programs that are most effective.

Civil Citation Programs

Florida has the longest running and most prominent police-initiated civil citation program, dating back to 1990 and present in 60 of the state's 67 counties as of 2016 (Nadel et al., 2018; Florida Department of Juvenile Justice, 2018), but there have been limited studies of its effectiveness. A 2017 study found that, while other diversion programs in Florida had a 9 percent recidivism rate on average, the average recidivism rate for civil citation programs was 4 percent statewide (Caruthers, 2017). Still, many counties had not meaningfully implemented their civil citation program (Nadel et al., 2018), and civil citation remains underutilized in the state, with citations being issued in roughly half of eligible cases (Caruthers, 2017). In addition, as officers can utilize discretion in making an arrest or issuing a citation, utilization can also be unequal. For instance, different incident locations (e.g., on school grounds versus elsewhere), counties, cities, and agencies have different rates of utilization of civil citation; a young person committing an offense in one county might be more likely to be arrested, instead of receiving a citation, than if they had committed the same offense in another. Racial disparities in utilization also have been noted in one county, with the arrest rate of black youth for civil citation-eligible offenses being 16 percent higher than for white youth (Caruthers, 2017).

A preliminary evaluation of a school-based civil citation program in a large Florida county in 2007-2008 found that, compared to traditionally-processed youth, youth who received citations were less likely to receive another juvenile justice referral in the follow-up period. While no impact on time to new offense was observed, there was also a modest effect of the citation program on the frequency of felony referrals (Sullivan et al., 2010).

Case Management

Although case management approaches are common in diversion programs, a review of 28 juvenile diversion programs found little evidence that case management/broker programs reduced rates of recidivism among participants (Schwalbe et al., 2012). However, the study's authors noted that findings in related literature suggest that case management programs may be effective when they emphasize client engagement strategies and careful service matching; simply identifying a need and making a referral does not appear to be enough.

Texas's Front-End Diversion Initiative (FEDI) probation-based model is a case management program that has shown promising results. This model strives to divert youth with mental health needs from adjudication using specialized juvenile probation officers and by providing referrals to community resources (Colwell et al., 2012). A preliminary evaluation by Colwell et al. (2012) showed that youth participating in the specialized supervision program were less likely to face adjudication for the alleged offense than youth in the traditional supervision program. Youth in the intervention group also had improved school functioning, reduced perceived problem severity, improved life satisfaction, high service satisfaction, and a greater number of contacts with their probation officers. During the supervision period, youth in the diversion program were more likely to receive psychological services, family interventions, intensive case management, and medication management than those receiving traditional supervision.

Wraparound Services

There are few evaluations of the use of wraparound services with juvenile offenders. A study of 141 youths who were randomly assigned to wraparound services or conventional services from the juvenile court system in Columbus, Ohio did not find evidence that youth receiving wraparound services had fewer subsequent criminal offenses than youth receiving conventional services. However, youth receiving wraparound services had fewer reports of unexcused school absences, being suspended or expelled, running away from home, or being picked up by the police than those receiving conventional services. Unlike wraparound teams in mental health settings, Columbus' teams relied almost entirely on family, neighbors, and other supports who were not trained in wraparound, which may have impacted their effectiveness (Carney & Buttell, 2003).

Individual-Based Treatment

Individual-based treatment approaches employ a counseling-oriented intervention philosophy (e.g., individual or group counseling) and/or crisis intervention.² Lipsey's (2009) meta-analysis of effective interventions for juvenile offenders determined that counseling approaches (e.g., individual counseling, family counseling, mentoring) were more effective than those based on coercion or control (e.g., prison visiting, boot camps). No significant differences were identified between different types of counseling programs, although mentoring and group counseling programs produced greater reductions in recidivism than other counseling approaches like individual counseling.

Schwalbe et al.'s (2012) meta-analysis of diversion programs found that individual treatment-based diversion programs did not produce significant reductions in recidivism compared to controls. However, this category included several different approaches including mentoring, crisis interventions, and counseling, with heterogeneous effects within each approach (Schwalbe et al., 2012), so the results are not conclusive. The authors urge program planners to consider existing evidence-based psychosocial approaches for implementation and future diversion research. Several evidence-based program registries (e.g., the Office of Juvenile Justice and Delinquency Prevention's Model Program Guide and Blueprints for Healthy Youth Development) list evidence-based and promising practice models that reduce delinquency and could be considered for diversion programming.

Family-Based Treatment

Delinquency prevention and intervention research shows consistent support for family-based programming. Schwalbe et al.'s (2012) meta-analysis found that diversion programs focused on family treatment resulted in statistically significant reductions in recidivism among participants. Similarly, Lipsey's (2009) meta-analysis of interventions for juvenile offenders found that counseling-based programs, including family counseling, were more effective in reducing recidivism than programs focused on coercion or control.

Multisystemic Therapy (MST) and Functional Family Therapy (FFT) are two examples of family-based treatment programs designed to address juvenile delinquency and supported by a large research base. In a meta-analysis, van der Stouwe et al. (2014) found that MST had small but significant effects on delinquency, as well as psychopathology, substance use, family factors, out-of-home placement, and peer factors. Similarly, another meta-analysis found MST to be effective in improving outcomes related to delinquency, problem behavior, psychopathology and mental health, family functioning and relationships, parent functioning and relations, and service utilization (Lux, 2016). Hartnett et al.'s (2016) meta-analysis found FFT was more effective in improving outcomes related to adolescent behavior and substance use than both no treatment at all and alternative treatments like cognitive behavioral therapy.

Mentoring

Although a meta-analysis of interventions for youth offenders in a variety of settings (e.g., probation, diversion, prevention, incarceration) found that mentoring is effective in reducing recidivism irrespective of setting (Lipsey, 2009), Schwalbe et al.'s (2012) meta-analysis found little evidence in support of mentoring-based diversion programs, though analyses were limited by number and variability of programs. A more recent evaluation of a program that combined mentoring groups with philosophical virtue theory and literature showed some success in reducing recidivism among youth in a Midwestern county who committed nonviolent offenses. A randomized control trial found the Reading for Life (RFL) program reduced the likelihood of reoffending as compared to the county's traditional diversion method of community service, particularly for participants who committed more serious offenses or who had characteristics associated with recidivism (Seroczynski et al., 2016).

² Meta-analyses often include mentoring programs in this category (e.g., Lipsey, 2009; Schwalbe et al., 2012).

Skills-Building Programs

Lipsey's (2009) meta-analysis of interventions for youth offenders found that skills-building programs were more effective in reducing recidivism than programs like boot camps, prison-visiting, and surveillance/monitoring programs. While there were no statistically significant differences between types of skills-building programs, programs related to behavioral and cognitive-behavioral skills tended to have greater effects on recidivism than programs focused on job-related skills. Skills-building programs were also more effective in diversionary settings than when delivered in the context of probation, parole, or incarceration.

Restorative Justice

A 2017 review of 21 studies of restorative justice programs determined that, overall, programs effectively reduced recidivism, though the results were heterogeneous. The authors also found that restorative justice programs serving primarily Caucasian youths significantly reduced recidivism whereas programs primarily serving ethnic minority youth did not have a significant effect. This finding may be attributed to either (1) restorative justice programs inadequately addressing the needs of minority youth and/or (2) disproportionate minority contact (Wong et al., 2016). Other research suggests that restorative justice programs had an effect on recidivism only where the researcher was actively involved in the program as a trainer, supervisor, or developer, thereby contributing to the attainment of the level of supervision and fidelity required for successful implementation (Schwalbe et al., 2012; Gensheimer et al., 1986).

With respect to juvenile victim-offender mediation programs, a meta-analysis of 21 sites in the United States found that participation accounted for a 34 percent reduction in juvenile recidivism (Bradshaw et al., 2006). Another analysis of four victim-offender mediation studies found that participants were less likely to recidivate than non-participants and, when they did recidivate, they committed less serious offenses (Nugent et al., 2001).

In terms of family group conferences, an evaluation of a juvenile program in Marion County, Indiana found improved completion rates and lower incidence of re-offending among participants, as compared to controls, 24 months following the intervention, although there was evidence that effects may decay over time (McGarrell & Hipple, 2007). At a twelve-year follow-up, there was no difference between participants and non-participants in re-offending prevalence (Jeong et al., 2012).

Teen Court

Although some individual studies indicate positive results, two meta-analyses did not find evidence that teen courts were more effective in reducing recidivism than traditional processing or other diversion programs (Bouchard & Wong, 2017; Schwalbe et al., 2012). A systematic review of teen court programs identified four studies with statistically significant lower rates of recidivism among teen court participants relative to traditional justice system participants, one with statistically significant higher rates of recidivism for teen court participants, and ten with null findings (Gase et al., 2016). As with diversion literature in general, synthesizing results across evaluations of teen court programs is complicated by the heterogeneity of these programs and their evaluations – teen court programs that operate differently may result in different outcomes. Reviews often point to the diversity of teen court programs and the lack of rigor in many research designs as factors contributing to the inconsistencies in findings from teen court evaluations (Gase et al., 2016; Cotter & Evans, 2017).

An experimental study of high-fidelity teen court programs in Maryland found that participants did not have lower rates of recidivism than those subject to traditional juvenile justice system processing. Teen court participants also had higher self-reported delinquency following the intervention than members of the control group (Stickle et al., 2008). Similarly, a quasi-experimental study comparing teen court participants to

participants in Greene County, Ohio's traditional diversion process overseen by a probation officer found no differences in recidivism between the two groups (Norris et al., 2011).

V. Youth Diversion Best Practices

A review of diversion literature reveals several practices that support fair and effective diversion programs. (Note that practices may not be relevant for all program types.) Models for Change (2011) also produced a comprehensive guide to assist juvenile justice practitioners in planning diversion programs that includes many suggestions to design and implement a successful program; a number of these considerations are described below.

Youth Diversion Best Practices

1. Use standardized screening and assessment tools
2. Clearly define the target population
3. Develop and use a wide network of community-based providers
4. Build on strong cross-agency partnerships
5. Use written diversion agreements
6. Prevent future prosecution and expunge arrest record
7. Ensure equity and cultural competency

Use Standardized Screening and Assessment Tools

The systematic use of standardized risk screening or assessment tools supports the identification of youth who are most likely to reoffend, which should inform who is appropriate for diversion programming (Cocozza et al., 2005). Comprehensive assessments are also helpful to match youth to available resources based on their risks and needs, with the goal of reducing their risk for recidivism (Andrews et al., 1990; Hamilton et al., 2007; OMNI Institute, 2013; Wilson & Hoge, 2013). The appropriate tool depends on the type of program and intended outcomes (e.g., a mental health diversion program should involve a mental health screening tool).

Clearly Define the Target Population

Diversion programs should define their target population carefully to limit the potential for net widening and to ensure the program serves the intended population. Programs should be targeted to youth who would otherwise have contact with the juvenile justice system or forwarded for court processing. More specifically, the Annie E. Casey Foundation (2018, p. 25) recommends diverting youth "from formal court processing unless they have committed a serious violent felony, have a history of serious and/or chronic offending or have been assessed as high risk of rearrest". Some diversion programs may be particularly relevant to youth with special needs, such as mental health disorders, developmental disabilities, or substance use disorders. Eligibility criteria should be clearly established in written guidelines, and these guidelines should also specify who can make referrals, which screening tools should be used, and any other relevant acceptance criteria (Models for Change, 2010). Youth served by the program should be closely monitored to ensure they meet the criteria.

Develop and Use a Wide Network of Community-Based Providers

Because young people who become known to law enforcement may present with a variety of needs, ranging from academic difficulties to substance use and mental health challenges, diversion services should include a broad array of community-based programs with strong partnerships (Cocozza et al., 2005). Along with the use of screening tools, having a wide range of available services is essential to prevent youth from being assigned to programs based on availability rather than the appropriateness of meeting their individual needs (OMNI Institute, 2013; Hamilton et al., 2007). Communities should scan available services and create programming where gaps exist (Models for Change, 2010). To the extent possible, diversion services should reside within communities rather than within probation or other agency departments (AECF, 2018), be developmentally appropriate (OMNI Institute, 2013), and be evidence-based (Models for Change, 2010; Schwalbe et al., 2012).

Build on Strong Cross-Agency Partnerships

According to the OMNI Institute (2013, p. 6), “diversion programs thrive when there is an opportunity to have services offered by a variety of community agencies and organizations”. Beyond service providers, partnerships between schools and police should be nurtured to reduce arrests for minor offenses (Carter et al., 2014; Morgan et al., 2014). Other potential partners include juvenile justice/probation departments, courts, prosecutors’ offices, public defenders’ offices, managed care organizations, advocates, and community members, among others (Models for Change, 2010). Memoranda of Understanding (MOUs) may be used to formally and clearly define roles and responsibilities across agencies (Farn, 2018).

Use Written Diversion Agreements

Specific program objectives, expectations, and conditions should be defined in written agreements between the diversion program and the youth and family. Such agreements should also establish expected completion timelines, detail graduated sanctions for failing to meet objectives, include a verification of victim input, notify the youth that participation is voluntary, and emphasize the importance of family input and participation in the diversion program (Models for Change, 2010).

Prevent Future Prosecution and Expunge Arrest Record

As a condition of successfully completing a diversion program, youth should be precluded from future prosecution for the same offense. In addition, youth who successfully complete program conditions should be allowed to pursue expungement of their arrest records (Models for Change, 2010).

Ensure Equity and Cultural Competency

In application, diversion programs may be utilized in a discriminatory manner, such that nonminority youth are more likely to be diverted and minority youth are more likely to experience formal case processing (Development Services Group, 2017). To prevent amplification of disproportionate minority contact (DMC) with the juvenile justice system, diversion program partners should be trained in cultural competency and adolescent development, be able to identify potential behavioral health symptoms, understand relevant policies, and be aware of diversion opportunities. Policies should be developed with the goal of reducing potential biases related to gender, race, sexual orientation, disability, and immigration status (Farn, 2018).

VI. Examples of Promising or Effective Diversion Programs

Table 2 summarizes promising or effective youth diversion programs. Programs were included in the table if they have been evaluated with at least one study using a comparison/control group and if there is evidence to suggest that the project is still operating. If applicable, the program’s rating in the Office of Juvenile Justice and Delinquency Prevention’s (OJJDP) Model Program Guide is also noted.

This section also highlights a few key youth diversion programs/initiatives that do not have rigorous evaluations (i.e., with a comparison group) to date, but that warrant examination due to their relevance and/or promising findings in less rigorous evaluations.

Florida’s Civil Citation Programs

As noted earlier, as part of Florida’s Civil Citation Programs, officers may issue juveniles a civil citation as an alternative to bringing youth into the custody of Florida’s Department of Juvenile Justice. The intent was to create swift and appropriate consequences for non-serious delinquent acts, as well as to reduce recidivism. These programs vary by jurisdiction/county. Eligibility is generally limited to youth who have committed a non-serious misdemeanor and who have no prior criminal history. As a condition of accepting citations and avoiding arrest, youth are required to complete community service hours, participate in

intervention services (e.g., counseling), and may be subject to other sanctions (e.g., restitution, apology letters). After successfully completing the citation requirements, participants will have no juvenile record (Florida Department of Juvenile Justice, n.d.). Additional information regarding the program in Florida can be found here: <http://www.djj.state.fl.us/partners/our-approach/florida-civil-citation>.

A few studies have assessed Florida's Civil Citation Programs' implementation challenges and successes, and their findings are instructive. For instance, Walby (2008) identified several implementation barriers to the success of Civil Citation Programs operating in Florida, including but not limited to the following:

- Other policies with conflicting goals (e.g., zero tolerance policies in schools);
- Law enforcement and school personnel mindset (e.g., punitive versus change oriented);
- Lack of stable community service locations;
- Extensive paperwork in some jurisdictions;
- Acceptance of youth who had extensive psychological and/or psychosocial impairments;
- Lack of parental involvement as well as over-involvement; and
- Lack of transportation (e.g., to community service).

Caruthers (2018) summarized common policies and practices in top-performing Florida counties:

- Civil citation is the presumptive norm for eligible cases (i.e., there is a high utilization rate of citations instead of arrest).
- In cases where an officer chooses to make an arrest, a second review is undertaken at a Juvenile Assessment Center³. A determination to issue a civil citation may be made at this time.
- Officers receive in-person, facilitated training at least once a year.
- A greater number of offenses are eligible for citations.
- There is no fee for participation.
- Sanctions are tailored to the offense (e.g., more severe offenses result in greater community service hours).
- Key stakeholders have ongoing, regular meetings.
- Public meetings occur to share program results with the public and receive feedback.

Annual outcome data for Florida's Civil Citation Programs are promising (Caruthers, 2018). One evaluation of a civil citation program implemented in schools met the criteria for inclusion in Table 2; this study also shows promising results for civil citations (Sullivan et al., 2010).

School Responder Models

School Responder Models (SRMs) offer promising approaches to reducing school-based arrests among youth with mental health needs. In response to the growing number of school infractions resulting in arrest, these approaches aim to provide an alternative response, by addressing the behavioral health need(s) and reducing the likelihood of juvenile justice system involvement. The specific strategy is determined by a cross-systems collaborative team, which includes youth and family voices.

For instance, Connecticut's School-Based Diversion Initiative (SBDI) aims to promote positive outcomes for youth at risk for arrest due to emotional or behavioral challenges by (1) reducing the frequency of expulsions, suspensions, and school-based arrests; (2) linking youth who are at risk of arrest to appropriate services and supports; and (3) building knowledge and skills among school staff and school resource officers to recognize and manage behavioral health crises in school. Among 17 schools participating in SBDI, school-based court referrals decreased 19 percent across SBDI schools, with one urban school experiencing a 92 percent decrease (Bracey et al., 2013). A toolkit for implementing SBDI is available here: <https://www.chdi.org/our-work/mental-health/school-based-mental-health/sbdi/>. The National Center for Mental Health and Juvenile

³ Florida's Juvenile Assessment Centers (JACs) are operated by the Florida Department of Juvenile Justice. JACs provide a central location where arrested youth are processed, assessed, and referred for services, as appropriate.

Justice (NCMHJJ) has compiled additional information on creating and implementing SRMs: <https://www.ncmhjj.com/srm/#start>.

Whereas the focus of this report is youth diversion programs, another effective strategy for reducing youth arrest and justice system involvement is building positive relationships between youth and police. See Appendix II for a brief summary of literature and programs.

Table 2. Effective and Promising Youth Diversion Programs

Program	Program Type	Provider/ Partners	Target Population	Description	Evidence
Adolescent Diversion Project (ADP; Ingham County, Michigan)	Post-Arrest; Advocacy, Case Management	Michigan State University (Psychology Department) Ingham County Juvenile Court	Juvenile offenders	Michigan State University trains undergraduate students as advocates to provide a strength-based intervention to youth who are referred by the Ingham County Circuit Court. The primary goal of ADP is to help youth avoid future involvement with the JJ system. Advocates design intervention programs tailored to each youth's strengths, skills/abilities, and unmet needs. The goals are accomplished by providing the youth with an opportunity to gain access to community resources, partake in civic engagement, etc. Eligibility Criteria: (1) ages 13-15; (2) person, property, and status offenses Screening/Assessment: Not described. Requirements: Not described.	Davidson et al. (1987) → Found no differences in self-reported delinquency rates between ADP participants and control group participants, but ADP participants had significantly lower official recidivism rates. Smith et al. (2004) → Found no differences in self-reported delinquency rates between ADP participants and comparison group participants, but ADP participants had significantly lower official recidivism rates. <i>Model Programs Guide: Effective Program</i>
Civil Citation Program, School-Based (Florida)	Pre-Arrest; Civil Citation	Coordinating agency Civil Citation Oversight Group School Resource Officers (SROs)	Youth committing their first or second misdemeanor offense on school grounds	Youth committing misdemeanors on school grounds can be issued a civil citation instead of being arrested. Citations are sent to a coordinating agency that conducts screening/assessment, provides services or make referrals as necessary, and identifies options for completing the required community service sanctions. Eligibility Criteria: (1) committed misdemeanor offense on school grounds; (2) no more than a single prior misdemeanor; (3) youth and parent willing to participate Screening/Assessment: Not described. Requirements: Completion of required community service in a 21-day period. Noncompliant youth can receive a "second chance" under the court's diversion programs. Youth who continue to fail to complete requirements are referred to Juvenile Justice.	Sullivan et al. (2010) → In a large Florida county, youth receiving a civil citation were less likely to have a juvenile justice referral in the follow-up period as compared to youth processed as usual. There was also a modest effect of the citation program on the frequency of felony referrals.

Table 2 (continued).

Program	Program Type	Provider/ Partners	Target Population	Description	Evidence
Front-End Diversion Initiative (FEDI; Texas)	Post-Arrest; Case Management	Juvenile justice agency Community-based partners	Juvenile offenders with mental health needs	FEDI aims to divert juveniles with mental health needs from adjudication in the JJ system by using specialized supervision and case management. Specialized Juvenile Probation Officers receive comprehensive training in motivational interviewing, family engagement, crisis intervention, and behavioral health management. Youth are referred to community-based behavioral health services based on family-driven case plans. Eligibility Criteria: (1) qualifies for deferred prosecution; (2) has MAYSI-2 scores that indicate additional mental health screening may be needed; (3) has a current mental health diagnosis; (4) has a parent or guardian who is willing to participate in the program. Screening/Assessment: MAYSI-2 Requirements: Not described.	Colwell et al. (2012) → Juveniles in FEDI were significantly less likely to be adjudicated than those in traditional supervision. <i>Model Programs Guide:</i> Promising Program
Independence Youth Court (IYC; Missouri)	Post-Arrest; Teen Court	Jackson County Family Court Eastern Jackson County Bar Association	First-time offenders charged with minor offenses	The IYC is a teen/youth court program that uses a youth judge model. Youth attorneys present the case to a youth judge who is responsible for the sentencing decision. Although the youth judge is responsible for overseeing all cases and passing various sentences, the program's presiding judge speaks with the defendant and his or her parents following the sentencing decision to ensure all parties understand the sentence and the overall diversionary process of teen courts. The primary goal of the IYC is to reduce the occurrence of juvenile crime by diverting youth from the traditional juvenile justice system and providing an alternative to formal processing. Eligibility Criteria: (1) ages 7-16; (2) minor offenses Screening/Assessment: Not described. Requirements: If assigned sentence is fulfilled, all court records will be destroyed on his/her/their seventeenth birthday. http://www.ci.independence.mo.us/municipourt/youthcourt	Butts et al. (2002) → Found that youth in the IYC were significantly less likely to reoffend compared with youths in a comparison group, using a six-month follow-up period. <i>Model Programs Guide:</i> Promising Program

Table 2 (continued).

Program	Program Type	Provider/ Partners	Target Population	Description	Evidence
Reading for Life (RFL; Indiana)	Post-Arrest; Mentoring, Skills Training	RFL program St. Joseph County Juvenile Justice Center	Juveniles who have committed their first or second nonviolent offense	<p>Juveniles study works of literature and classic virtue theory in small groups, led by trained volunteer mentors. The goal is to foster moral development in juveniles who have committed offenses and reduce their rates of recidivism. RFL participants select a novel to read and meet in hour-long, twice weekly sessions led by a trained volunteer mentor. During sessions, they conduct oral readings, writing exercises, and facilitated discussion focused on virtues and morals in the selected text. After successfully completing the program, juveniles are not required to report that they were charged or convicted of a crime on any employment or academic application. When they become of legal adult age, if they remain offense-free for at least one year, they may petition the state to have their juvenile record expunged.</p> <p>Eligibility Criteria: (1) ages 13-18; (2) nonviolent offenders; (3) recommended for diversion by an intake probation officer</p> <p>Screening/Assessment: Reading Assessment</p> <p>Requirements: Completion of the 16-week RFL program</p> <p>http://www.readingforlife.us/diversion</p>	<p>Seroczynski et al. (2016) → In a randomized control trial comparing youth diverted to RFL with youth diverted to 25 hours of community service, RFL participants had statistically significant lower rates of rearrest.</p> <p><i>Model Programs Guide:</i> Promising Program</p>
Restorative Justice Program (Clay County, MN)	Post-Arrest; Restorative Justice	Restorative Justice Program Clay County Attorney's Office	Juvenile offenders with and without prior offenses	<p>The Restorative Justice (RJ) Program offers an approach to crime that focuses on taking time to understand the victimization that occurred, holding the referred youth accountable for their actions through a "Circle" process, and developing an agreement for the youth to make things right with the victim(s) and the community. A youth who is referred will be assigned to one of four program models: victim-offender conference, community conference, youth conference, or victim impact course.</p> <p>Eligibility Criteria: (1) must admit to offense to continue past screening phase</p> <p>Screening/Assessment: Not described.</p> <p>Requirements: Upon successful completion of the program, the youth's case may be declined for charges.</p> <p>https://claycountymn.gov/184/Restorative-Justice</p>	<p>Bergseth & Bouffard (2007) → RJ participants were less likely to reoffend at six months, two years, and three years post-referral. RJ participation was also associated with fewer police contacts during follow-up.</p> <p>Bouffard, Cooper, & Bergseth (2017) → This program was effective in reducing recidivism across variations in program type and intensity (e.g., direct mediation, community panels, indirect mediation) compared to traditional processing.</p>

Appendix I. Key Considerations for Successful Program Implementation

Once a diversion program is identified for implementation, it will be important to establish an effective implementation structure to ensure successful program outcomes. Meta-analyses of diversion programs identify high-quality implementation as a key factor related to lower recidivism rates, and researchers have noted that “...poor implementation plagues many juvenile justice programs” (Mears et al., 2016, p. 969). The National Implementation Research Network (NIRN) provides guidance and important considerations on activities relevant to each stage of program implementation (i.e., exploration, installation, initial implementation, and full implementation); materials can be found on its website: <https://nirn.fpg.unc.edu/>. The following section briefly summarizes key considerations for implementing a successful diversion program.

Implementation Team

An implementation team plays a critical role to ensure all facets of the program are planned and implemented appropriately. The team’s responsibilities include the following:

- Developing, supporting, and overseeing the program’s implementation plan (typically a detailed, comprehensive work plan);
- Championing the change effort and securing resources;
- Addressing implementation barriers and opportunities; and
- Using data to monitor progress and make informed decisions to ensure success.

Use of Data for Continuous Quality Improvement

Data should be collected and regularly analyzed to monitor program utilization, fidelity, and outcomes. As noted in the report, for all the benefits they are intended to achieve, diversion programs also run the risk of net widening, disparate utilization, and unintended outcomes (e.g., increased recidivism). Some basic guidance to establish a data-driven continuous quality improvement (CQI) process include the following:

- Develop a program logic model;
- Create a data dictionary (reviewed by all stakeholders);
- Establish a procedure/process for data collection/access;
- Establish reporting template(s); and
- Establish Memoranda of Understanding and consent forms, if needed.

Other tips for the effective use of data include the following:

- Set goals/benchmarks for key implementation indicators (e.g., utilization, fidelity);
- Use data dashboards where possible to assist with accessibility and interpretation;
- Ensure review by the implementation team on a regular basis; and
- Use data to inform strategies to improve implementation.

Implementation and Outcome Evaluations

While CQI efforts will ensure that the implementation team is continually reviewing data and adjusting programs/procedures as needed, a periodic outcome evaluation can provide additional information about the success of your program. These evaluations usually entail having a comparison group and assessing whether your program is achieving the expected outcomes, relative to the comparison group.

The following links provide additional guidance specific to planning and implementing diversion programs:

- OJJDP: <https://www.ojjdp.gov/mpg-iguides/topics/diversion-programs/index.html>
 Models for Change: <http://www.modelsforchange.net/publications/301>

Appendix II. Building Positive Youth-Police Relationships

Whereas this report has focused on youth diversion programs, another effective strategy for reducing youth arrest and justice system involvement is building positive relationships between youth and police.

Studies have shown that youth hold less favorable attitudes towards police than adult samples (Taylor et al., 2001; Brick et al., 2009). Several studies have also found that minority youth tend to have less favorable attitudes towards police than White youth (Hurst et al., 2005; Brick et al., 2009). Qualitative projects have identified similar findings—interviews and discussions with Black youth in Chicago indicate that youth see police presence as ubiquitous in their lives, do not trust police, and do not feel comfortable seeking police assistance (Futterman et al., 2016). Aggressive policing strategies and disproportionate minority contact (DMC) may contribute by eroding trust and perceived legitimacy of the police (Brunson, 2007; Gau & Brunson, 2010).

In comparison, there is limited research on officers' attitudes towards youth, although existing research indicates their attitudes may be related to both individual and organizational-level factors (Development Services Group, 2018). In addition, although officers have frequent contact with youth, they often do not receive specific training on working with juvenile populations, limiting their ability to respond effectively and potentially damaging police-youth relationships (Thurau, 2009).

Targeted training and police-youth interaction programs offer opportunities to improve relationships between youth and police officers. Some promising models are described below.

Training

Effective Police Interactions with Youth is a full-day training for patrol officers developed by a Connecticut Police/Juvenile Task Group to address the issue of DMC by focusing on initial contacts between officers and youth. The goal of the training is to decrease the likelihood that police-youth interactions lead to arrest. The training curriculum is intended to (1) increase awareness of DMC, (2) increase knowledge of youth behaviors and strategies for effective interaction, (3) improve officers' attitudes towards youth, (4) increase the likelihood that interactions with police will have positive outcomes for youth, and (5) increase the likelihood of positive youth responses to officers (Sanderson et al., 2008).

An evaluation of this training with 468 Connecticut police officers found that the training increased officer knowledge about DMC, youth behaviors, and strategies for interaction with youth as compared with officers who did not participate (Sanderson et al., 2008; LaMotte et al., 2010). Participants were also more likely to report greater comfort starting conversations with youth, confidence in their skills related to interacting with youth, and belief that officers can have a positive impact on youth without taking time away from other responsibilities, as compared with officers who did not participate (Sanderson et al., 2008; LaMotte et al., 2010). While the study identified improvements in youth-related knowledge and attitudes among police participants, changes in the actual behaviors of officers were not explored.

The Chicago Police Department has implemented a five-day, voluntary *Crisis Intervention Team for Youth (CIT-Y)* training to equip officers to better respond to youth with mental, emotional, or behavioral needs. Officers must already have completed an adult CIT training. The CIT-Y training is intended to divert youth in need of mental health treatment to community settings and to improve the safety of the officer and youth during interactions. An evaluation of this training found that participating officer knowledge of youth risk of harm, de-escalation, and service call disposition improved after the training (Skorek & Westley, 2016). Changes in actual behaviors were not assessed.

Police-Youth Interaction Programs

Police-youth interaction programs are intended to facilitate positive interaction between youth and police in informal settings such as community service projects or athletic activities (Lee et al., 2017; State of Connecticut Office of Policy and Management, 2015; Goodrich et al., 2014; Rabois & Haaga, 2002). Several studies of such programs have found improvements in police attitudes towards youth among participating officers (Lee et al., 2017; State of Connecticut OPM, 2015; Rabois & Haaga, 2002).

For example, an evaluation of the Police Working with Youth Programs in Connecticut examined effects on youth outcomes over a one-year period of participation (Anderson et al., 2007). Program activities included law enforcement classes, athletic/adventure activities, and after-school programming among others. Participating youth tended to have positive experiences in their programs, although only youth who entered with low psychosocial functioning experienced positive changes compared with the comparison group (Anderson et al., 2007).

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