
DETOUR TO OPPORTUNITY:

A guide on young adult diversion from the criminal justice system

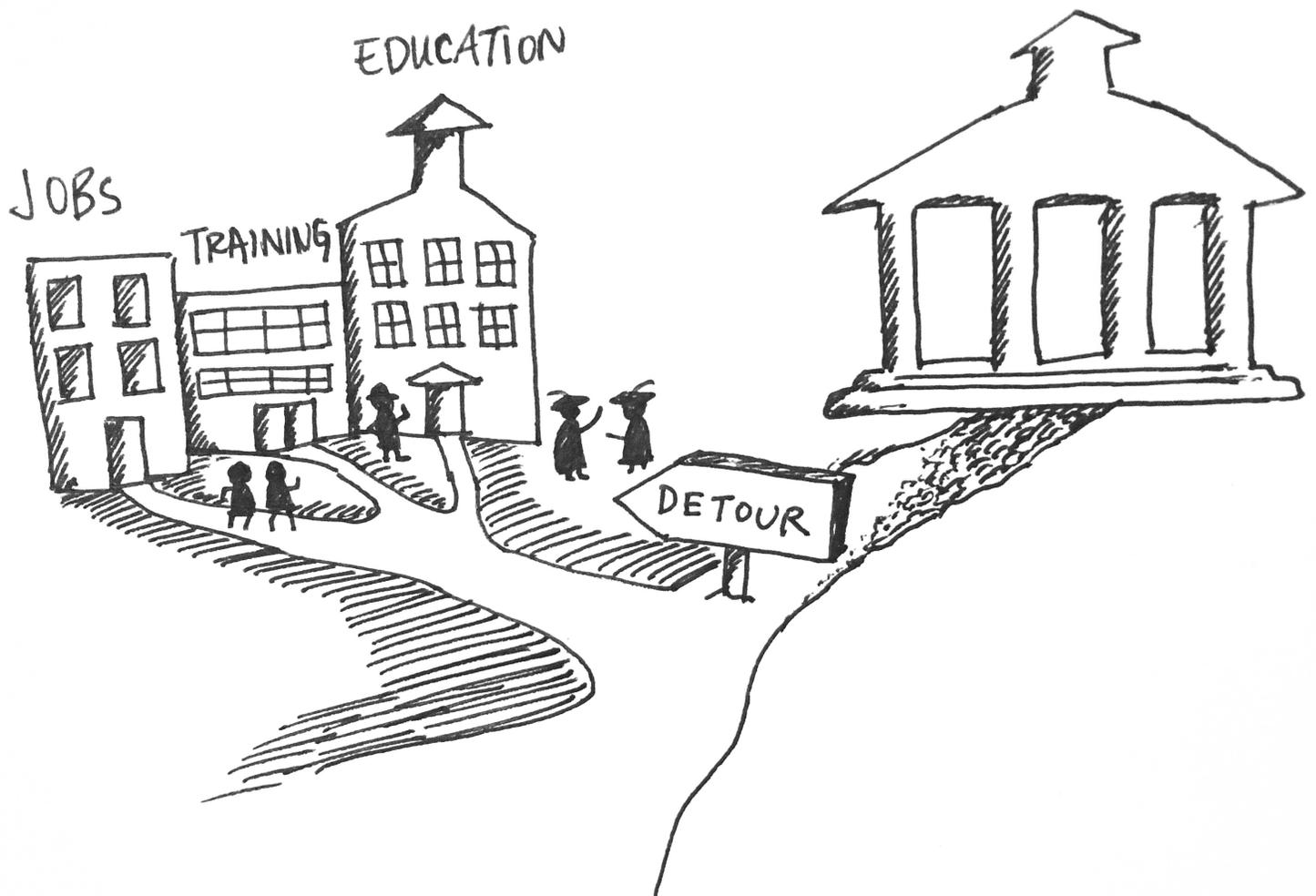


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GUIDE ON

Young Adult Diversion Programs

This guide is a resource for communities, policymakers, and practitioners thinking about implementing or enhancing a program to divert young adults, ages 18 to 25, from the criminal justice system. The guide incorporates information gathered through a literature review, interviews with experts in criminal justice, and interviews with staff at existing young adult diversion programs. For more detail on the methods used to develop this guide, please see Appendix A. This work builds on the MacArthur Foundation's Models for Change *Juvenile Diversion Guidebook*, a resource that examines factors communities might consider when implementing a juvenile diversion program.¹ This guide focuses on information especially relevant for designing or improving a diversion program for young adults in the adult criminal justice system.

Development of this guide was sponsored by the U.S. Department of Labor's (DOL) Employment and Training Administration (ETA) in support of a federal interagency work group interested in building the evidence on young adult diversion programs. This guide benefited from the support of many people who helped with its development and have contributed information on diversion of young adults from the criminal justice system. In particular, we would like to thank the experts and program staff who shared their time, experiences, and lessons with us. We would also like to thank Gloribel Nieves Cartagena, Jacqueline Freeman, and Alexander Green from DOL, ETA for their leadership and support in developing this guide. We also benefited from the many insights we gained from our colleagues at the U.S. Departments of Justice and Education. At Mathematica Policy Research, we are grateful to Annalisa Matri for her careful review of this guide and for her helpful suggestions. We also thank our partners at Social Policy Research for their feedback.

SUGGESTED CITATION

Stein, Jillian, Katie Bodenlos, Armando Yanez, Johanna Lacoé, and Jillian Berk. *Detour to opportunity: A guide on young adult diversion from the criminal justice system*. Submitted to the U.S. Department of Labor. Washington, DC: Mathematica Policy Research, August 2017.

Background

DEFINING DIVERSION

Diversion programs typically involve an intervention or services that the young adult must complete instead of formal court processing or in exchange for a reduced charge or sentence. Diversion programs often include such services as case management, cognitive behavioral therapy, education, employment training, and community service.

The field of criminal justice has long recognized that criminal behavior typically peaks in late adolescence and young adulthood and decreases with age. Research demonstrates that roughly half of juvenile offenders continue to offend up to age 25, but fewer than a quarter continue offending past age 25.² Recent advances in neuroscience help explain this pattern. Research on brain development and behavioral science indicates that the human brain is not fully formed until a person's mid-20s.³ In particular, the frontal lobe, responsible for impulse control and judgment, is less well developed in the young adult brain, making young adults more likely than older adults to act impulsively and engage in risky behaviors.⁴ Young adults are susceptible to contextual factors, such as peer pressure and the need for social acceptance, which can also contribute to poor decision making. Furthermore, young adults are less able than older adults to consider future consequences of their actions, especially in emotionally charged situations.^{5,6}

Armed with new evidence about the brain development of young adults, criminal justice reformers have advocated for more developmentally appropriate justice interventions.⁷



Several recent Supreme Court cases—*Roper v. Simmons* (2005), *Graham v. Florida* (2010), *Miller v. Alabama* (2012)—have cited this research in decisions to prohibit severe sentences for young adults, noting that developmental traits such as impulsiveness, susceptibility to external pressures, and a still-developing identity diminish their “moral culpability.”⁸



Some states, such as Connecticut, Illinois, and Massachusetts, have embarked on “raise the age” campaigns to increase the age of juvenile jurisdiction up to age 21.^{9,10,11} By raising the age, advocates aim to avail 18- to 21-year-olds of the rehabilitative services more commonly offered in the juvenile justice system.



Federal and foundation grant programs increasingly target young adults as a special population of interest. For example, the U.S. Department of Labor recently funded young adult diversion programs through the Reentry Demonstration Project grants.

A growing number of jurisdictions in the United States are creating programs that divert young adults from the criminal justice system and provide them with services such as case management, cognitive behavioral therapy, education, employment training, and community service. Many young adult diversion programs operate out of newly developed young adult courts. Young adult courts are specialty courts in the criminal justice system that only handle the cases of young adults, usually between ages 18 and 25. Although the requirements of diversion programs vary widely, young adults often must complete services to avoid formal court processing or in exchange for a reduced charge or sentence. Increasing numbers of experts and jurisdictions across the country are considering diversion of young adults as a way to reduce system costs, reduce recidivism, and improve the lives of these young adults and their communities.

This guide is a resource for communities, policymakers, and practitioners thinking about implementing or enhancing a program to divert young adults from the criminal justice system after arrest and before conviction. The guide incorporates information gathered from a literature review, interviews with experts in criminal justice, and interviews with staff at young adult diversion programs. Appendix A contains more detail on the methods used to develop this guide.

Expert Interviews

Adam Mansky

Center for Court Innovation

Shay Bilchik

Center for Juvenile Justice Reform at Georgetown

Katherine Miller

Office of San Francisco District Attorney

Vincent Schiraldi

Criminal Justice Policy and Management at Harvard Kennedy School

Brent J. Cohen

Public Service Consulting Group

Elizabeth Clarke

Illinois Juvenile Justice Initiative

Marc Schindler

Justice Policy Institute

Program Interviews

Achieve, Inspire, Motivate (AIM) Court, Dallas, Texas

Brooklyn Young Adult Court, Brooklyn, New York

Evanston Diversion Program, Evanston, Illinois

Restorative Justice Community Center, Chicago, Illinois

Manhattan District Attorney's Office, Manhattan, New York

Pennington County Young Adult Diversion program, Rapid City, South Dakota

Promising Adults, Tomorrow's Hope, Long Beach City, California

San Francisco Young Adult Court, San Francisco, California

Making the Case for Young Adult Diversion

INTERNATIONAL PERSPECTIVES ON YOUNG ADULTS

Although young adults have been recognized only recently as a unique population in the U.S. criminal justice system, they have long been thought of as a unique population in other countries (Ishida 2015).

- In Germany and the Netherlands, juvenile sentencing is used for young adults, ages 18 to 21, if the judge determines that a crime was committed in a juvenile state of mind.
- In Sweden, juvenile sentencing is used for young adults up to age 25.
- Japan sends young adults ages 20 to 26 to rehabilitation programs separate from other older adult offenders.



Because most young adult diversion programs are relatively new, little rigorous evidence exists on the effectiveness of such diversion programs. However, our review of the literature and interviews with experts and programs highlighted many reasons why communities are implementing these programs.

Diversion of young adults reduces criminal justice system burden and costs. Young adults account for a disproportionate number of crimes relative to their size in the general population. Only about 10 percent of the population are ages 18 to 25, but young adults accounted for nearly 30 percent of all arrests and more than 20 percent of prison admissions in 2012.¹² The high prevalence of young adults in the U.S. justice system, the high recidivism of those who get entrenched in the system, and the high costs associated with recidivism have spurred jurisdictions across the country to create developmentally appropriate justice interventions targeting this population.¹³ As one expert said, reducing the number of young adults in the criminal justice system gives jurisdictions “the biggest bang for their buck.”

Diversion reduces the collateral consequences of having a criminal record. Young adults involved in the criminal justice system are exposed to deviant peers, often face fines and fees, and can be subjected to many collateral consequences associated with having a criminal record. Even a minor offense can lead to lifelong consequences. For example, if a young adult gets a parking ticket and fails to pay the ticket or fight it in court, a warrant can be issued for their arrest. Upon arrest, they might be jailed. If they are unable to pay the fines and/or bail they will remain in jail, which could mean the loss of a job and could affect their housing stability and other facets of their life.

Research confirms that, after controlling for the characteristics of young adults and their local environments, juvenile and criminal justice system contact is associated with poorer educational attainment, a reduced likelihood of being admitted to a secondary education institution, restricted access to housing, reduced civic participation, poorer employment prospects, and reduced future earnings.¹⁴ Similarly, research findings suggest that young adults processed through the criminal justice system rather than the juvenile justice system experience poorer employment outcomes and may be more likely to recidivate.^{15,16}

Diversion can intervene at a critical time in a young adult’s life. The transition to adulthood is challenging for many young adults, especially for young adults from lower socioeconomic backgrounds. High unemployment and the overall decline in jobs available to people without advanced degrees make the transition to young adulthood perilous for many young people.¹⁷ In addition to the education and employment barriers, many struggle with unstable housing, a lack of access to transportation, mental and physical health issues, and substance abuse issues.¹⁸ Although many juveniles

have access to protective services through the education system or the child welfare system, young adults have “aged out” of access to most of these services, making them vulnerable to hardships. Diversion programs often offer supportive services that can help address young adults’ needs and challenges, while protecting public safety. Because young adults are still developing their personality and sense of self, they are still malleable to positive influences.

Diversion can help address the racial and ethnic disparities in the criminal justice system. It is well documented that blacks and Hispanics are overrepresented in the U.S. criminal justice system relative to their proportion in the general population.^{19,20} Not only are minorities more likely to be arrested, but they also are more likely than their white counterparts to be detained, be held without bail, be convicted, and receive harsher sentences.²¹ Implicit bias, law enforcement practices, sentencing laws, and socioeconomic conditions all contribute to the over-representation of blacks and Hispanics in the justice system.²² Diversion may be a tool to reduce the overrepresentation of such people by routing cases that do not pose a risk to public safety out of the court system, reducing further penetration into the system.

Diversions for Young Adults

This section describes important considerations communities should discuss when starting or operating a young-adult diversion program. Figure 1 depicts each of the main stages and considerations discussed within this section. The implementation tips and “examples from the field” came out of the conversations with experts and staff operating young adult diversion programs. While more rigorous investigation is needed to establish best practices in the field of young adult diversion, these tips highlight promising practices and lessons from existing programs.

Figure 1. Stages and considerations when planning a diversion program

| Ramping up | Designing the program | Learning and looking to the future |
|---|---|---|
| <ul style="list-style-type: none">• Define goals• Establish oversight, partnerships, and funding• Identify stakeholders and generate buy-in | <ul style="list-style-type: none">• Decide when to divert• Decide who to divert• Decide what to divert to | <ul style="list-style-type: none">• Document service delivery• Conduct evaluation and improve program• Look for ways to sustain, scale up, or replicate program |

Ramping up

Define the goals of the diversion program

Clearly identifying the motivations and goals for the program will inform decisions about the type and intensity of the intervention. For example, a program whose primary aim is to reduce the number of misdemeanor cases sent before a judge will likely look different than a program aiming to establish developmentally appropriate programming for misdemeanor offenders. The program goals should also be used as a metric in program evaluation to assess whether the program is meeting its intended purposes.

EXAMPLES FROM THE FIELD



What drives communities to divert young adults?

Among the eight young adult diversion programs we spoke with, the two most common reasons they cited for starting their programs were: (1) they viewed young adults as different from older adults and in need of developmentally appropriate interventions; and (2) they recognized that young adults make up a large portion of the criminal justice population, and they wanted to reduce the numbers of people cycling through overburdened courts and overcrowded jails.

Implementation tips

- **Visit or consult programs already in operation.** Talking with existing programs can help new ones anticipate common challenges and learn strategies for overcoming them.
- **Take an inventory of the services available in the community.** Surveying existing services will help programs determine resources they can draw on, identify gaps in services in the community, and inform the goals of the program. There are many ways to collect information on existing resources and community needs. Common methods include conducting document reviews, holding focus groups, and engaging in conversations with key system stakeholders, service agencies, and leaders in the community.
- **Enlist the help of a technical assistance provider.** Working with a technical assistance provider or a consultant during the planning and early implementation phases of the program can provide an outside perspective and facilitate conversations across stakeholders. In a couple of communities we spoke with, this person helped the program leadership conduct the inventory of resources and needs in the community.

Establish an oversight system, solidify partnerships, and secure funding

Oversight and partnerships

Most diversion programs have a lead agency responsible for setting the goals of the program, securing funding, convening the stakeholders, and overseeing program operations. Oversight and operation of diversion programs are sometimes provided by the same agency but can be divided between two or more agencies. For example, several of the programs we spoke with were led by a young adult court that partnered with a community-based agency to provide such diversion services as case management, community service experiences, and employment services. As noted in the *Juvenile Diversion Guidebook*, no research to date suggests that the success of the diversion program depends on the agency leading or operating the program.

In addition to the lead agency and any key partner agencies, programs may convene an advisory group made up of justice system and court actors and community service agencies. An advisory board can help guide decisions on program development, operations, and evaluation. An advisory board also can help facilitate buy-in from the community and other critical entities.

EXAMPLES FROM THE FIELD



Diverse systems of oversight

Among the programs we spoke with, the lead agency was the district attorney's (DA) office, state's attorney's office, prosecutor's office, a specialty court system, or a nonprofit.

In half of the programs, the lead agency was also the primary service provider. When the lead agency and primary service provider differed, the primary service provider usually was a community-based organization (CBO).

A couple programs we spoke with operated advisory boards made up of large CBOs, law enforcement, the DA's office, and prosecutors.

Implementation Tips

- **Secure buy-in of the District Attorney's office.** Experts and diversion program operators thought that it was beneficial when the prosecutor or DA's office spearheaded the program, because it is often hardest to get buy-in from the DA's office. Having that office lead the effort generates greater support for the program from other court and community actors. In addition, the prosecutor can send cases to a diversion program without the case going to court, which can directly lessen the burden of court processing for the young adult and reduce court caseloads for attorneys and judges.
- **Assess existing data and decide what data to track as the program is implemented.** Program staff advised new programs to consider the data elements that will be needed and to devise a plan for collecting those data during the early planning stages. This data will become critical when garnering community support and buy-in.
- If working with partners to provide diversion services:
 - **Partner with agencies whose services explicitly target young adults.** Programs highlighted the importance of partnering with agencies that explicitly focus on youth and young adults. Programs emphasized the importance of engaging young adults through staff and programming that targets their needs, lifestyles, and learning styles.
 - **Consider the location of partners' services and the young adult's ability to get there.** Transportation is a central challenge for many young adults. Considering whether it is possible for a young adult to commute to a partner agency and how long it will take to get there may influence which agencies you choose to partner with. The ideal situation is to have multiple services in the same location so a young adult can travel to the same place to receive them. Programs believed that partnering with agencies located in the same place was beneficial to participants and increased the uptake of services.
 - **Plan how you and your partners will share data on participants.** When determining how to share data, be mindful of data security concerns and the measures needed to ensure participant data are kept confidential. One program mentioned a secure, cloud-based data system as an effective strategy because the partner and the lead agency could access it without having to email or otherwise transfer participant data.

- **Establish memoranda of understanding (MOU) with the community service providers.** Most of the programs we spoke with did not have formal contracts or MOUs with their partners. However, the programs that had MOUs suggested this was a useful way to formalize agreements.
- **Develop an advisory board.** In some programs we spoke with, advisory boards were critical in determining the goals, eligibility criteria, and program requirements. Experts and programs advocated for the use of advisory boards to build consensus and facilitate cooperation among stakeholders.
- **Consider young adult perspectives.** When developing an advisory board, involve young adult representatives to ensure their perspective is included. Young adults should have a voice in the advisory board because they are key stakeholders and clients of the diversion services.

EXAMPLES FROM THE FIELD



Advisory boards can be central to program design and oversight.

The Restorative Justice Community Court (RJCC) in Illinois has a steering committee made up of seven representatives from county government agencies and seven representatives who live, work, or attend church in the community. The executive director of the lead agency, the judge designated to work with RJCC, and the RJCC coordinator make up an executive coordination team that chairs the steering committee.

The steering committee leads the design of RJCC, and each committee member co-chairs or tri-chairs one of five working groups. The executive coordination team, steering committee, and working groups each meet once or twice a month.

Funding

Determining how the diversion program will be funded is an essential aspect of program planning. Funding can affect the type of services the program can offer and the number of young adults who can be served. For example, some of the young adult courts we spoke with were attempting to diversify their funding so they could have more discretionary funds to offer participants monetary incentives, an expense not allowable in the court's budget.

Most programs we spoke with were funded through grants. Many of the programs had a mix of funding sources. One was funded primarily through asset forfeitures, some did fund-raising, and some were funded, at least in part, through participant fees.

Implementation Tips

- **Partner with social service agencies that have existing funding to serve young adults.** This partnership is mutually beneficial to the community based program, which gets a new source of referrals, and the lead agency, which doesn't have to expend additional resources to serve participants.
- **Partner with the local business community.** Partnerships with chambers of commerce, local workforce agencies, and local businesses can help programs provide on the job training or other employment opportunities for young adults.
- **Hire or enlist the help of a grant writer.** A couple of the programs we spoke with were in the process of bringing on a grant writer to help secure future funding.
- **Consider whether your program will require participants to pay a fee.** Diversion programs that implement a participant fee should think carefully about how that may limit the types of participants who can take advantage of the program. For instance, what happens if the young adult is unable to pay the fee? Will it be reduced or waived if the participant is not able to pay it? Of the interviewed programs that did include a participant fee, all had the ability to waive or reduce the fee if the young adult was not able to pay it.
- **Conduct an evaluation to demonstrate success.** A number of programs expressed a desire to measure outcomes of their programs as a tool in obtaining future funding. To the extent possible, jurisdictions may want to frame evaluations of their programs in terms of costs and benefits in order to demonstrate the savings produced by allocating additional resources towards diversion. While hard to measure, the cost savings associated with reductions in first time incarceration and subsequent recidivism may provide compelling evidence for additional funding in the future.
- **Partner with social service agencies that have existing funding to serve young adults.** This partnership can be mutually beneficial to the community-based program, which gets a new source of referrals, and the lead agency, which does not have to expend additional resources to serve participants.

Identify the key stakeholders and generate buy-in

Establishing a shared sense of purpose among the stakeholders in the community is an important step in launching and sustaining a diversion program for young adults. Many of our expert interviews stressed the importance of obtaining and maintaining broad support for the diversion program. This step may be especially important when operating a program that diverts young adults, because justice system and community stakeholders may have more concerns about supporting the diversion of older or more serious offenders.

Multiple programs we spoke with convened stakeholders to generate buy-in. Staff in one program described using working groups to obtain the support of community members. Another community held regular meetings with stakeholders, including law enforcement, the defense bar, and the judiciary, to help generate community buy-in.

Implementation Tips

- **Convene stakeholder meetings.** Programs spoke about the value of holding regular stakeholder meetings. This offered a venue to present successes, obtain input from the community, and address any concerns.
- **Share success stories with stakeholders and the broader community.** Experts suggested sharing success stories with stakeholders. This increases awareness and support for the program and can help counteract the reaction if a program participant commits a new offense.
- **Harness support for the program as a tool for sustainability.** An expert said that community pressure from stakeholders, activists, and others who support the diversion program is a nonmonetary facilitator for sustaining the program. Policymakers advocate for programs that they know have broad support in the community.

Designing the program

Decide when in the justice process diversion is feasible and advisable

Diversion may occur at many points in the criminal justice process (see Figure 2). Although there likely are benefits to diverting young adults at any stage of the justice process, our review of the literature and interviews with experts suggest that diversion should occur as early in the process as possible. It is better for young adults to avoid the expense and emotional burden of formal criminal justice system processing and to have an opportunity to avoid the lifelong costs of a criminal record.

Although it is advisable to divert as early as possible in the justice process, each jurisdiction is different. Factors that may influence the point(s) at which the program diverts young adults include the goals of the program, the types of cases being diverted, the political and social climate for reform, and the legal structure and legislation in a given jurisdiction.

Most programs we spoke with diverted young adults at the pre-filing phase of the justice process. However, two young adult courts in California operated at more than one point in the justice process.

Figure 2. Decision points in the criminal justice system where diversion can occur

| STAGE | ACTOR | ACTION |
|---|--|--|
| <p>Arrest</p>  | <p>Law enforcement officer</p> | <p>Law enforcement officers have discretion over whether to arrest a young adult or refer them to services in the community.</p> <p>Law enforcement officers arrest the young adult and have discretion over whether to conduct a “station adjustment,” in which the young adult is given a warning and/or offered services instead of being booked.</p> |
| <p>Pre-trial</p>  | <p>Prosecutor or probation investigation unit</p> | <p>Prosecutor or a probation investigation unit reviews the case and decides if it can be diverted instead of formally filing charges against the young adult. Prosecution is often deferred pending completion of the diversion program.</p> |
| <p>Court (pre-conviction)</p>  | <p>Judge</p> | <p>The judge decides to let the young adult enroll in a program, and upon successful completion, drops or vacates the conviction and offers participants the opportunity to expunge the arrest and charges from their record.</p> |
| <p>Court (post-conviction)</p>  | <p>Judge</p> | <p>The judge decides to let the young adult enroll in a program, and upon successful completion, reduces the charges or offers alternative sentencing (for example, reduces the charge from a felony to a misdemeanor or the sentence from incarceration to community supervision).</p> |

Implementation Tips

- **Start by diverting cases at a single point in the system.** For programs that want to divert young adults out of the system at more than one stage of the justice process, experts and programs suggested it is best to start by diverting cases from a single point in the system and expand from there.
- **Consider offering expungement services.** In programs that divert cases after they have been filed in court, it is important to consider how the program can help participants successfully expunge the record of their case. A benefit of programs that operate at the pre-filing stage is that there is no record of charges being brought against the young adult.

EXAMPLES FROM THE FIELD



Diversion at several points in the justice process

The Promising Adults, Tomorrow's Hope (PATH) program in Long Beach City is a program that diverts young adults at several points in the system. PATH has three tiers of diversion, which align with the severity of the charges:

- 1. Pre-filing diversion:** Participants enroll in PATH and avoid appearing in court (if they complete the program). These cases often are citations forwarded to the prosecutor's office. Because the case is never filed in court, a determination of guilt is not made and there is no record of the court case.
- 2. Deferred entry of judgment:** The young adult must plead guilty and take responsibility for the crime; the judge holds the judgment until the young adult completes the PATH program. Young adults who complete the PATH program can withdraw their guilty plea and have their case dismissed. This would mean that the participant has no conviction on his or her record, but there would be a record that the case was filed in court.
- 3. Alternative sentencing (post-conviction):** In this track, the young adult pleads guilty or is convicted and has a record. However, if the young adult completes the PATH program, the prosecutor's office can eliminate or reduce the jail time and fines.

Determine which young adults will be referred and develop a referral process

Determine eligibility criteria

Determining who will be eligible to be diverted is a crucial step in developing a diversion program. Common eligibility criteria include age, offense type, and criminal history. Of the programs we interviewed, all considered the young adult's age and alleged offense type in their eligibility criteria. Some programs also used criminal history and city of residence when determining eligibility.

An analysis of data can help determine what types of offenses to target. For example, a jurisdiction that wants to start a diversion program to reduce the number of young adults cycling through the courts might analyze their data to identify the most common charges and then develop a program to divert those types of cases from formal processing.

Assessments can be used as part of eligibility determination. Assessments can help a program better understand a young adult's needs, strengths, goals, and risk of recidivism. An important thing to consider when deciding to use an assessment tool as part of a diversion program is the extent that the tool has been validated and proven as a reliable measure. There is a wealth of literature debating the merits of assessment tools and questioning whether assessments have implicit bias in them, thereby contributing to the disparities seen in the justice system, so it is important to consider whether the use of an assessment tool may have unintended consequences.

In addition to determining eligibility criteria, some programs established suitability criteria to assess whether the program was a good fit for the young adult. In one program we interviewed, young adults were deemed suitable for the program if the intake clinician believed that they would benefit from participation and that the program would meet their primary needs.

EXAMPLES FROM THE FIELD



Data analysis can help determine who to target for your program.

San Francisco's early analysis of data on arrests, charges by the DA, convictions, prison sentencing, and probation revealed that young adults were grossly overrepresented at all points in the justice system relative to their proportion of San Francisco's population. They also found that young adults were more likely than any other age group to end up in prison or jail. An analysis of offenses showed that young adults ages 18 to 25 were responsible for nearly half of San Francisco's robberies and gun cases. These findings helped San Francisco hone the plans for their young adult court in identifying their target population and the types of offenses they planned to divert.

Implementation Tips

- **Use data to help determine who to target for diversion.** Data can help determine what communities, ages, and offense types to target.
- **Consider diverting felony cases.** Experts advocated for considering diversion for cases beyond misdemeanors. In the words of one expert, programs shouldn't necessarily just "fish at the shallow end of the pool." Programs such as San Francisco's YAC program demonstrate that diversion of young adults with felony charges is possible without risking public safety.
- **Be aware of stakeholders' perspectives when setting eligibility criteria.** Setting eligibility criteria may be a point of contention because the community or the victim may be sensitive about what types of crimes should be allowed to be diverted. In a few communities we interviewed, the victim had to agree that the case could be diverted before it could move forward.

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- **Remember that eligibility criteria can lead to unintended exclusion of certain groups.** Experts cautioned programs to consider how eligibility criteria may unintentionally restrict who can use the diversion program. For example, a program that only accepts first-time offenders will likely limit the number of young adults from racial and ethnic minorities who can participate. Programs may be using the first-time offender criteria as a means of screening on risk of reoffending (presuming that someone who is arrested more than once is more likely to reoffend); in reality, however, they may just be screening by risk of arrest. If the program is interested in screening participants on risk of reoffending, it would be better to use an instrument that has been validated with a similar population.

Establish a referral process

After eligibility criteria have been established, programs need to set up their referral process. Establishing a clear referral process will ensure that the program maximizes the number of referrals. Programs must consider what criteria they want their referral partners to use when deciding whether to route young adults to the program. Depending on the complexity of the eligibility criteria, programs can decide whether to train referral sources to screen for basic eligibility requirements before they make referrals. Programs stressed that it is important to make it easy for people to refer young adults to the program. Therefore, it may work best to have a few tangible eligibility criteria (such as age or offense type) that a referral source can use to easily assess whether the young adult is a good fit for your program. After program staff receive the referral, they can do a more comprehensive eligibility determination (such as, checking criminal history). For example, one program had defense attorneys or probation refer cases that met the eligibility in terms of age and offense type but then a panel of stakeholders reviewed cases and made a determination which referrals should be admitted into the program. This minimized burden on referral sources and maximized referrals. It also allows the program to exercise discretion when weighing more nuanced eligibility criteria (such as the young adult's suitability for the program).

Implementation Tips

- **Make it easy for people to make referrals to your program.** Programs reported several strategies to help boost referrals. These included setting up easy-to-use forms for referral sources, providing refreshers to referral sources about the program, or, in jurisdictions with many services available, offering to help referral sources determine which program was the best fit for the young adult. In Dallas, Texas, which has 15 other specialty courts, the Achieve, Inspire, Motivate (AIM) Court staff found it helpful to talk with the defense bar regularly to remind them about the young adult diversion program and to offer to help defense attorneys determine which program would be the best fit for their client.
- **Create a plan for handling excess referrals.** A few programs we spoke with had more demand for their services than they could meet. How they handled this varied: some programs referred young adults to other similar specialty courts, and some kept a wait list of young adults for when openings occurred. Planning how to handle excess demand for services may be helpful for programs just starting out or that have limited capacity.

Plan the type, intensity, and duration of services

The type, intensity, and duration of services that diversion programs offer can vary widely and depend on the type of offenses the program diverts. Whenever possible, use evidence to inform your program design. Because young adult diversion programs are relatively new, you may need to examine evidence about programs that have worked well in a different context or with a different population. Consider how your own previous programs should be adjusted based on the emerging research on the developing young adult brain.

EXAMPLES FROM THE FIELD



Referral sources

Programs vary in their referral process; usually, however, prosecutors or DAs were the primary sources of referrals.

In the diversion program in Evanston, Illinois, the referral process begins with law enforcement officers who have discretion over whether to issue a minor city ordinance violation which can be diverted or another type of citation which cannot be diverted. Those with minor city violations who appear before an administrative law judge are given the option to either pay a fine or participate in a diversion program run by a community nonprofit organization.

Implementation Tips

- **Build on young adults' strengths and skills.** If the diversion program is meant to inspire a change, it is important that it build on the young adult's interests, strengths, and goals. Most programs we spoke with used informal assessments, in which they conducted interviews during the intake process, to decide on the services offered and the plan that the young adult followed when in the program.
- **Aim to provide young adults with a meaningful experience.** As one expert we interviewed said, "sweeping streets is not a meaningful diversion program." Many programs we interviewed included a community service component or were based on principles of restorative justice, in which the young adult was expected to complete a project that helped repair the harm done in the community. This experience is meant to go beyond repayment to society; it is intended to connect young adults to organizations meaningful to them and provide them with an experience that gives them a sense of accomplishment. For example, in one program, participants often are connected with Habitat for Humanity or the Humane Society. Because of the positive experiences they have with those organizations, participants frequently continue to volunteer with the same organizations after exiting the program.
- **Convey that the goal is for the young adult to succeed.** Contrary to the tone of most criminal courts, programs stressed the importance of conveying to young adults that they want to help them succeed in the program and in life more generally.

EXAMPLES FROM THE FIELD



Design interventions that focus on positive development.

The Pennington County Young Adult Diversion Program (YADP), based in South Dakota, provides short-term programming for young adults. It focuses on accomplishing a goal, providing positive reinforcement, and providing services that push young adults toward success. YADP offers four categories of services: (1) education and counseling; (2) community service; (3) extracurricular activities; and (4) employment opportunities (such as job shadowing, internships, and apprenticeships).

In all four service areas, YADP tries to place participants in organizations that mean something to them. This approach appears to work, because many young adults continue to engage with the organizations beyond their required program time.

- **Use trauma-informed interventions.** Experts and program staff highlighted the significance trauma can play in a young adult's life. It is important to educate court actors and community partners about trauma so they can understand how trauma affects the young adults and improve their ability to support them. Although diversion programs should not necessarily try to resolve trauma in a young adult's life, interventions should use best practices in trauma-informed care.
- **Design an inclusive diversion program.** Young adults who come into contact with the criminal justice system are from diverse backgrounds but many marginalized groups are over-represented in the justice system. People with physical and intellectual disabilities, people who grew up in the foster care system, and people who identify as part of the LGBTQ population are over-represented among justice involved individuals.^{24,25} Programs should ensure that they do not unintentionally alienate young adults from such groups and that they offer appropriate services.
- **Develop a network of culturally competent service providers.** Young adults may be more invested in programming if it is culturally competent. Program administrators should consider both the participants' needs (whether mental health, mentoring, employment assistance etc.) and their cultural background when determining which partner is most suitable for serving a young adult.
- **Consider barriers to success for young adults.** Address any immediate mental or physical health, substance abuse, or housing needs before providing other services. Without addressing these needs, it will be hard for young adults to avail themselves of other services, such as education or employment services. In addition, programs should be mindful of barriers to successful program completion, such as transportation issues, and should help young adults address these challenges and meet program requirements. Programs we spoke with took measures such as providing bus passes to young adults so they could get to court or attend program services. Staff at one program described identifying barriers when drafting a participant's service plans to ensure that the planned services are accessible to the young adult.
- **Offer a warm handoff to community-based services.** A warm-handoff, or a referral where the young adult and the agency are introduced to one another before

the referral is made, helps the young adult feel more comfortable and invested in showing up at the referral agency. For example, a community said it provided warm referrals to a substance abuse counseling agency by taking the time to explain to participants why the referral was being made and by sharing with the referral agency why they thought the young adult would be a good fit for their program.

- **Connect young adults with higher education or employment.** Many young adults are not connected to education or the workforce. Programs partnered with community colleges to help link participants with services. Experts stressed that college is a good avenue to help young adults figure out a career path. Additionally, experts believed that young adults benefit from gaining a liberal arts degree because it exposes them to lots of disciplines, helps them improve their critical thinking skills and can ultimately help them determine a career path. While vocational training is another option for young adults, some experts suggested that workforce programming should not be too specialized and should provide young adults with skills that are applicable in multiple fields. Because young adults are often living outside of their parents' home it will likely be important to assess their financial needs. If possible, it is ideal to offer young adults subsidized employment or transitional employment opportunities.
- **Consider interventions that use peer mentoring.** Experts suggested that programs use peer-to-peer mentoring whenever possible, because young adults are more influenced by their peers than by authority figures. Brooklyn, New York's young adult court designed a group intervention for the young adult population based on principles of procedural justice, risk-needs-responsivity, and trauma-informed care. The intervention helps young adults reflect on environmental and neighborhood factors that affect decision making.
- **Use social media to encourage participant interaction.** Experts advocated for the use of social media and technology wherever possible. One program we spoke with was seeking private funding from foundations to pay for staff time to start and maintain a Facebook group and Twitter account to encourage further interaction with the young adult participants.
- If your program is operating out of a young adult court:
 - **Consider having dedicated court actors trained to handle young adult cases.** A few programs had judges, prosecutors, defense council, and court staff that only handled young adult cases. These staff were trained in the science of young adult development and the value of interventions based on a positive youth development framework. Programs believed that having dedicated, trained court staff helped replace the adversarial nature of the court system with a more rehabilitative atmosphere. While the larger young adult courts exclusively heard young adult cases, other smaller programs operated young adult court on specific days of the week.
 - **Think carefully about the setting of the diversion program.** Consider whether to operate out of a courthouse or run the young adult court in a different, community-based setting. For example, one program chose to run its young adult court out of an old school, and it set up the judge's bench so it was at eye level with the defendant. The program aimed to create a different atmosphere and make the young adult more receptive to change.

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- **Consider staffing needs.** One program suggested that it would be helpful to have a designated staff person to coordinate referrals and assessments and get the docket ready for the judge.

Specify concrete program participation and completion requirements

The requirements for successful program completion vary across diversion programs. As discussed earlier, the program requirements often are related to the seriousness of the offense, with minor offenses having few or no requirements and more serious offenses having more intensive requirements. Common requirements are participation in specific services, staying out of trouble, performing community service, paying restitution, admitting wrongdoing and taking accountability for their actions, submitting to drug tests, and participating in the program for a predetermined amount of time.

Among the programs we spoke with, the most common requirements were that participants complete program courses and community service. Other requirements included keeping a journal, drug tests, and restitution.

It is important that the requirements be documented so the young adults are clear about (1) what is required, (2) how success will be measured, (3) what happens if they meet the requirements, and (4) what happens if they do not meet the requirements. At least one program we spoke with had participants sign a contract agreeing that they had been made aware of all these things.

Implementation Tips

- **Rightsize the program requirements.** Matching the program length and intensity—“rightsizing” it—to the seriousness of the offense and the needs of the young adult is an important factor in developing a diversion program. More serious offenses typically entail more intensive participation over a longer period; civil citations or misdemeanors may result in a warning and require no intervention or relatively light participation lasting only a few hours. Experts cautioned against programs requiring young adults to participate in many services over an extended period for relatively minor offenses because this will have the unintended consequence of giving young people more opportunities to fail or violate terms of the program. If intensive services over a longer period are warranted for more serious offenses, programs should be mindful of the challenges this can impart on participants and take steps to address them (for example, provide transportation assistance, send text message reminders).
- **Do not expect to fix all aspects of a young adult’s life.** Many of the young adults attending diversion programs have needs across a variety of life areas. Many of the program staff we interviewed spoke of the importance of requiring a core set of services for successful program completion and layering on additional, optional services to address other needs in the young adult’s life. This strikes a balance between giving the diversion program participants the highest chance of program success and providing them with services to address underlying issues. For example, staff in two programs described setting a specific number of counseling sessions

as a program requirement but allowing the participants to voluntarily attend additional counseling sessions if they wanted to.

- **Consider how to protect sensitive information divulged in the program.** In diversion programs requiring admissions of guilt, consider how that will be kept private if the participant cannot meet program requirements. One program requires defendants to participate in peace circles where they accept responsibility for their wrongdoings as a condition of participating in their program. So that participants may speak freely about their wrongdoings, no formal members of the criminal justice system are allowed to participate in the peace circles. Any information shared during the peace circles is kept private and so cannot be used against participants who may fail to complete the program.
- **Hold regular meetings to discuss and troubleshoot cases.** In one program, the staff meets weekly to discuss how the clients are progressing. These meetings include an update from the clinical case managers on the clients participating in community service activities. These meetings allow program staff a venue to problem solve if participants are struggling to complete the requirements.
- **Acknowledge that young adults often regress even when they are on an overall path of improvement.** Nearly all the programs we spoke with allowed for some deviation from the original plan. For example, one program we spoke with allowed participants to seek an extension for completing their mandates if they did not complete them in the allotted two months. In another program, the DA, prosecutor, and judge make case-by-case assessments of how to handle situations when a young adult participating in their pre-plea diversion program was rearrested. The court team usually uses a harm reduction approach when assessing new arrests, to avoid sending the young adult on a worse life trajectory. Typically the staff determine whether or not the behavior was an extraordinary escalation of previous behavior; whether the behavior was similar to their original charge; whether the young adult is making an effort in the program; and whether the young adult has been engaged in other positive and proactive activities. If the participant is working hard, they will likely continue to be in the program, but the court makes decisions on a case by case basis. When designing the program, consider what happens if the young adult is failing to meet the requirements or gets in trouble with the law again when in the program. (Is that grounds for immediate termination of participation in the diversion program? Will the young adult get a second chance?)
- **Use incentives to motivate participants.** Positive reinforcement is important for people of all ages, but it can be especially powerful for young adults, who can be motivated by short-term successes. A few programs used incentives, including certificates of recognition for completing program phases, gift cards for reaching certain milestones, opportunities to leave programming sessions early, earlier court dates for their hearings, and relaxing of some program requirements. Reprimanding participants for their behavior was described as rare; however, one program mentioned using negative reinforcement (such as issuing verbal warnings or mandating essay writing).

Learning and looking to the future

Documenting service delivery, measuring success, and using that information to improve program performance are best practices in program implementation. As programs highlighted, it is important to document the services you are providing. This documentation can help programs ensure consistency across staff, simplify orientation of new staff, make it easier for the program to be reproduced elsewhere, and help programs obtain future funding.

Measuring participant outcomes and program performance are other important aspects of program implementation and improvement. If programs are able to assess performance, they can make midcourse corrections to make the program more effective. Our review of the literature and conversations with experts revealed many important areas where additional research is needed, including evidence about who is best served by diversion programs, when in the criminal justice process diversion is most effective, and how programs can best align diversion interventions with the type of cases they are diverting. Programs operating young adult diversion should try to incorporate evaluation into their program planning and implementation to help build the evidence on best practices for this important population.

Implementation Tips

- **Start small and expand.** Many programs started on a much smaller scale and expanded as they worked out any kinks in implementation. Programs said they were glad they started operating “before having every little thing in place.” From their perspective, it was not necessary to have all aspects of the program solidified before starting it.
- **Keep detailed record of policies and procedures.** One program kept a detailed policy procedure notebook that they updated as changes were made. They felt having their policies in writing was key to ensuring consistency if there were shifts in personnel.
- **Gather feedback.** Programs surveyed participants about what they liked and disliked about the program. If collecting a feedback survey, try to get input from participants who complete the program and from those who do not successfully complete it. Try to ensure anonymity for participants so they can answer honestly.
- **Evaluate and modify the program as needed.** Programs reported needing to modify their program model based on their experiences serving young adults. For example, the AIM Court in Dallas, Texas, originally focused on providing vocational and educational opportunities to young adult offenders. As it got further into implementation, however, it realized that many participants had underlying drug or alcohol dependencies that made them unable to take advantage of the education and employment opportunities it was offering. Therefore, AIM developed multiple tracks in its diversion program and developed resources and programs to address young adults’ substance abuse issues before offering them other services.

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- **Raise awareness and advocate for legislative reforms.** Experts discussed advocating for legislation, such as “raising the age” legislation, to help increase the diversion of young adults. They argued that passing legislation is more permanent than developing a program that can be shut down. Furthermore, advocating for laws that advance the use of developmentally appropriate justice interventions may increase awareness of and support for diversion programs.

Conclusions

A wealth of research documents how young adults are different from older adults, and there is a growing body of evidence about justice interventions for this population. However, little research exists on young adult diversion programs. Our interviews with experts and programs revealed a wide diversity in implementation in who the programs served, when in the criminal justice process the diversion occurred, and what the diversion program required. Evidence is needed to determine which of these approaches works best and to establish best practices in young adult diversion.

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APPENDIX A: Methods

The guide is based on three data collection activities: a literature review, interviews with experts in the field of criminal justice, and interviews with staff at existing young adult diversion programs. This appendix describes each of these data collection activities in more detail.

Literature review

The goals of the literature review were to summarize the existing evidence on young adult diversion programs, identify experts and diversion programs to interview, and inform the protocols for those conversations. To meet these goals we conducted a systematic review of literature (including research studies, news, and articles)

on criminal justice interventions for young adults. We developed search terms for the literature search based on a review of key background documents and worked with a librarian to refine them by conducting test searches. We searched 12 electronic databases (Table A.1) using a complete set of search terms (Figure A.1). In addition, we worked with the librarian to cull the list of search terms for use in online searches of 53 websites via a Google Custom Search Engine, and the universe of websites via Google Scholar. Based on our calls with experts, we also conducted a second targeted search for literature on young adult courts using these same methods. In total, our search identified approximately 456 resources.

Table A.1. Databases searched

| Database Name | Description ^a |
|---|--|
| Academic Search Premier | Multi-disciplinary full-text database containing peer-reviewed full-text articles for more than 4,600 journals, including nearly 3,900 peer-reviewed titles and indexing and abstracts for more than 8,500 journals |
| Business Source Corporate | Contains full text from nearly 3,000 quality magazines and journals including top management journals, general business periodicals, and trade publications |
| Cochrane Database of Systematic Research | Composed of 4,800+ highly structured, systematic, peer-reviewed full-text articles and protocols focusing on the effects of health care |
| E-Journals | Provides access to thousands of electronic journals and full text of articles. |
| EconLit | The world's foremost source of references to economic literature with 1.1 million+ records available |
| Education Research Complete | The world's largest and most complete collection of full-text education journals, providing indexing and abstracts for more than 2,300 journals, full text for about 1,400 journals, and 550 books and monographs |
| ERIC | Contains more than 1.3 million records and links to more than 323,000 full-text documents dating back to 1966 |
| National Criminal Justice Service | Contains more than 225,000 collection records and more than 80,000 online resources, including all known Office of Justice Programs works |
| PsycINFO | Documents indexed include journals, articles, books, dissertations, and more. The database includes more than 3.5 million records |
| ProQuest Dissertation and Theses | Contains more than 2.4 million dissertations and theses from around the world |
| SAGE Journals Online | Provides access to the full text of articles in more than 500 leading journals published by SAGE |
| Scopus | The world's largest abstract and citation database of peer-reviewed literature and quality web sources in the scientific, technical, medical, and social sciences with 19,000+ titles, articles in press, conference proceedings, and ebooks |

^a Sources: Authors' compilation of descriptions from developers' websites.

Figure A.1. Literature Search Parameters

We used combinations of the following search terms (asterisks indicate truncation):

| Outcome Terms | Topic Terms | Population Term |
|--|---|---|
| Recidivism OR incarceration OR imprisonment OR public safety OR referral to community services OR Reemploy* OR "Re-employ*" OR Employ* OR Earning* OR Wage* OR "Self-sufficien*" OR Job* OR Occupation OR Pay OR credential OR GED OR re-offending OR reoffending | Diversion OR informal processing OR adjustment OR proceeding OR probation adjustment OR deferred prosecution OR civil citation OR consent decree OR formal accountability agreement OR Risk-need*-responsivity model OR "alternative to imprisonment" OR "alternative to incarceration" OR "alternative to detention" OR "intensive community program" | Adult* OR young n2 (men) OR young n2 (women) OR "18-24' n2 (age OR years) ¹ AND Crime* OR criminal* OR devian* OR violen* OR delinquen* OR offend* OR offense* OR gang OR gangs |

¹ For our population term, we searched for both *adult* or *young* within two words of men or women (indicated by using the search feature "n2"). We also searched for *18-24* within two words of the terms age or years.

We applied the following search parameters to the searches on young adult diversion:

- Limited geographically to the United States
- Limited to the English language
- Limited to articles published from 2005 to the present
- Excludes editorials, letters, newspaper articles, and commentary

In addition, we used a Google Custom Search Engine to search the following websites of organizations conducting research in this area. We searched this engine using the same search terms as the database search.

- Abdul Latif Jameel Poverty Action Lab
- Abt Associates
- Administration for Children and Families
- American Enterprise Institute
- American Institutes for Research
- Association for Public Policy and Management
- Berkeley Policy Associates
- Booz Allen
- Brookings Institute
- Cato Institute
- Center for Economic Policy and Research
- Center for Law and Social Policy (CLASP)
- Center for Poverty, Work, and Opportunity
- Center for Public Policy and Administration
- Center for Science and Engineering Partnerships
- Center for Study of Urban Poverty
- Congressional Research Service
- Heritage Foundation

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- IMPAQ
 - Institute for Policy Studies
 - Institute for Policy Studies at Johns Hopkins
 - Institute for Research on Poverty
 - Institute of Policy Research at Northwestern University
 - IZA
 - Joblessness and Urban Poverty Research Program
 - Joint Center for Political and Economic Studies
 - Joint Center for Poverty Research
 - Massachusetts Budget and Policy Center
 - Mathematica Policy Research
 - Manpower Demonstration Research Corporation (MDRC)
 - Multidisciplinary Program in Inequality and Social Policy
 - National Bureau of Economic Research
 - National Center for Children in Poverty
 - National Center for Health Research
 - National Center for Policy Analysis
 - National Poverty Center
 - NORC
 - RAND Corporation
 - Pacific Research Institutes
 - Public Policy Associates
 - Ray Marshall Center
 - Resources for the Future
 - RTI International
 - Social Policy Research Associates
 - SRI International
 - The Center on Poverty and Inequality at Georgetown University
 - The Center on Poverty and Inequality at Stanford University
 - University of Kentucky Center for Poverty Research
 - Urban Institute
 - U.S. Bureau of Labor Statistics
 - U.S. Department of Labor
 - U.S. Department of Labor Employment & Training Administration Research Database
 - U.S. Government Accountability Office

Finally, in Google Scholar, we conducted keyword searches using the following terms:

- 18th Judicial Mental Health Court
- Accelerated Rehabilitation Disposition Program
- Adult Diversion Program
- Akron Mental Health Court
- Alachua County Pretrial Services
- Alcohol Education Program Statutes
- Alleghany County Justice Related Services
- Bernalillo Pretrial Services Division
- Bexar County Jail Diversion
- Bowie County Pre-Trial Diversion
- Bronx TASC Mental Health Court Program
- Brooklyn Treatment Court
- Buncombe County Pretrial Services
- Chicago Crisis Intervention Team
- Citizen's Probation Authority
- Colonial Crisis Intervention Team
- Connecticut Diversionary Programs
- Cook County Drug School Deferred Prosecution Program
- Cook County Felony Deferred Prosecution Program
- Criminal Justice Investment Initiative

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- Dane County Deferred Prosecution Unit
 - Deferred Adjudication Community Supervision and Pre-Trial Diversion
 - Deferred Prosecution Statutes
 - DeKalb County Diversion Treatment Court
 - Discretionary Pretrial Diversion Programs
 - Diversion Program Statute
 - Douglas County Circuit Court
 - Drug Court, Community Court, and Mental Health Community Court
 - Drug Education Schools
 - Eleventh Judicial Criminal Mental Health Project
 - Forensic Multi-Disciplinary Team
 - Fourth Circuit Diversion Programs
 - Houston Police Department Crisis Intervention Team
 - Intensive Diversion Program
 - Jefferson & Gilpin Counties Diversion Programs
 - Jefferson County Datalink
 - Kent County Diversion Program
 - Kentucky Pretrial Services
 - Kings County Drug Treatment Alternative to Prison
 - Law Enforcement Assisted Diversion (LEAD)
 - Los Angeles Police Department Crisis Response Psychiatric Emergency Response Team (PERT)
 - Macon County Pretrial Phase Program
 - Macon County Specialty Court
 - Madison Police Department Crisis Response
 - Mahoning County TASC
 - Maricopa County Pretrial Services
 - McLean County Pretrial Services
 - Mental Health Diversionary Program
 - Milwaukee County Treatment Alternatives and Diversion
 - Monroe County Pre-Trial Services
 - Montgomery County Diversion Program
 - Multnomah County Community Court
 - North Metro Youth Diversion Program
 - Offender Initiative Program Statute
 - Okaloosa County Mental Health Court and Drug Court
 - Oklahoma County Veterans Program
 - Operationa de Novo Adult Diversion
 - Oriana House Pretrial Diversion Programs
 - Peoria Mental Health Court / Emergency Response Services
 - Pinellas County Crisis Intervention Team program
 - Portland Police Department Crisis Response
 - Pretrial Deferred Prosecution Statute
 - Pretrial Diversion and Probation Statutes
 - Pretrial Diversion Program
 - Pre-Trial Diversion Program Statutes
 - Pre-Trial Intervention
 - Pre-Trial Intervention & Diversion Programs
 - Pretrial Intervention Diversion Program Statute
 - Pretrial Intervention Guidelines
 - Pretrial Intervention Program
 - Pre-trial Intervention Program
 - Pre-Trial Intervention Statute
 - Project Remand
 - Recovery Project
 - Red Hook Community Justice Center
 - Rock County Deferred Prosecution Program
 - Rock County Drug Court and Veterans Court Program
 - Salt Lake City Police Department, Utah Statewide Crisis Intervention Team
 - San Francisco Pretrial Diversion Project
 - Seminole County Drug Court and Tier One Felony Drug Court
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- St. Claire County Jail Datalink
- St. Croix Country Pre-trial Diversion Program
- Superior Court Specialty Court Programs
- Support and Treatment After Release (STAR)
- Travis County Drug Court Program
- Travis County Felony Pre-trial Diversion Program
- Tucson City Court Diversion Programs
- University of Florida Police Crisis Intervention Team
- Vermont Court Diversion
- Wayne County Pretrial Diversion Programs
- Westerville Crisis Intervention Team
- Winona County Adult Diversion Program
- Young Adult Bureau
- Young Adult Diversion Court
- Young Adult Diversion Program

In addition to the search for literature on young adult diversion, we conducted a targeted search for literature on young adult courts. We used the following terms to search the databases and the Google Custom Search Engine:

| Outcomes | Topic Term |
|--|-------------------|
| Recidivism OR incarceration OR imprisonment OR public safety OR referral to community services OR Reemploy* OR "Re-employ*" OR Employ* OR Earning* OR Wage* OR "Self-sufficien*" OR Job* OR Occupation OR Pay OR credential OR GED OR re-offending OR reoffending | Young adult court |

We also searched Google Scholar using the term *young adult court*.

Following the searches, staff screened the results to identify any that focused on interventions tailored to 18- to 25-year-olds; we screened out and did not review resources that did not target their efforts to young adults. Of the 456 resources, we screened in and summarized 15 that focused specifically on young adult diversion post-arrest and pre-conviction.

Interviews with experts and programs

Building on the literature review, we interviewed seven experts (Figure A.2). We identified an initial list of experts based on our literature review; during our interviews with experts, we asked for additional recommendations. These conversations primarily focused on identifying the reasons for targeting the young adult population, current interventions targeted to this population, communities operating diversion programs, other experts in the field with whom we should speak, and any research or literature we might have missed in our initial review.

Figure A.2. Expert Interviews

Adam Mansky

Center for Court Innovation

Brent J. Cohen

Public Service Consulting Group

Elizabeth Clarke

Illinois Juvenile Justice Initiative

Katherine Miller

Office of San Francisco District Attorney

Marc Schindler

Justice Policy Institute

Shay Bilchik

Center for Juvenile Justice Reform at Georgetown

Vincent Schiraldi

Criminal Justice Policy and Management at Harvard Kennedy School

Following these interviews, we spoke with staff at eight programs operating diversion programs (Figure A.3). We identified the programs through our literature review and our interviews with experts. During these interviews, we talked about the program's purpose, services and features, administration, implementation, measures and evaluation, and lessons learned. These conversations informed the implementation tips in this guide. Profiles of the eight programs are in Appendix B.

Figure A.3. Program Interviews

Achieve, Inspire, Motivate (AIM) Court, Dallas, Texas

Brooklyn Young Adult Court, Brooklyn, New York

Evanston Diversion Program, Evanston, Illinois

Restorative Justice Community Center, Chicago, Illinois

Manhattan District Attorney's Office, Manhattan, New York

Pennington County Young Adult Diversion program, Rapid City, South Dakota

Promising Adults, Tomorrow's Hope, Long Beach City, California

San Francisco Young Adult Court, San Francisco, California

APPENDIX B:
Program Profiles

Brooklyn Young Adult Court

BROOKLYN, NEW YORK

Target population ages:
16 to 24 years old



Types of cases diverted:
Misdemeanor offenses with some exclusions



Lead organization and contact:
Brooklyn Justice Initiatives,
Aisha S. Greene, Esq.,
Project Director,
greenea@courtinnovation.org,
<http://www.courtinnovation.org/project/brooklyn-young-adult-court>



Program overview

The Brooklyn Young Adult Court (YAC) was established in April 2016 and built off the success of the existing Adolescent Diversion part in Brooklyn, New York. The program aims to offer alternative sentencing for young adults, ages 16 to 24, who have committed misdemeanor crimes (with some exceptions). The Brooklyn district attorney's office started the program for young adults, who they identified as at a higher risk to commit crimes and reoffend than older adults. The Brooklyn YAC comprises a judge, prosecutors, defense advocates, and social workers; all staff have received training on procedural justice. Brooklyn Justice Initiative (BJI) provides many of the services offered through Brooklyn YAC, but also partners with other community-based organizations to deliver services. There are no formal agreements in place with BJI's partners; its partnerships have grown organically over time. A mixture of local, state, and federal funds pay for the program.

The Center for Court Innovation, an organization with a long history of juvenile and criminal justice reform work in New York City, worked closely with the Brooklyn YAC work group—which included the leaders of the defense agencies, the district attorney's office, and the court—over a three-month planning period before the court launched.

Eligibility, enrollment, and assessments

All eligible young adult misdemeanor cases that are not resolved at arraignment are referred to the Brooklyn YAC. At arraignment, all age eligible cases are reviewed for programming; offers on lower level cases are made, and oftentimes accepted. Ineligible misdemeanor cases include domestic violence, sex crimes, and driving while intoxicated. BJI uses the Criminal Court Assessment Tool, which has a short and medium screener, and is used to (1) assess the risk of reoffense for each young adult, (2) determine their needs, and (3) tailor programming to meet those needs.

Program services

Through BJI and its partners, YAC participants have access to case management; courses on life skills, employment, health and wellness, and goal-setting; consultation with an educational liaison; community service; mediation and peacemaking; arts programming; individual clinical assessments and counseling; drug treatment services; and vocational and internship opportunities. BJI provides case management, employment readiness groups, and goal setting workshops,

while its partners offer vocational and internship opportunities, drug treatment services, and other services. The court and the young adult settle on a certain amount of mandated sessions as part of their agreement with the court; the number of sessions are determined before both parties formalize the agreement, but the services are not determined until an intake assessment is completed. Young adults also have the option to elect into additional services offered by BJI or one of their community-based partners. Attendance in voluntary sessions is not included in the client's mandate and are not reported to the court. Participants typically spend about one to six days fulfilling the service mandate.

Brooklyn YAC does not offer any formal incentives, but upon completion of the terms of their service mandates, the court presents participants with a certificate and formally acknowledges their completion. After successful completion, the court might decide to drop the charges against the young adult or expunge their record depending on the young adult's crime, criminal history, and the deal that was originally offered in court. If a young adult does not successfully fulfill the program requirements, the judge has the discretion to give them another chance. However, if the young adult has taken a plea for disorderly conduct and does not complete the program, they can be subjected to 15 days in jail.

City of Evanston Diversion Program

EVANSTON, ILLINOIS

Target population ages:

Youth and young adults under age 25



Cases diverted:

Since program inception, the program has diverted 446 young adults with minor city ordinance violations related to substance use as well as curfew violations



Lead organization and contact:

The James B. Moran Center for Youth Advocacy, Patrick Keenan-Devlin, Executive Director, (847) 492-1410, pkd@moran-center.org, <http://moran-center.org/>



Program overview

The City of Evanston Diversion Program was established in April 2012 in response to the large number of young people being referred to the criminal court and juvenile delinquency systems for possession of cannabis. The diversion program aims to provide youth and young adults under age 25 who have been charged with minor city ordinance violations an opportunity to avoid formal processing in the criminal justice or juvenile delinquency systems. Instead, participating youth complete six hours of community service, and/or two hours of counseling. The Moran Center partners with the City of Evanston to administer the diversion program, while participants complete community service hours with outside organizations such as faith or community-based organizations, senior centers, and government organizations. The Moran Center funds the program out of general operating funds, which is generated through individual donors, grant-based foundation giving, and local/regional government grants to support programming.

Eligibility, enrollment, and assessments

Eligibility is largely determined by the age of the alleged offender and the offense type (the program only diverts minor city ordinance violations) which is under law enforcements officers' discretion. Law enforcement officers decide whether to issue a statutory citation or a city ordinance citation for offenses such as possession of cannabis or curfew violations. If an officer issues a statutory citation, the young adult cannot participate in the program and he or she is referred to the Circuit Court of Cook County for prosecution. However, if the officer issues a city ordinance citation for the offense, the young adult is given the choice to pay a \$250 fine or participate in the diversion program after pleading liable.

Program intake takes place at city hall where the young person schedules an appointment to meet with a clinician at the Moran Center for counseling. During these appointments, the clinician at the Moran Center will assess the extent of support that participants will need to fulfill their obligations and make additional referrals, if necessary. The Moran Center also refers participants to community-based agencies where they will complete their mandated community service hours.

Program services

The core program services are performing community service hours and participating in counseling. Participants generally have two months to complete six hours of community service and two hours of counseling. Participants can receive additional hours of counseling if they wish. If a participant does not complete the program requirements in the allotted time, the participant may appear in a hearing to seek an extension from the Administrative Law Judge (ALJ) who adjudicates the city's ordinance violations. At that time, the ALJ may grant or deny an extension. If denied, or if the participant fails to meet the terms of the diversion program, the participant then must pay the \$250 fine originally associated with the ordinance violation.

Participants must submit a completed community service form provided by the City of Evanston, which also must be signed by the person supervising the participant's community service hours. The Moran Center follows up with participants to ensure that they have satisfied their mandated terms. After receiving the completed community service forms from participants, the Moran Center submits them to the City of Evanston's Administrative Law Division, which manages the adjudication of the city's ordinance violations. The participant's case then comes back before the ALJ, and the ALJ submits an order waiving any balance of fines or fees associated with the ordinance violation. During the last fiscal year, 91 percent of participants successfully completed their mandates.

Manhattan District Attorney's Early Diversion Program, Project Reset

MANHATTAN, NY

Target population ages:

Youth ages 18-20, and adults 21+ (beginning in October 2017)



Cases diverted:

The program has diverted 514 youth first-time offenders charged with non-violent misdemeanors



Lead organization:

Manhattan District Attorney's Office,
Nitin Savur, Executive Administrative Assistance
District Attorney,
savurn@dany.nyc.gov
<http://manhattanda.org/office>



Program overview

In collaboration with the New York Police Department and the Center for Court Innovation (CCI), the Manhattan District Attorney's (DA's) Office launched Project Reset in February of 2015, with the goal of diverting 16 and 17 year old first-time offenders, who have committed non-violent misdemeanor offenses such as petit larceny and criminal trespassing from the criminal justice system to services before ever stepping foot in a courtroom. Beginning in October of 2017, Project Reset will expand its programming to also serve young adults, ages 18-20, and adults, over the age of 21, that are first-time arrestees, charged with non-violent misdemeanor crimes. Currently, youth receive a two-day program consisting of two, two-hour group or individualized counseling sessions, or other interventions related to restorative justice, trauma, or other age-appropriate services. Young adults and adults will receive similar programming, however, they will only need to complete a single, three to four-hour session. Currently, CCI conducts the service provision for Project Reset and will be joined by two other organizations the Osborne Association and Young New Yorkers—when the program expands to all age groups. Project Reset is paid through funds from the DA's asset forfeiture program, which will provide approximately \$6.5 million, over three and a half years, to its partners to serve approximately 5,000 individuals each year.

Eligibility, enrollment, and assessments

After an arrest is made, participants receive a desk appearance ticket from the arresting officer, which includes an arraignment date. Prior to appearing in court, the officer refers individuals who may be eligible for Project Reset. The DA's office determines eligibility based on age, criminal history, and current charges of the case. Individuals with prior offenses, or a current violent offense are ineligible to participate in Project Reset.

Project Reset is voluntary. Eligible participants may choose to either go through the formal court process or participate in Project Reset. The individuals that choose to participate in Project Reset do not have to admit guilt as a condition for participating in the program. After individuals have agreed to participate in the program they are referred to one of the three partner agencies to receive programming. Referrals are based on the geographic location of the arresting precinct and the age of the arrestee. Youth and young adults arrested in Midtown and young adults arrested in Lower Manhattan are referred to the Center for

Court Innovation, youth and young adults arrested in Northern Manhattan are referred to the Osborne Association, and young adults arrested in Lower Manhattan are referred to Young New Yorkers. Each of the partner agencies will use an assessment to determine which of their available services are the most appropriate for the participant.

Program services

Program services will vary based on the partner agency and needs of the participant:

- CCI will offer participants the option to participate in workshops focused on public health, legal resources, community service, education, and workforce; individual counseling; or a restorative justice program.
- Osborne Association will offer participants one of four interventions: trauma-coping intervention, restorative justice intervention, Naloxone treatment training program, or a community benefit project.
- Young New Yorkers will offer participants an arts-based restorative justice intervention that engages participants in taking responsibility for their actions through storytelling, video, photography, and collages.

All partner agencies will link interested participants to additional outside services. Youth participants will be required to complete two, two-hour sessions of one of the partner agencies' available services. Young adult participants are required to complete one, three to four-hour session of one of the partner agencies' available services. The program defines successful completion when the participant fulfills the program requirements specified by the partner agency. Participants will have up to five weeks to complete their program requirements. After successfully completing their requirements, the District Attorney's office declines to prosecute the participants' cases. Participants who do not complete their program requirements or opt out of the program have to go through the court process as normal without any additional penalties.

Target population ages:
18 to 25 years old



Cases diverted:

The program has diverted approximately 350 young adults with non-violent misdemeanor and felony offenses, excluding methamphetamine and opioid cases.



Lead organization and contact:

The Office of the Pennington County State's Attorney, Mark Vargo, State's Attorney; Marty Krause, Young Adult Diversion Coordinator, <http://www.pennco.org/SAO>



Pennington County Young Adult Diversion Program

RAPID CITY, SOUTH DAKOTA

Program overview

The Pennington County Young Adult Diversion program was established in 2016 with the goal of diverting young adults, 18 to 25 years old, from the criminal justice system and providing short-term services lasting 30 to 90 days. The Office of the State's Attorney drove the development of the program upon recognizing the differences between the 18 to 25 year old population and older adults. The program aims to provide positive reinforcement and services that push young adults toward success and decrease their risk of recidivism. The Office of the Pennington County State's Attorney partners with community organizations, such as Habitat for Humanity, education and counseling services, such as Youth & Family Services, and local businesses, such as construction companies, to provide the program services. The program was initially funded primarily through a grant issued by the MacArthur Foundation; the program is in the process of pursuing longer-term funding.

Eligibility, enrollment, and assessments

To identify potential participants, the program reviews an electronic copy of all the court cases on the docket the day before court. The program assesses initial eligibility by the age, criminal history, and current charges of young adult cases. The program does not accept young adults charged with meth, opioid, or violent crimes. If the States Attorney's Office believes that the young adult is a potential candidate for the diversion program, the program notes this on the court file for the judge, prosecutor and defense attorney to consider for referral to the program. Additionally, program staff brief the court on the program and they leave a factsheet in the courtroom that briefly explains the program to potential participants. The judges and defense attorneys are empowered to make requests to place a young adult offender in the program.

The program is voluntary. Young adults who choose to participate must first take responsibility for their crimes and complete a diversion agreement with the court. The program coordinator in the District Attorney's office conducts an FBI background check (Triple I); since the program is primarily aimed at young offenders new to the criminal justice system, an offender with no or limited history is a better candidate for inclusion in the program. The participants' criminal history may also be important to program placement. In addition, the program coordinator conducts an intake meeting in which they obtain an overall picture of the young adult's life, including peer influences, housing situation,

employment status, health and disability status, and goals. This interview helps the program understand what services are most appropriate for the participant. The program does not use formal assessments or risk tools.

Program services

The program offers four categories of services: (1) education and counseling provided through organizations like Youth and Family Services, Life Inc. Lutheran Social Services, and ROADS Rehab; (2) community service such as with Habitat for Humanity or the Humane Society; (3) extracurricular activities that try to foster positive relationships and mentoring, such as arts and music programs, and programs targeted to native youth, including Sun Dance ceremonies, jingle-dancing and Horse Culture programs; and (4) employment opportunities, such as job shadowing, internships, or apprenticeships in industries such as construction or food services. Program participants commonly receive services in more than one category of service. Participants typically receive about 40 hours of services, but this depends on which service categories they are in. For example, the employment services component usually requires a longer period of participation. Additionally, program length varies by the severity of offense. Participants with misdemeanors typically engage in programming for about 1-3 months, and those with felonies participate for about 2-5 months. The program defines successful completion when the young adult fulfills the requirements in their diversion agreement and obey all laws in the year following program entry. After the participant has completed their obligation, their case and arrest are sealed and expunged. If a participant fails to complete the program, the consequences depend on the case. For example, charges could be reinstated or they might not be able to expunge their record.

Promising Adults, Tomorrow's Hope

LONG BEACH CITY, CALIFORNIA

Target population ages:
18 to 24 years old



Cases diverted:

The program has diverted more than 370 young adults with misdemeanor offenses (other than driving under the influence and domestic violence)



Lead organization:
Long Beach City
Prosecutor's Office



Program overview

Promising Adults, Tomorrow's Hope (PATH) is a diversion and workforce development program for 18 to 24 year olds that began in January 2016. The PATH program was born from the desire to serve the young adult population based on the emerging evidence that young adults' brains are still developing well into their 20's. The goal of the PATH program is to divert young adults from the criminal justice system and increase their employability. The lead organization is the Long Beach City Prosecutor's Office, working in partnership with Pacific Gateway, a workforce development board. Funding for employment services by Pacific Gateway comes from a federal U.S. Department of Labor grant; the City Prosecutor's Office receives no funding assistance.

Eligibility, enrollment, and assessments

The program has three tiers of diversion which align with the severity of the charges: pre-filing diversion, deferred entry of judgment, and alternative sentencing. For pre-filing diversion cases, the prosecutor's office issues a letter to the young adult requesting that they contact the PATH program before their court date. Approximately 85 percent of all PATH referrals are the result of pre-filing diversion. For the other two service tiers, the case is filed in court and the plea agreement is used to initiate the referral to PATH. Deferred entry of judgment referrals result in the case being dismissed and the defendant remains with no record of conviction.

Eligibility for PATH is determined by the City Prosecutor's Office. Only misdemeanor crimes are considered because the City Prosecutor's jurisdiction is limited to misdemeanors. Typical crimes diverted into PATH include vandalism, loitering, trespassing, petty theft, drug possession, public intoxication, and driving on a suspended license. Domestic violence and driving under the influence of drugs or alcohol are not eligible because there are separate, well-established programs in Long Beach for these offenses.

Currently, the program does not use a risk assessment or other formal screening process for PATH participants. During the next year, program administrators will likely exclude young adults who are already in a 4-year college or employed full-time to ensure resources are available for the more disadvantaged young adults who could most benefit from workforce development services.

Program services

PATH requires participants to (1) complete a six-hour course (either a California driver's license course or a life skills and anti-recidivism course) which carries a fee of \$205 (waived for indigent participants) and (2) meet with a jobs navigator at Pacific Gateway, the program's workforce development partner. The jobs navigator conducts an individualized assessment for each participant and asks them about their education level, employment status, and skills, and then refers the participant into programs which may include a paid internship and/or free job skills courses. Pacific Gateway reports completion or non-completion for participants to the City Prosecutor's Office.

Under pre-filing diversion, which composes about 85 percent of PATH cases, participants enroll in PATH and avoid appearing in court provided they complete the Path requirements. Because the case is never filed in court, there is no determination of guilt, no conviction, or even a record of the case in any court system.

For deferred entry of judgment, the defendant will enter a plea of no contest that is suspended by the judge until the program is complete. This tier composes roughly 12 percent of PATH cases. When the participant completes the PATH program his or her plea is withdrawn and the case is dismissed. This means that the participant has no conviction on his or her their record, but there would be a record that the case was filed in court and dismissed.

Finally, alternative sentencing, which comprises about 3 percent of PATH cases, also requires the young adult to plead no contest or guilty in court. However, as an alternative to the typical jail, fine, or community labor sentence, the young adult is given the PATH program. If the person completes the program, the prosecutor's office can eliminate or reduce jail time and fines for the young adult depending on the offense.

The primary incentive for participation in PATH is the potential for case dismissal or jail and fine reduction and access to workforce development services. If the participant does not complete the mandatory course and meet with the jobs navigator at Pacific Gateway, the prosecutor's office can file the case in court and proceed through the traditional justice system.

Restorative Justice Community Court

CHICAGO, ILLINOIS

Target population ages:
18 to 26 years old



Cases diverted:
Plans to hear cases for 100 young adults with non-violent felonies or misdemeanors



Lead organization:
Circuit Court of Cook County; community-based lead is North Lawndale Community Restorative Justice Hub, Cliff Nellis, Executive Director, (773) 762-6381, cnellis@lclc.net, (<http://lclc.net/programs/rjhub>)



Program overview

The Restorative Justice Community Court (RJCC) in Chicago's North Lawndale neighborhood is a community court using restorative justice practices for young adults ages 18 to 26 who have been charged with non-violent felonies or misdemeanors. RJCC is set to launch on August 31, 2017. Its primary services will include facilitating restorative justice peace circles and community-based social services. The Lawndale Christian Legal Center (LCLC) will serve as the lead agency for training circle-keepers, and the RJCC will employ a Restorative Justice Advocate and Practitioner as well as a Restorative Justice Consultant to assist with the training and implementation of the restorative peace circles.

RJCC is a collaboration of the Circuit Court of Cook County and the North Lawndale Community Restorative Justice Hub, a collaboration of 28 agencies and stakeholders that live, work, or worship in North Lawndale. A 14-member steering committee comprised of 7 representatives from county government agencies and 7 from the North Lawndale Community Restorative Justice Hub oversees the RJCC. The executive director of the Lawndale Christian Legal Center, a judge designated to work with RJCC, and the RJCC coordinator form an executive coordination team that chairs the steering committee. The design of RJCC is being led by the steering committee, and each member of the committee co-chairs or tri-chairs one of 5 working groups. The steering committee and working groups each meet once or twice a month, while the Executive Coordination Team meets weekly.

The Center for Court Innovation's two-year community court grant funds the RJCC Coordinator to support the steering committee in the design work of the RJCC as well as assist with the first year of RJCC's implementation. The RJCC partners are leading a fundraising initiative to fund the restorative justice peace circles and community-based social services to support participating victims and defendants.

Eligibility, enrollment, and assessments

RJCC. The steering committee will determine the program's eligibility requirements and design a screening tool for use by the state attorney's office. Currently, the focus will be on young adult residents of North Lawndale from 18 to 26 years old charged with non-violent felonies or misdemeanors. Young adults with a violent felony in their background are not eligible to participate in RJCC.

Sometime between bond court and a possible preliminary hearing, RJCC will reach out to eligible defendants and the victims to see if the RJCC is a good fit

for them, because both the victim and defendant must enter into the program voluntarily. The defendant must accept responsibility for their crime to be allowed to participate in the RJCC, otherwise they will go through the formal court process and could be convicted.

Program services

The main feature of the RJCC will be the use of restorative justice peace circles between victims and defendants. The circle process will include the circle keeper, the victim, the defendant, someone that makes the victim feel safe (for example, a family member or friend), someone that makes the defendant feel safe, and affected community members (witnesses or others who might have been affected by the crime). Before engaging in the peace circle, the circle keeper will work with all members of the circle, including the victim and defendant in individual meetings to ensure that defendants are in a place in which they can authentically communicate and understand the harm they did, and that the victims can authentically express their pain and needs moving forward. To encourage defendants to speak openly without the fear of having their conversation used against them in court, the peace circles will not include members of the criminal justice system such as the state attorney, public defenders, or a judge. Communications made during the circle will also be privileged so that they cannot be used against the defendant in court at a later date. People in the circle will share their experiences, voice their pain, and decide how to repair the harm through a “Repair of Harm” agreement. In addition to the peace circles, the RJCC will incorporate restorative justice practices such as following up with community-based services to support members of the circle to move forward.

RJCC has planned several partnerships to provide additional services to participants. The primary partnership is between the Circuit Court of Cook County and the numerous community-based agencies and stakeholders of the North Lawndale Community Restorative Justice Hub. Cook County’s social service officers will work with community-based case managers to create linkages and follow up with participants. The community-based case managers will be housed at the locations of members of the North Lawndale Community Restorative Justice Hub. Ultimately, the numerous agencies that make-up the Restorative Justice Hub will house both a case manager and a circle-keeper.

The planned length of the intervention will depend on each case, but it is estimated that the process will take six months to a year to complete. Participants, however, can continue to access additional services offered by the LCLC and its partners through the North Lawndale Community Restorative Justice Hub after completing the program. Upon successful program completion, participants’ cases will be dismissed and they will not have a felony conviction on their record. The program also plans to help participants find employment through a partnership with the North Lawndale Employment Network (NLEN), the primary workforce development agency in North Lawndale.

Young Adult Court

SAN FRANCISCO, CALIFORNIA

Target population ages:
18 to 25 years old



Cases diverted:

The program has diverted over 120 young adults with a mix of felony and misdemeanor charges since the program began in August 2015.



Lead organization:

San Francisco Collaborative Courts,
Lisa Lightman, Director,
llightman@sftc.org,
<http://www.sfsuperiorcourt.org/divisions/collaborative/yac>



Program overview

The Young Adult Court (YAC) in San Francisco was established in August 2015 with the goals of diverting young adults from the criminal justice system and helping them successfully transition into adulthood. After examining the criminal justice data, the San Francisco District Attorney's Office found that the percentage of young adult cases was grossly disproportionate to young adults' percentage of San Francisco's population. YAC emerged from an interest in removing this disparity by providing alternatives to incarceration, in particular a developmentally aligned program for the young adult population. YAC aims to provide a stable, positive, and supportive environment to decrease recidivism, improve life outcomes, and connect participants with educational and vocational opportunities. The key YAC team members and partners include the YAC Judge and Superior Court, San Francisco District Attorney's Office, San Francisco's Public Defender's Office, Adult Probation Department, Community Assessment Services and Center (CASC), Feltion Institute/Family Services Agency (FSA), Goodwill Industries, treatment providers, San Francisco Department of Children, Youth and their Families (DCYF), and the San Francisco Sheriff's Department. FSA oversees the clinical case management and reports on the progress of young adults to the court. A mixture of local, state, and federal funds pays for the program.

Eligibility, enrollment, and assessments

Prosecutors, defense attorneys, or probation officers refer young adults to YAC after arraignment and before preliminary hearings. Young adults who have been charged with misdemeanors, with some exceptions, are eligible for the program. Misdemeanors for drunk driving or other driving offenses, gang allegations, hate crimes, domestic violence, elder abuse, crimes involving children, gun cases, and offenses that might require sex offender registration, are not eligible for the program. Young adults charged with some felony charges are also considered for the program: sale or possession of a controlled substance, theft, auto offenses, vandalism with restitution under \$4,000, assault, and robbery with no weapon or injury. YAC prioritizes felonies over misdemeanors because it feels those are the cases for which it can have the biggest impact. The District Attorney's Office screens all potential participants for legal eligibility. Once admitted into the program, a YAC case manager screens all potential participants for suitability (willingness to participate and benefit from the program) through a series of interviews and screening tools. The clinician presents a full report with a recommendation about the young adult to the YAC team. The program is voluntary. YAC maintains a waiting list for enrollment because it is usually operating at maximum capacity, with about 70 participants enrolled at any given time.

Program services

Youth move through four phases of the YAC program: (1) Engagement and Assessment, which includes program orientation and development of a Wellness Care Plan; (2) Stability and Accountability, when they begin to implement the plan; (3) Wellness and Community Connection, which includes connection to education or vocational opportunities; and (4) Program Transition, in which program plan goals are accomplished. The Wellness Care Plan documents goals set at the outset and progress toward meeting the goals throughout the program. The services provided to participants vary depending on the participant's needs; however, the most common services are housing, family and interpersonal relationships, education, employment, therapeutic support, and substance abuse treatment.

The length of the program varies based on the severity of the crime, typically 12 to 18 months. Throughout their time in the program, participants make regular court appearances before the YAC judge to report on their progress. Family Services Agency provides trauma-informed case management services for the young adults who are in court but not on probation. Participants on probation have both a probation officer and a case manager from the Community Assessment and Service Center. YAC also partners with Goodwill Industries to provide workforce development services.

The YAC uses rewards and negative responses to motivate participants to remain successful in their program; examples of rewards include gift cards and having their case called earlier in the court day, and negative responses include verbal warnings from the judge or mandated essay writing. If program participants do not fulfill requirements, the team will consistently work with a participant during periods of non-engagement. Upon completion of the program, participants who committed misdemeanors often have their case dismissed. Those who entered a deferred entry of judgment either have their case dismissed or reduced to a misdemeanor. Participants on probation might have a felony reduced to a misdemeanor or a shorter probation period. Expungement is also an option for those who plead guilty to a crime as a condition of participating in YAC.

Since the start of the program in August 2015, 20 percent of participants have completed the program, 45 percent are still participating, 15 percent were terminated for a new arrest, and 19 percent were terminated for not complying with the program. Young adults who do not complete the program return to the criminal justice system for regular processing.

Achieve Inspire Motivate Court

DALLAS COUNTY, TEXAS

Target population ages:
18 to 24 year olds



Cases diverted:
Plans to divert up to 100 felony offenses



Lead organization and contact:

Dallas County District Attorney, Julie Turnbull, Chief, Reformativ e Justice Unit, Dallas District Attorney's Office,
Julie.turnbull@dallascounty.org,
214-653-3892,
https://www.dallascounty.org/department/da/aim.php



Program overview

The Achieve Inspire Motivate (AIM) court in Dallas County, Texas was established in 2016 with the goal of diverting nonviolent offenders, ages 18 to 24, from the criminal justice system and into employment and education programming. AIM is a pre-trial diversion program. A judge, an assistant district attorney, assistant public defender, a program clinician, representative from IPS treatment center, probation officers, law enforcement officer, and coordinator make up the AIM court team. The Reformativ e Justice Unit within the district attorney's (DA's) office maintains AIM's program policies and is responsible for the program's outcomes. The DA's office funds the program through state fund, participant fees and support from Community Corrections Improvement Foundation, a nonprofit that serves the specialty courts in Dallas County.

Eligibility, enrollment, and assessments

The AIM court receives the majority of its referrals from defense attorneys and a small number of referrals from prosecutors. To make a referral, the defense attorney or prosecutor fills out a form and submits it for review by an assistant district attorney. The assistant district attorney reviews the referred offender's criminal history before signing off on the referral. Because AIM is a pre-trial diversion program, the DA's office must approve the referred offender's eligibility before the court team hears the case. The AIM court team then determines whether the referred offender would be a good fit for the program.

When the AIM court was developed, the DA set the eligibility requirements, modeling them after the Dallas County drug court requirements. In addition to being ages 18 to 24, participants cannot have (1) aggravated offenses pending or in their criminal history; (2) history of sex offenses; or (3) family violence, child abuse, or arson charges pending or in their criminal history.

During intake into the program, the AIM court conducts two assessments to determine the appropriate track for participants. First, the participant completes a comprehensive evaluation in which the court assesses whether he or she has substance abuse issues that require treatment. Second, the court administers a family assessment interview with the participant and a member of the participant's family, which serves to assess the family dynamics. In addition, AIM requires participants to complete a health assessment, so that the court and the young adult know their health status. The court has a partnership with a local hospital for individuals who are unable to afford the health assessment and those that do not have health insurance.

Program services

Core components of the AIM court are 12 weeks of the skills building Thinking for a Change curriculum (2 hours twice a week), which is the minimum curriculum; if assessed with a drug or alcohol diagnoses the core components are escalated to include outpatient or inpatient treatment. Additional program components include court visits with the AIM court judge; six-months of cognitive behavioral therapy; and substance abuse services if necessary. Program participants must keep a journal, take drug tests at randomly determined times, and take a personal financial management course.

The AIM court offers two program tracks based on participant needs. Participants in the first track typically have a stronger family support system and do not have any substance abuse issues. They participate in the program for a maximum of nine months and are required to make monthly court appearances and monthly appointments with their case managers. Participants in the second track typically have substance abuse or mental-health issues, or lack a support system and are required to have weekly court appearances and weekly case manager appointments during the first phase of programming; during the second phase, participants are required to make court appearances and case management appointments twice monthly; during the third phase, participants are required to make a monthly court appearance and a monthly case manager appointment.

The AIM court provides incentives to participants such as certificates for completing program phases, a chance to win the weekly MVP award, opportunities to have their case seen earlier in the docket, a relaxing of some program requirements such as court appearances and case manager appointments, and gift certificates. In addition, participants who abstain from drugs for six months, become employed, or successfully complete an assignment receive certificates from the judge in open court as they progress through the program.

Upon successful completion, participants have their cases dismissed and can seek an immediate expungement. Participants successfully complete the AIM court after they have received services for a minimum of nine months (12-18 months for the second track), completed all program requirements, and their case manager signs off on their graduation. The requirements are: (1) be employed or enrolled in an educational or vocational program, (2) open a savings account and complete a financial plan, and (3) pay the balance of a \$500 registration fee at the end of the program (participants make payments throughout the program; the program takes financial circumstances into consideration and waives the fee if the participant is unable to pay). In addition, if the program clinician assesses participants with substance abuse issues they may be referred to complete an in-patient, out-patient, or intensive out-patient treatment program.

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