Juvenile Diversion
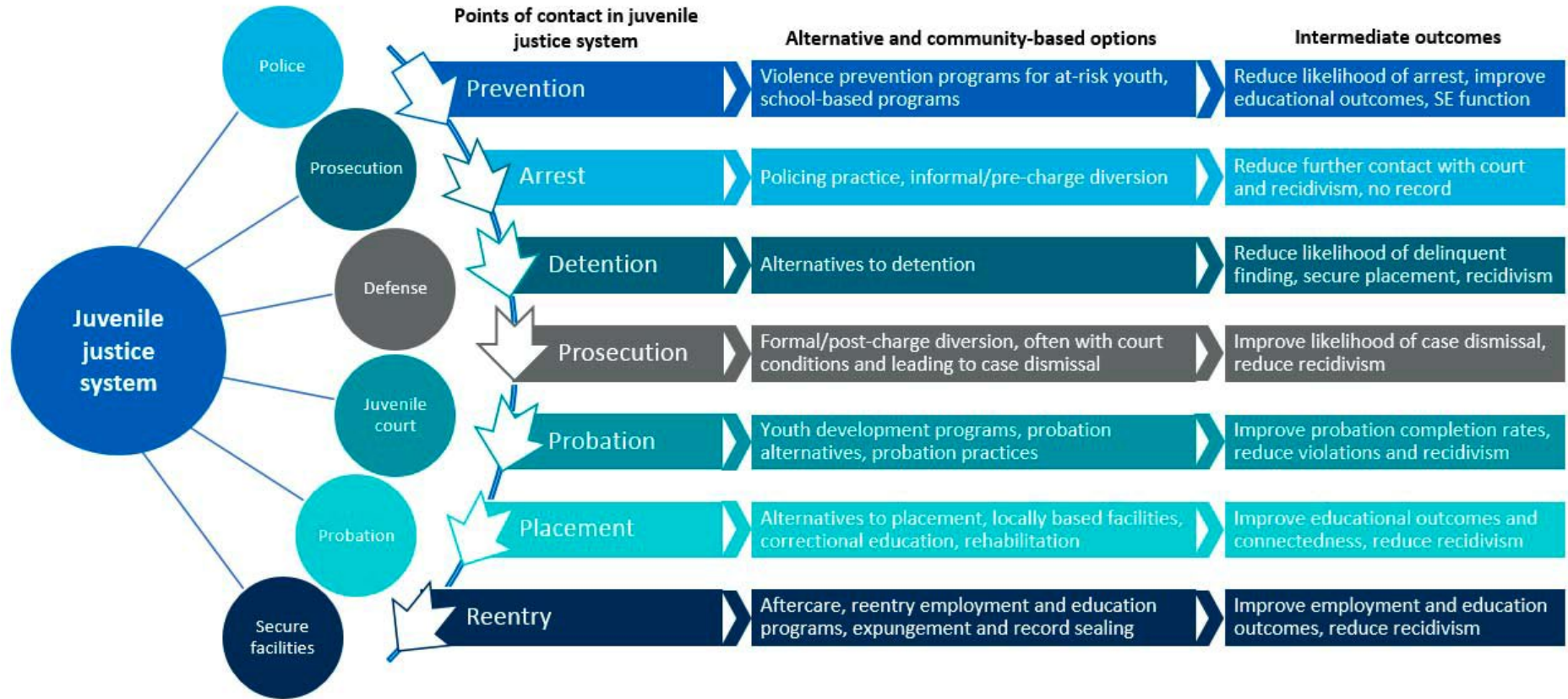
Juvenile Probation Commission Meeting
May 15, 2024

Possible points of intervention in the JJ system

Juvenile justice system

Police
Prosecution
Defense
Juvenile court
Probation
Secure facilities

Points of contact in juvenile justice system | **Alternative and community-based options** | **Intermediate outcomes**

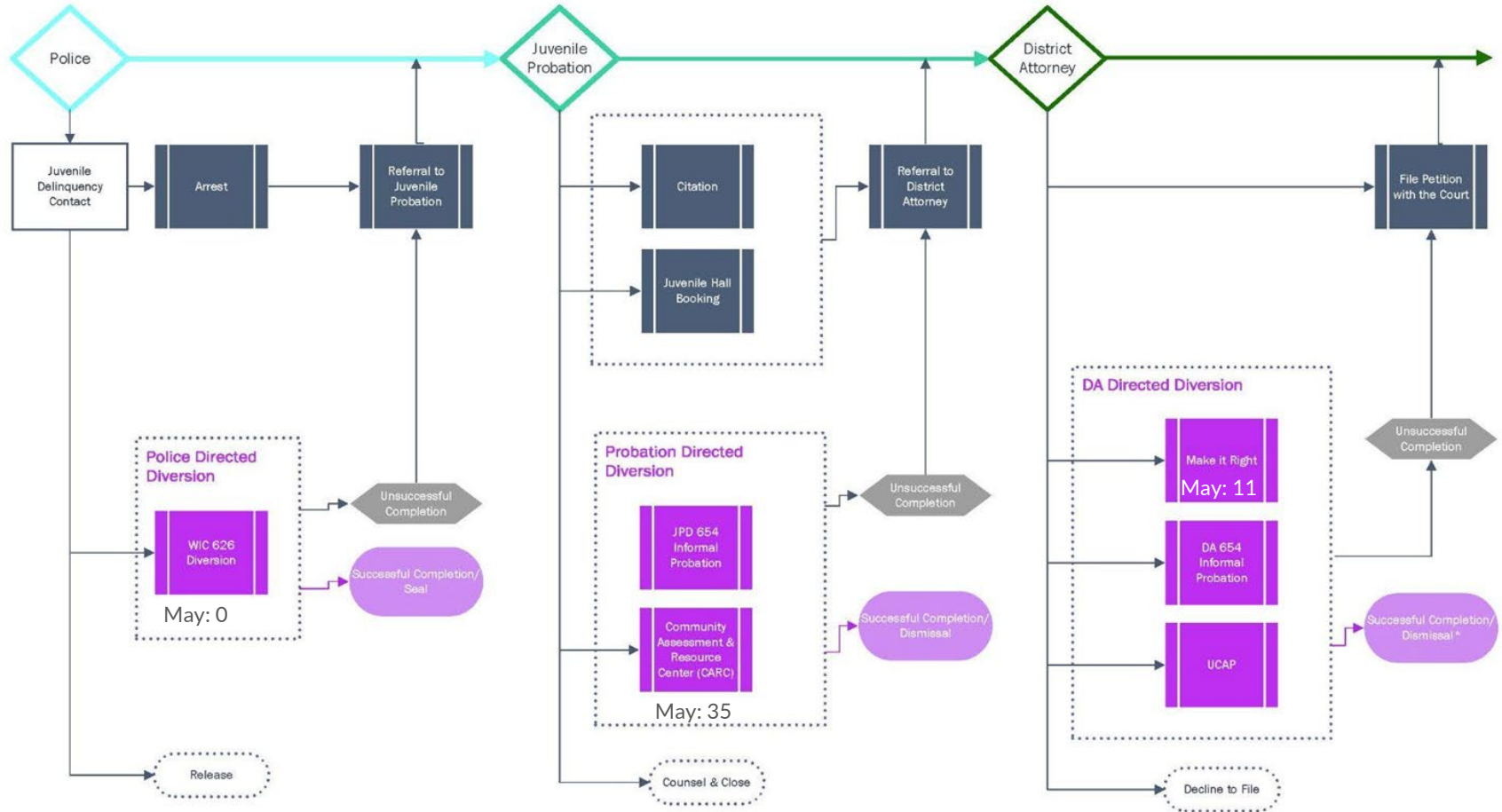| Points of contact	Alternative and community-based options	Intermediate outcomes
Prevention	Violence prevention programs for at-risk youth, school-based programs	Reduce likelihood of arrest, improve educational outcomes, SE function
Arrest	Policing practice, informal/pre-charge diversion	Reduce further contact with court and recidivism, no record
Detention	Alternatives to detention	Reduce likelihood of delinquent finding, secure placement, recidivism
Prosecution	Formal/post-charge diversion, often with court conditions and leading to case dismissal	Improve likelihood of case dismissal, reduce recidivism
Probation	Youth development programs, probation alternatives, probation practices	Improve probation completion rates, reduce violations and recidivism
Placement	Alternatives to placement, locally based facilities, correctional education, rehabilitation	Improve educational outcomes and connectedness, reduce recidivism
Reentry	Aftercare, reentry employment and education programs, expungement and record sealing	Improve employment and education outcomes, reduce recidivism

Pre-charge diversion

- Programs for juveniles who are diverted from formal processing
- What is it:
  - Youth can be diverted completely (released from the justice system with no referral to services, often called informal diversion)
  - Youth can be referred to pre-charge diversion programs (formal diversion) - these programs can include a range of services
- Who can make diversion referrals:
  - Referrals can be made by police following an arrest, by the prosecution (instead of filing a charge), by probation, or by the court (if the judge waives an adjudication decision)

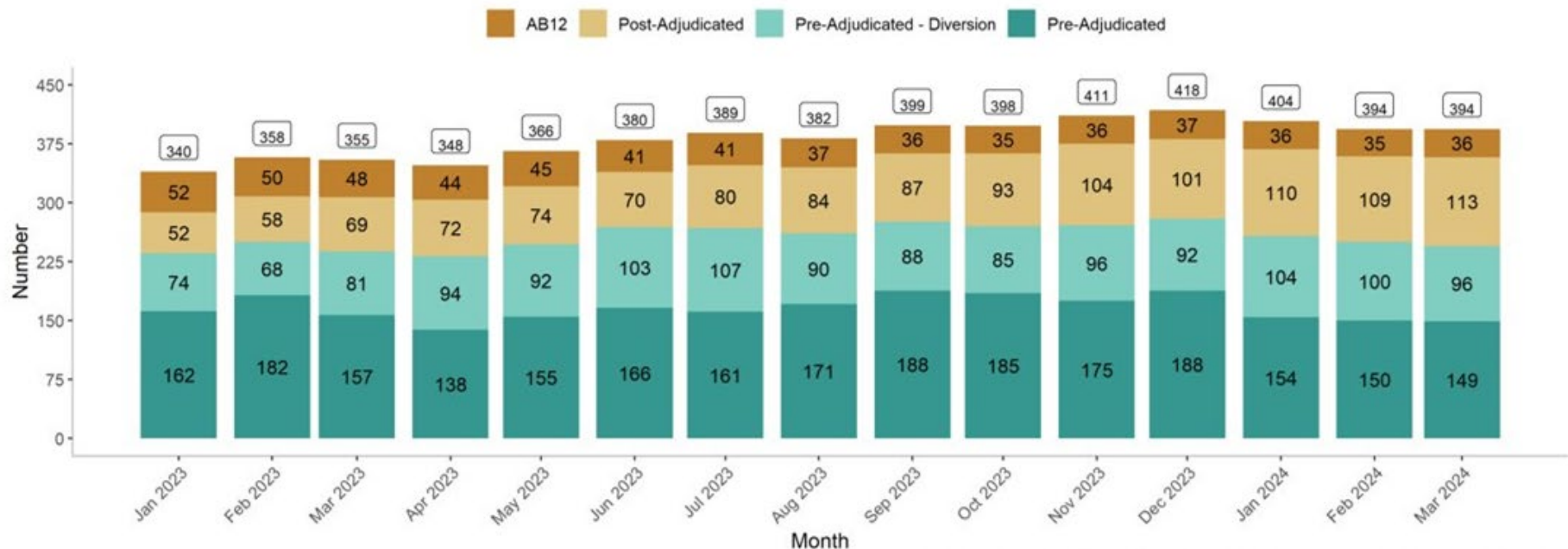# Evidence on pre-charge/filing diversion

- One meta-analysis of pre-charge diversion programs found that informal diversion (with no referral to services) and formal diversion programs providing an intervention are <u>both more effective than the traditional justice system</u> in reducing recidivism among youth.
- A second meta-analysis found <u>no difference in the outcomes</u> of diverted youth and traditionally processed youth.
- Diversion programs may have different effects on youth based on their level of risk of re-offense: <u>youth at low risk were least likely to reoffend when they were diverted before the charge was filed</u>.
- Study of Make-It-Right pre-filing restorative justice diversion program in SF found <u>large reductions in recidivism</u> for juveniles charged with felony offenses
- Concerns about diversion interventions include the possibility that they could "widen the net" of court contact for youth who do not need to be under surveillance, or that they may not be applied equitably, resulting in lower diversion rates for youth of color or other groups.

Pre-charge diversion in San Francisco

In 2024, average of 40% of pre-adjudicated cases were diverted

Probation Active Caseload by Case Status on the Last Day of the Month

Legend: AB12 | Post-Adjudicated | Pre-Adjudicated - Diversion | Pre-Adjudicated

Month	Pre-Adjudicated	Pre-Adjudicated - Diversion	Post-Adjudicated	AB12	Total
Jan 2023	162	74	52	52	340
Feb 2023	182	68	58	50	358
Mar 2023	157	81	69	48	355
Apr 2023	138	94	72	44	348
May 2023	155	92	74	45	366
Jun 2023	166	103	70	41	380
Jul 2023	161	107	80	41	389
Aug 2023	171	90	84	37	382
Sep 2023	188	88	87	36	399
Oct 2023	185	85	93	35	398
Nov 2023	175	96	104	36	411
Dec 2023	188	92	101	37	418
Jan 2024	154	104	110	36	404
Feb 2024	150	100	109	35	394
Mar 2024	149	96	113	36	394

Notes: Diversion includes JPD-monitored diversion, DA-monitored diversion, and court-monitored diversion.