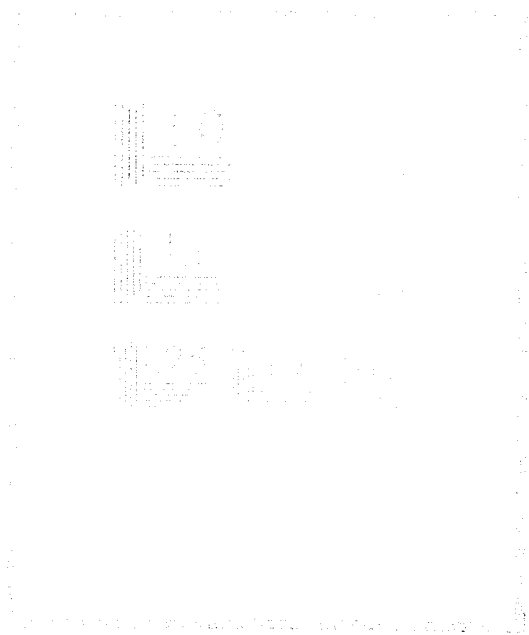


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LAW ENFORCEMENT ASSISTANCE ADMINISTRATION  
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# The Evaluation of Juvenile Diversion Programs

## Second Annual Report



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### Highlights

The Evaluation of Juvenile Diversion Programs (EJDP) is completing the second year of a projected three year study. During this second year, EJDP investigated the following three questions:

1. To what extent did the diversion program divert its clients from the traditional justice system?
2. What did the program cost per client?
3. To what extent did the program reduce subsequent delinquency of its clients?

In order to answer these questions, EJDP distinguished between:

1. "Diversion clients" who would have been processed further in the justice system if the diversion projects had not been available, and
2. "Prevention clients" who were not subject to immanent justice system processing, but were provided services to prevent their future delinquency.

As of June, 1976 EJDP has analyzed data on eight of the fifteen diversion projects to be evaluated. Based on these data, the researchers have reached the following tentative answers to the three questions stated above.

1. Less than 50% of the diversion project clients were "diversion clients"; the

remainder were "prevention clients".

2. The average diversion project cost per client was \$195. The average justice system cost that would have been incurred by diversion clients was \$269. However, because of the inclusion of prevention clients each project cost more than the total justice system costs that would have been incurred by diversion clients.
3. Three of the eight projects appear to have reduced subsequent delinquency of their clients.

Even though the diversion projects did not fare particularly well in diverting clients from the justice system, reducing costs, and preventing delinquency, EJDP does not recommend abandoning the diversion concept because of the following reasons:

1. A longer follow-up period may show delinquency reduction for additional diversion projects.
2. Cost effectiveness of diversion projects can be improved by increasing the percentage of diversion clients and reducing the percentage of prevention clients served by diversion projects.

3. The projects may have achieved other objectives not yet measured by EJDP, such as improving the local youth service delivery system.
4. Analysis of successful projects by EJDP can provide information useful in modifying existing diversion projects and initiating new projects.

In the future, EJDP will conduct the following activities:

1. Further analysis of subsequent justice system contact.
2. Analysis of new outcome measures.
3. Further analysis of client characteristics and costs.
4. Coordination with related Youth Authority studies.
5. Preparation of final report.

## Introduction

In 1967, the President's Commission on Law Enforcement and the Administration of Justice recommended the formal diversion of offenders. The Commission said that some juveniles coming into contact with agents of the juvenile justice system should be referred to service agencies rather than being processed in the juvenile justice system.

The justification for developing diversion programs was based on several assumptions. First, it was assumed that the juvenile justice system had not been effective in preventing juvenile crime or rehabilitating those processed through the system. A second assumption was that once youths become involved in the system and are labeled as deviant, they may become what they are said to be. In other words, the label becomes a self-fulfilling prophecy. Finally, it was believed that placing youths with minor behavior problems together with persons who have committed serious crimes may be harmful to the less delinquent youths. Thus, the presumption of ineffectiveness of the juvenile justice system in reducing juvenile crime and the recognition of the significant impact the environment has on behavior have encouraged the development of alternative ways of responding to the challenge of delinquency.

Diversion means different things to different people. Cressey and McDermott (1974) studied diversion projects in an unnamed state and they restricted their overview to diversion projects that occurred after initial court contact and prior to adjudication. A

broader and more common use of the term diversion refers to reducing or halting the offender's penetration of the criminal justice system. This use of the term encompasses police level diversion, probation diversion, post-conviction diversion, and others--all classified according to the point at which diversion takes place. However, any diversion involves a decision not to further process youth accused or convicted of an offense into the justice system on the condition that the individual participates in a diversion program.

The Department of Health, Education and Welfare, Office of Youth Development conceptualized diversion according to a "labeling--opportunity theory". This conceptualization has largely been adopted by LEAA in their recent Diversion Program Announcement (LEAA, April, 1976), and deserves consideration in the present paper. Elliott, Blanchard, and Dunford (April, 1975) indicated that this theory suggests that to reduce delinquency diversion programs should reduce negative labeling, provide increased access to conventional social roles, reduce feelings of alienation, and increase youths' self-esteem. They defined diversion as:

A process of referring youth to an existing community treatment program or prevention program in lieu of further juvenile justice system processing at any point between apprehension and adjudication.  
[The entire quotation was emphasized in the original.]

Elliott et al. believe that the definition places the following restrictions on what would be considered diversion processes:

Clients should be referred to a receiving agency which offers some formal or informal youth development service or delinquency prevention program.

The referral should be a substitute for further official processing and adjudication.

The receiving agency should be outside the formal jurisdiction of the juvenile justice system.

The diversion should occur between apprehension and adjudication.

The decision to divert a youth from the juvenile justice system should not be coercive.

In general, the projects included in the present evaluation did not fit this relatively narrow conceptualization of diversion. Most of the projects did not refer youth to an "existing" community treatment program or prevention program. The majority of their clients were not referred as a substitute for further official processing and adjudication. Many of the projects did not lie outside the formal jurisdiction of the juvenile justice system, and the decision to divert youth from the juvenile justice system was often somewhat coercive. Nevertheless, these projects were offering to a greater or lesser extent what EJDPA defined as a diversion program--a program in lieu of initial or subsequent processing within the traditional justice system.

Many questions about diversion remain unanswered. Few agree on: (a) who should be diverted (pre-delinquents, first time offenders, or repeat offenders), (b) for what types of behavior should diversion apply (delinquent "tendencies", status offenses,

felonies), or (c) at what point in the justice system process a youth should be diverted (pre-arrest, post arrest, prior to filing a petition, after a petition is filed, etc.).

Relatively little research on diversion has been done to date.

In March, 1976, Gibbons and Blake<sup>1</sup> reported:

This review has considered nine evaluation studies of diversion projects,...these are among the more adequately evaluated endeavors. We have seen that these evaluation studies have been plagued with such problems as small sample numbers, ambiguity about process elements, and other shortcomings. On balance these evaluation studies stand as testimony to the need for large-scale, sophisticated evaluation of new programs. Clearly, there is insufficient evidence in the nine studies examined here for one to have much confidence in diversion arguments and contentions.

Even with the profusion of questions about diversion, considerable money has been allocated for the program area. Over the past five years funds provided for juvenile diversion projects have steadily increased. In 1974, the State of California Office of Criminal Justice Planning (OCJP) allocated \$5 million to more than 70 diversion projects. In addition to LEAA monies, diversion programs receive funds from other public and private sources such as Department of Health, Education and Welfare; local governmental funding; and United Way. In fact, juvenile diversion is becoming one of the major thrusts of the '70's. Some of the many questions that remain

<sup>1</sup>EJDP was not among the diversion evaluations reviewed by Gibbons and Blake. Apparently the reviewers were unaware of the present study.

about diversion will require a well-organized, scientific evaluation.

Evaluative research is one way to obtain the factual information necessary for sound decision-making. Up to now, most evaluative research in criminal justice has been on a project level, rather than on a program level. Even though a number of projects may have involved the same types of clients, had similar objectives, and used approximately the same program strategies, past studies seldom have evaluated the projects using common criterion measures. There have been few attempts made to conduct simultaneous evaluations across similar projects enabling their outcomes to be compared. Recognizing this lack of simultaneous evaluation, LEAA listed evaluation as its number one priority in 1974. OCJP responded to this priority by asking the California Department of the Youth Authority (CYA) to evaluate juvenile diversion.

#### Background

In July, 1974 CYA initiated the Evaluation of Juvenile Diversion Programs (EJDP) Project. The project, funded by the Office of Criminal Justice Planning (OCJP), was designed to study, over a three-year period, juvenile diversion projects funded by OCJP. The objectives of the EJDP study, stated in the first year proposal, were as follows:

1. To develop a strategy for evaluation of juvenile diversion at the individual project level.



2. To develop a capability for evaluation of juvenile diversion at the state program level.
3. To develop model juvenile diversion programs, based on the evaluation of program strategies and program impact.

EJDP further agreed to deliver the following products:

1. A report on the EJDP survey of juvenile diversion projects funded with fiscal year 1974 OCJP money.
2. Evaluation of 15 to 20 of these diversion projects including (a) interim reports due the ninth month of the project's grant period, and (b) year-end reports due 90 days after expiration of each project's grant period.
3. Uniform data sheets.
4. Periodic progress reports.

This paper describes EJDP accomplishments to date and the specific tasks planned for the remainder of the project.

The first major task of the Evaluation Project was to survey the 74 diversion projects using or planning to use Fiscal Year 1974 OCJP funds. This survey essentially provided data for a description of the OCJP funded diversion program (Howard, Bohnstedt, Miyao, Moon, Moore, & Zerikotes, November, 1975) and the selection of 15 to

20 projects for intensive evaluation. Based on the survey results, regional criminal justice planning staff recommendations, and diversion project staff interest, EJDP selected 19 diversion projects for the intensive evaluation. The EJDP Steering Committee approved the selection of these projects, but three of the projects refused to cooperate and one has not yet been implemented. Consequently, the number of projects to be evaluated has been reduced from 19 to 15.

#### Method

As the first step in developing the strategy for program evaluation (EJDP's first objective), researchers reviewed the diversion objectives stated in the OCJP 1974 Comprehensive Plan, and the objectives stated by individual diversion projects in their grant proposals and in the EJDP survey interviews. Based on this review, EJDP developed nine categories of diversion program objectives. These nine categories were reported in an evaluation strategy document (Bohnstedt, Howard, Miyao, Moon, Moore, & Zerikotes, September, 1975). Three of these categories were selected as being the most important for the present evaluation.

1. To what extent did the diversion program divert its clients from the traditional justice system?
2. What did the program cost?

3. To what extent did the program reduce subsequent delinquency of its clients?

So far (July, 1976), EJDP has collected data to answer these questions concerning eight of the fifteen diversion projects. In most of these projects random assignment was infeasible; consequently, EJDP selected client study samples and identified matched comparison groups. The study clients in most projects were selected from the single largest source of referrals--usually a justice system agency. The comparison group members were youth processed by the same respective agencies who had characteristics similar to those of the study clients, but were not referred to the diversion projects. Obtaining comparison groups was an essential step in developing the capability for program evaluation stated in EJDP's second objective.

One of the eight diversion projects studied by EJDP to answer the questions above had already collected information on the subsequent delinquency of its clients, and on a comparison group. The availability of these data provided an opportunity to check the data collection methods employed by EJDP and proceeded to collect independently the same subsequent-delinquency information previously obtained by the diversion project. The results were quite reassuring--EJDP data agreed exactly with the diversion project data for 94% of the individual clients and comparison group members. This finding demonstrated that the definitions and coding procedures used by EJDP are highly reliable.

### Findings

The survey of 74 diversion projects was completed in the fall of 1974. Some of the survey data were based on estimates provided by project staff rather than firm statistics, a procedure necessitated particularly in those instances where the projects had not yet begun operations. The following highlights provide a fairly accurate description of the diversion projects funded with fiscal year 1974 OCJP monies:

1. Law enforcement ran 15 projects; probation, 18 projects; private agencies, 23 projects; and 16 projects were run by other types of agencies.
2. The median number of paid staff in law enforcement projects was 4; the median number in probation and private agency projects 7; and in other projects the median number of paid staff was 6.5.
3. Private agency projects used more volunteers (median 25 volunteers) and received more contributed volunteer time (median 80 hours per week) than other types of projects.
4. Fifty-one percent of clients were referred for status offenses (601). Thirty-six percent were referred for criminal acts (602)

and thirteen percent were referred for other than offense behavior.

Table 1 shows the sex, age, and ethnic distribution of program clients for the 54 projects that provided these data.

Table 1  
Characteristics of Diversion Program Clients

| Clients Characteristics | % Range | Mean % |
|-------------------------|---------|--------|
| <u>Sex:</u>             |         |        |
| Male                    | 0 - 100 | 61     |
| Female                  | 0 - 100 | 39     |
| <u>Age:</u>             |         |        |
| Under 10                | 0 - 55  | 6      |
| 10-12                   | 0 - 88  | 15     |
| 13-15                   | 0 - 95  | 42     |
| 16-17                   | 0 - 75  | 29     |
| 18-21                   | 0 - 40  | 4      |
| Over 21                 | 0 - 40  | 4      |
| <u>Ethnicity:</u>       |         |        |
| Anglo-American          | 0 - 100 | 60     |
| Asian-American          | 0 - 5   | 1      |
| Black-American          | 0 - 95  | 16     |
| Mexican-American        | 0 - 99  | 21     |
| Native-American         | 0 - 20  | 2      |
| Other                   | 0 - 30  | 1      |

In Table 1, the column headed "% Range" means for instance,

in the case of clients under 10 years of age that one or more projects had no clients under 10 years and that one or more had 55% of their clients under 10 years. The "Mean %'s" are unweighted averages of projects responses. Thus, the average of all 54 projects' percentages of clients under 10 years of age was 6%. The typical client, then, was a male Anglo from 13 to 15 years of age.

EJDP asked for estimates of the percentages of total staff time devoted to particular activities. Table 2, on the following page, shows the average responses given by the 72 project directors who provided these data.

As shown in Table 2 the greatest amount of time was devoted to direct client services. Within that category over half of the time was spent in individual, group, or family counseling  $(16 + 5 + 12) \div 59 = 56\%$ .

These findings are highlights from the EJDP survey of 74 diversion projects. Additional program descriptions are contained in the survey report (Howard, G., et al., 1975). Meanwhile, the findings presented below refer to the eight projects EJDP has studied more intensively up to this point in time (July, 1976).

These eight projects provided essentially similar services--"talk therapy" within a variety of structures. One project employed police and probation officers to provide traditional individual and family counseling at project offices--a converted apartment located apart from both police and probation offices. Another project

Table 2  
Estimated Percentage of Diversion Project Total  
Staff Time Spent in Various Activities

| Activity  | % of Time | Subtotals |
|---|-----------|-----------|
| Counseling, individual                                    | 16        |           |
| Counseling, group   | 5         |           |
| Counseling, family  | 12        |           |
| Tutoring academic   | 3         |           |
| Vocational training                                       | 1         |           |
| Employment counseling                                     | 2         |           |
| Recreation  | 5         |           |
| Arts and crafts   | 1         |           |
| Drug and other education                                  | 4         |           |
| Referral to other sources for services                    | 8         |           |
| Other   | 2,        |           |
| Direct Services Subtotal                                  |           | (59)      |
| Survey available data                                     | 2         |           |
| Planning services   | 3         |           |
| Development of services                                   | 3         |           |
| Coordination of services                                  | 4         |           |
| Brokerage of services                                     | 1         |           |
| Improvement of Services Subtotal                          |           | (13)      |
| Promotion of Public Awareness and<br>Involvement Subtotal |           | (13)      |
| Maintain funding  | 3         |           |
| Train persons to perform services                         | 3         |           |
| Supervise staff   | 5         |           |
| Research and evaluation                                   | 3         |           |
| Other   | 1         |           |
| Administration Subtotal                                   |           | (15)      |
| Total Project Time  | 100       | 100       |

offered a somewhat more clinical version of individual counseling to clients and their parents. This counseling was performed by paid staff, interns, and volunteers at project offices located in a converted city park building. A third project offered individual counseling or discussions with clients by college student volunteers at the police station house. A fourth project provided crisis counseling primarily to family units in their own homes, conducted by paraprofessional volunteers. This same project also offered temporary "cooling off" home placements, family and youth interaction classes, parent support and youth support rap groups. A fifth project had sworn police officers who were also credentialed instructors teaching regular courses part-time, and counseling diversion clients in the local high school. A sixth project provided conjoint family therapy by paid staff at project offices located at juvenile hall. The clients for the most part lived at home and came to the project offices with parents for counseling. The seventh project had workers in three different geographic areas providing counseling or tutorial services in the schools to referred clients. The eighth project provided approximately equal time in family counseling, academic tutoring, employment counseling, drug and other education, and recreation. The workers who provided these services were recruited from the same neighborhood served by the project, and many of the project services were provided in clients' homes. EJDP has collected quantitative data concerning these projects in an effort to answer the three major questions

posed about diversion.

Diversion. The first question posed by EJDP was to inquire about the extent to which the projects diverted clients from the justice system. The researchers distinguished between "diversion clients" and "prevention clients" on the basis that diversion clients were diverted from imminent justice system processing. These diversion clients were law enforcement referrals who otherwise would have been sent to probation, or probation referrals who otherwise would have been processed beyond intake. Prevention clients were defined as those who would not have been processed further in the justice system had the projects not been available. These clients were provided project services only to prevent future delinquency. Young persons sent to the project by schools or parents or who simply "dropped in" of their own accord were classified as prevention cases. Similarly, law enforcement referrals who otherwise would have been "counseled and released" and probation referrals who otherwise would have been "settled at intake" were also defined as prevention clients.

The first step in determining the relative percentages of diversion and prevention clients served by the projects was to ascertain the referral sources. Table 3, on the following page, shows the total numbers of clients served during the year studied and the percentages of those clients who were referred by various sources.

Table 3  
Sources of Diversion Project Clients

| Project <sup>a</sup> | Clients Served | Sources of Referral |           |         |                    |                  |
|----------------------|----------------|---------------------|-----------|---------|--------------------|------------------|
|                      |                | Law Enforcement     | Probation | Schools | Walk-in or Parents | Other            |
| 1                    | 788            | 78%                 | 5%        | 6%      | 10%                | 1%               |
| 2                    | 225            | 79%                 | 0         | 0       | 16%                | 5%               |
| 3                    | 225            | 84%                 | 0         | 0       | 2%                 | 14%              |
| 4                    | 384            | 40%                 | 12%       | 4%      | 6%                 | 39% <sup>b</sup> |
| 5                    | 470            | 100%                | 0         | 0       | 0                  | 0                |
| 6                    | 425            | 0                   | 25%       | 54%     | 17%                | 4%               |
| 7                    | 250            | 5%                  | 85%       | 0       | 3%                 | 8%               |
| 8                    | 196            | 8%                  | 43%       | 35%     | 7%                 | 7%               |
| Total                | 2,963          | 55%                 | 16%       | 12%     | 8%                 | 8%               |

<sup>a</sup>The sequences of projects in this and subsequent tables are the same, but this sequence is different from that in the narrative project descriptions presented earlier.

<sup>b</sup>Includes 15% other non-criminal justice agencies.

As shown in Table 3 the majority of project clients were referred by law enforcement, especially in projects 1-5. The majority of clients in project 6 came from schools, and the majority in 7 and 8 came from probation. As shown, in the "total" row, the largest percentage of referrals came from law enforcement.

As noted above, EJDP defined those clients who were not referred by either law enforcement or probation as prevention clients. The next step in the analysis was to determine how many

of the law enforcement and probation (justice system) referrals would not have been processed further and consequently, should also be defined as prevention clients. It was, of course, difficult to ascertain with certainty what would have happened to the justice system referrals had they not been sent to the projects. In order to obtain an estimate of the number who would not have been further processed, EJDP selected comparison cases handled by these same justice system agencies (usually from the year prior to the project), then matched them with cases who were sent to the diversion projects by the justice system agencies. The actual dispositions of the matched comparison groups were used by EJDP to estimate what would have happened to the respective justice system referrals if the diversion projects had not been available. Table 4, on the following page, shows the probable dispositions of justice system referrals as estimated from the actual dispositions of the comparison groups. Generally "handled in P.D." means counseled and released, "other agency" means referred to another non-justice-system agency, "probation intake" means the cases were settled at intake, and "beyond intake" means the cases were processed beyond Probation intake.

Table 4  
Estimated Dispositions of Justice System Referrals  
If Projects Had Not Been Available

| Project | Referral Source | Handled in P. D. | Other Agency | Probation Intake | Beyond Intake | Total |
|---------|-----------------|------------------|--------------|------------------|---------------|-------|
| 1       | Law Enforcement | 43%              | 12%          | 31%              | 14%           | 100%  |
| 2       |                 | 24%              | 9%           | 62%              | 5%            | 100%  |
| 3       |                 | 66%              | 18%          | 8%               | 8%            | 100%  |
| 4       |                 | 0                | 0            | 90%              | 10%           | 100%  |
| 5       |                 | a                | a            | a                | a             |       |
| 6       | Probation       | 0                | 0            | 55%              | 45%           | 100%  |
| 7       |                 | 0                | 14%          | 64%              | 23%           | 101%  |
| 8       |                 | 0                | 10%          | 28%              | 62%           | 100%  |
|         | Total           | 22%              | 8%           | 48%              | 22%           |       |

Note. Percentage totals vary due to rounding error.

<sup>a</sup>EJDP was unable to estimate these percentages.

The clients of projects 1-5, shown in Table 4, were referred by law enforcement; consequently, EJDP designated the clients of these projects who otherwise would have been processed at (or beyond) probation intake as diverted. For example, 45% (31% + 14%) of the law enforcement referrals to project 1 were diverted. The clients of projects 6-8 shown in Table 4 were referred by probation departments; consequently, EJDP designated the clients of these projects who otherwise would have been processed beyond

the point of probation intake as diverted. For example, only 45% of the probation referrals to project 6 were diverted from further justice system processing. Table 5 summarizes the percentages of justice system agency referrals who were designated by EJDP as prevention and diversion clients.

Table 5  
Justice System Referrals Designated as  
Prevention and Diversion Clients

| Project | Prevention<br>Clients | Diversion<br>Clients |
|---------|-----------------------|----------------------|
| 1       | 55%                   | 45%                  |
| 2       | 33%                   | 67%                  |
| 3       | 84%                   | 16%                  |
| 4       | 0                     | 100%                 |
| 5       | a                     | a                    |
| 6       | 55%                   | 45%                  |
| 7       | 77%                   | 23%                  |
| 8       | 38%                   | 62%                  |

<sup>a</sup>EJDP was unable to estimate these percentages.

The next step in estimating the percentages of all referrals who were (designated by EJDP as) diversion clients is shown in Table 6, on the following page. The first column shows the percentage of each project's clients who were justice system referrals (law

enforcement plus probation, Table 1). The second column shows the percentage of each project's justice system referrals who EJDP designated as diversion clients (Table 5). The third column shows the product of columns one and two. The figures in column three are estimates of the percentage of each project's clients who were diverted from the traditional justice system.

Table 6  
Estimated Percentage of All Referrals  
Defined as Diversion Clients

| Project | Percentage of All<br>Clients Referred by<br>Justice System | Percentage of<br>Justice System<br>Referrals Diverted | Percentage of All<br>Referrals<br>Diverted |
|---------|--|---|--|
| 1       | 83   | 45  | 37   |
| 2       | 79   | 67  | 53   |
| 3       | 84   | 16  | 13   |
| 4       | 52   | 100   | 52   |
| 5       | a  | a   | a  |
| 6       | 25   | 45  | 11   |
| 7       | 90   | 23  | 21   |
| 8       | 51   | 62  | 32   |

<sup>a</sup>EJDP was unable to estimate these percentages.

The percentage of all referrals diverted ranged from 11% in project 6 to 55% in project 2. These percentages were in part a consequence of deliberate policies and objectives. Some projects were primarily designed to service first-time offenders who

otherwise would not have received services from or would not have been processed further by the justice system; other projects were designed to concentrate service on clients who otherwise would have been processed in the traditional justice system. (Most projects did not state what percentage of their clients they expected to be diverted from the justice system.)

Cost. The second question raised by EJDP was what the diversion projects cost. Table 7 presents project expenditures during the project-year funded by Fiscal Year 1974 OCJP monies.

Table 7  
Diversion Project Expenditures

| Project | Expenditures | Clients Served | Cost per Client |
|---------|--------------|----------------|-----------------|
| 1       | \$ 84,449    | 788            | \$107           |
| 2       | 39,752       | 225            | 177             |
| 3       | 58,889       | 225            | 262             |
| 4       | 61,312       | 384            | 160             |
| 5       | 58,765       | 470            | 125             |
| 6       | 108,468      | 425            | 255             |
| 7       | 61,242       | 250            | 245             |
| 8       | 110,000      | 219            | 502             |
| 1-8     | \$582,877    | 2,986          | \$195           |

Because of the wide ranges of expenditures and clients served, EJDP calculated average cost-per-client for each project and the overall average cost per client--\$195. This cost-per-client

information can be compared with the cost-per-client of the traditional system. EJDP has been unable to collect justice system costs in the individual diversion project jurisdictions, but the federal government estimated the national-average cost-per-client processed through the juvenile justice system to be \$100 for "referral and intake", and \$500 for "probation service" (Gemignani, July-August, 1972).

The Gemignani report was not explicit about the meaning of "referral and intake" or "probation service", but EJDP has used the \$100 figure as an estimate of average justice system costs for probation intake and the \$500 figure as an estimate of average justice system costs for processing beyond Probation intake. Table 8, on the following page, shows the number of clients diverted from probation intake and from processing beyond intake, the average justice system costs for those numbers of cases (using the national average costs per client mentioned above) and the total costs for the project.

For each project the estimated justice system costs for diverted clients was less than the project costs. However, the same data can be considered on a per-client basis. The total justice system costs shown in Table 8 was \$358,800, and the total number of diversion clients served was 1,310. The average justice system cost per diversion client served ( $\$358,800 \div 1,310$ ) was 273, as compared with \$195, the average diversion project cost per client



Table 8  
Justice System Versus Project Costs

| Project | Clients Served | Clients Diverted from: |               | Justice System Costs <sup>a</sup> | Project Costs |
|---------|----------------|------------------------|---------------|-----------------------------------|---------------|
|         |                | Probation Intake       | Beyond Intake |                                   |               |
| 1       | 788            | 244                    | 110           | \$79,400                          | \$ 84,449     |
| 2       | 225            | 140                    | 11            | 19,500                            | 39,752        |
| 3       | 225            | 18                     | 18            | 10,800                            | 58,889        |
| 4       | 384            | 346                    | 38            | 53,600                            | 61,312        |
| 5       |                | b                      | b             | b                                 |               |
| 6       | 425            | 0                      | 191           | 95,500                            | 108,468       |
| 7       | 250            | 0                      | 58            | 29,000                            | 61,242        |
| 8       | 196            | 0                      | 136           | 61,000                            | 110,000       |

<sup>a</sup>Probation Intake x \$100, plus Beyond Intake x \$500.

<sup>b</sup>EJDP was unable to estimate these figures.

shown in Table 7. Consequently, justice system costs would have been greater than project costs for diversion clients. However, as shown in Table 6, less than half of the clients served were diversion clients, i.e., the majority of clients were prevention clients. This preponderance of prevention clients, who would have incurred no justice system costs, accounts for the fact that the justice system costs would not offset project costs. If, however, the projects prevented delinquency, project costs greater than justice system costs would be justified.

Subsequent delinquency. The third question the researchers

attempted to answer was to what extent diversion projects reduced the subsequent delinquency of their clients. To answer this question, EJDP compared the subsequent justice system contacts of study clients with those of matched cases who were not sent to the diversion projects. Table 9 presents these data.

Table 9  
Subsequent Justice System Contacts for a Six-Month  
Follow-up Period of Diversion Clients and Comparison Cases

| Project | Follow-up Period | Diversion Clients |            | Comparison Cases |            |
|---------|------------------|-------------------|------------|------------------|------------|
|         |                  | N                 | % Arrested | N                | % Arrested |
| 1       | 6 mos.           | 120               | 27         | 118              | 26         |
| 2       | 6 mos.           | 64                | 27         | 79               | 22         |
| 3       | 9 mos.           | 41                | 15         | 86               | 19         |
| 4       | 8 mos.           | 104               | 14         | 69               | 13         |
| 5a      | 6 mos.           | 162               | 14         | 46               | 28         |
| 5b      | 6 mos.           | 232               | 18         | 71               | 17         |
| 6       | 6 mos.           | 90                | 26         | 51               | 63         |
| 7       | 6 mos.           | 36                | 31         | 117              | 30         |
| 8       | 6 mos.           | 40                | 50         | 40               | 75         |

The re-arrest percentages for justice system referrals and comparison cases were significantly different for projects 6 and 8, and for one component of project 5. (The two components of project 5 were conducted at separate geographic locations.) In these three projects the clients had fewer subsequent arrests than did the

comparison cases. In the other six instances, the clients and comparison cases had approximately the same re-arrest rates. These findings suggest that diversion project clients did no worse and sometimes did better than the matched comparison cases who had been processed through the traditional justice system.

### Conclusions

Lowering costs and reducing delinquency were the most common and the most important objectives of the diversion projects studied, but few projects achieved either of these objectives. Project costs were no less than the estimated justice system costs had the diversion clients been processed by the traditional justice system. And only a few projects seem to have reduced delinquency. However, EJDP does not recommend abandoning the concept of diversion for the following reasons:

1. These are preliminary findings that may or may not hold up with a longer follow-up period, and in other projects yet to be evaluated.
2. The projects could have been more cost effective if they had handled a greater proportion of diversion clients and a smaller proportion of prevention clients.
3. Individual projects had additional objectives such as avoidance of "negative labeling",

making clients feel better about themselves, and changing youth service systems. EJDP did not have sufficient resources to measure achievement of these objectives; but, if they were achieved, they might justify project expenditures from the perspective of local decision makers.

4. EJDP will analyze projects that apparently have reduced delinquency to obtain information that can be used in modifying existing diversion projects and initiating new projects.

Relative to the ratio of diversion to prevention clients, LEAA's recent Diversion Program Announcement (LEAA, April, 1976) expressed concern over "widening the nets" of the juvenile justice apparatus, that is, sending to diversion projects youths who otherwise would be "screened out" of (not processed further in) the traditional justice system. The announcement implies that a mix of "good kids" and "bad kids" is desirable, but it does not suggest in what proportions. EJDP recommends that the ratio of diversion clients to prevention clients be set according to the project's cost per client and the justice system cost per client. Total diversion project costs should be equal to or less than the justice system costs that would have been incurred by the diversion clients. Thus, at the end of

outside funding, local resources should be re-allocated from the traditional justice system to support the diversion project.

Furthermore, a study of arrest dispositions (Unwyn, July, 1974) indicated that there are plenty of eligible diversion cases. The study showed that in the Los Angeles County Sheriff's Department 60% of juvenile arrests were simply counseled and released (C & R) by law enforcement, 14% were sent to probation with detained petition requests (DP)--in custody, and 26% were sent to probation with non-detained petition requests (NDP)--not in custody. Klein (December, 1975) has studied 33 southern California police departments and found a very similar disposition pattern. The NDP's should probably be considered the prime diversion targets. They are not a serious threat to the community or they would be detained, but they are processed by the justice system beyond the point at which law enforcement would divert them. Consequently, there are ample numbers of persons who could be diverted from the traditional system replacing a large proportion of the prevention clients.

Data from Wolfgang, Figlio, and Sellin (1972) suggest guidelines for diversion projects. They studied a cohort of 9,945 boys to (a) determine which members of the cohort had official contacts with the police; (b) compare delinquents with nondelinquents; and (c) trace the volume, frequency, and character of delinquent careers up to age 18. In their summary chapter the authors stated:

The most relevant question, then, is at what point in a delinquent boy's career an intervention program should act. One answer would be that the best time is that point beyond which the natural loss rate, or probability of desistance, begins to level off. Because 46 percent of the delinquents stop after the first offense, a major and expensive treatment program at this point would appear to be wasteful. We could even suggest that intervention be held in abeyance until the commission of the third offense, for an additional 35 percent of the second-time offenders desist from then on.

Although EJDP disagrees with the suggestion to withhold intervention until the third offense (a point at which it may be too late), EJDP does suggest that diversion projects concentrate their efforts on clients who have some prior record. Table 10 shows that considerable diversion project energies are being consumed by clients with no prior record.

Table 10  
Percentage of Study Clients<sup>a</sup> with Prior Record

| Project | % with Prior |
|---------|--------------|
| 1       | 29           |
| 2       | 14           |
| 3       | 20           |
| 4       | 26           |
| 5       | 18           |
| 6       | 34           |
| 7       | 35           |
| 8       | 65           |

<sup>a</sup>Since "study" clients were referred by a criminal justice agency, probably, a larger percentage of them than other clients have prior records.

Clark (1975) further analyzed the Wolfgang, Figlio, and Sellin data relative to the policy of youth service bureaus concentrating their services primarily on juvenile status offenders. He reported:

The concentration on status offenders is based on the desire (1) to reduce damaging involvement with the formal justice system; (2) to intervene early, on the theory that status offenses otherwise "escalate" into true criminal behavior; and (3) to avoid the greater risks involved in dealing with more serious juvenile offenders. This policy needs to be re-examined in light of the Wolfgang-Figlio-Sellin cohort data. Boys in the cohort whose first offense was a status offense were much less likely to recidivate than those whose first offense was a criminal act. The data show no evidence whatever of "escalation" and indicate that most boys who committed criminal acts did not begin by committing status offenses. These findings plus the concentration of criminal offenses is a relatively small group of repeat offenders suggests that concentrating resources on juveniles who have committed their first criminal offense may be a more effective means of reducing delinquency than concentrating on status offenders.

EJDP suggests that diversion projects offer services to status offenders, but concentrate on criminal offenders. As mentioned earlier in this section, there should be a mixture of "good kids" and "bad kids" receiving services to avoid possible labeling effects. Status offenders could qualify as "good kids", to dilute any tendency toward labeling that might exist, and they might well benefit from the services. However, as discussed earlier concerning the "good kids" and "bad kids" EJDP suggests that the mixture be a cost effective one. Table 11, on the following page, shows that considerable project energies are being consumed by clients who were not referred for a criminal offense and probably would not have been

processed further in the justice system absent the diversion project.

Table 11  
Percentage of Clients  
Referred for a Criminal Offense

| Project | % Criminal Offense |
|---------|--------------------|
| 1       | 74                 |
| 2       | 92                 |
| 3       | 30                 |
| 4       | 79                 |
| 5       | 55                 |
| 6       | 39                 |
| 7       | 33                 |
| 8       | 73                 |

Data from another diversion study provide further insight into the present findings. Klein (1975) carefully compared diversion with other juvenile arrest dispositions. He found that 52% of youths for whom law enforcement requested a juvenile court petition were arrest-free for 6 months following the request. By contrast 67% of the youths diverted and referred for service were arrest-free for 6 months--a considerable improvement. Better yet, 72% of the youths who were simply counseled and released were arrest-free for 6 months. Klein found that the results were even more favorable for counsel and release when he used multiple arrests as the

outcome criterion rather than just any arrests at all. Thus, counsel and release appeared to be the best disposition, better even than diversion, and Klein claimed that this finding held up after he had "corrected" for departures from random assignment of clients to dispositions. However, EJDP feels one can not fully correct for non-random assignment--the study should be replicated with stronger controls; and Klein agrees.

Klein's findings suggest that providing counseling in a community agency may reduce subsequent delinquency for diversion clients. However, providing these services to prevention clients, as EJDP defined them, may increase rather than decrease delinquency. If these findings prove to be reliable as additional data are collected, EJDP may conclude diversion projects should not provide services to youngsters who otherwise would not be processed further in the justice system--to date, this type of client has represented over half of the EJDP client sample.

#### Future Research

During the remainder of the second EJDP project year, EJDP researchers will collect and analyze data on seven more projects. EJDP will combine these new data with the data already collected on eight projects.

During the third project-year EJDP will continue to develop

model diversion programs (objective three), and engage in five major activities: (a) analysis of reduction in subsequent justice system contact, (b) analysis of new outcome measures, (c) further analysis of costs and client characteristics, (d) coordination with related Youth Authority studies, and (e) final report preparation. Each of these activities involves two or more tasks. The various tasks are discussed below.

Analysis of subsequent justice system contact. This activity is especially important for the development of diversion project models. Reduction of delinquency was one of the most important diversion project objectives identified by EJDP. Consequently, diversion models should reflect elements demonstrated to reduce subsequent justice system contact, the best measure of delinquency readily available. The following are specific tasks comprising analysis of justice system contacts:

1. Collect additional outcome data on clients and comparison group members in projects that have already demonstrated an apparent reduction in delinquency. EJDP will collect these data in the three projects already identified and in any additional projects that may demonstrate delinquency reduction. In this new effort, the researchers will extend the follow-up interval for client and comparison groups to 12 months and will conduct

6-month follow-up with new samples of client and comparison groups.

2. Collect data on type and quantity of service. On the assumption that some types of services may be more effective in reducing recidivism than others, the amount and type of services of clients will be correlated with follow-up data to determine whether services delivered are associated with subsequent justice system contact. These data will be particularly useful for model building. The analysis will be conducted separately for each of the diversion projects where sufficient data are available.
3. Compare clients who have been re-arrested during the 6-month follow-up period with those who have not. This comparison will be based on the demographic data collected on individual clients. The analysis will demonstrate if any particular types of clients benefit more from diversion project services than other client types. It is possible that diversion projects that have not reduced recidivism for all their clients may have

done so for particular types of clients.

4. Compare the characteristics of projects that reduced recidivism with those that have not. This analysis will compare characteristics of the three (or more) projects successful in reducing recidivism with those of the less successful projects. If distinguishing features can be discerned, they will then be built into diversion models which should be useful to agencies developing new diversion projects as well as to those agencies that may wish to improve existing programs.

Analysis of new outcome measures. Most diversion projects have stated objectives other than those EJDP has measured to date. While the scope of any additional research must be limited, the following tasks will be performed on selected projects:

1. Measure changes in the service delivery system. Many diversion projects intended to alter the way their communities deliver services to youth. Some projects included as objectives: increasing communication and cooperation among agencies, changing operational practices in dealing with youths, developing new services, etc. Measuring

activities designed to achieve these objectives is relatively simple; measuring actual accomplishment of these objectives is not. Nevertheless, EJDP will attempt, where possible, to measure impact on the system.

2. Collect and report area statistics. Many diversion projects have stated an intention to "decrease juvenile arrests in the city," "reduce juvenile court filings in the county," or other such sweeping objectives. EJDP is aware of the many difficulties involved in attributing any such changes to the diversion projects themselves--other programs or policies might as logically account for the changes. However, these data collected in selected areas could provide useful background for the client and comparison group follow-up discussed earlier.

Further analysis of client characteristics and costs. These analysis have already been accomplished to a limited extent during the current EJDP project year but merit additional attention for diversion model development.

1. Compare client characteristics with target area population. This sub-study will attempt

to measure the extent to which the diversion projects delivered services to the target population for which they were intended. The researchers will compare characteristics of diversion project clients (age, sex, prior record, etc.) with characteristics of the general population, juveniles arrested, and youngsters referred to Probation within the projects' target geographic area.

2. Analyze project costs. EJDP will calculate more precise cost-per-client figures for the justice system and for each of the diversion projects evaluated. Limited resources will not permit collection of justice system cost figures for each separate jurisdiction, but more accurate estimates will be obtained.

Coordination with related Youth Authority studies. Several other California Youth Authority activities are closely related to the EJDP project. EJDP's limited involvement with these other projects can enhance the development of models and provide invaluable assistance to the other California Youth Authority projects. During the project's third year, EJDP will engage in the following related activities:

1. Provide technical assistance to Long Beach Police Department. CYA Research is evaluating

a diversion project being conducted by Long Beach Police Department following a model design provided by EJDP. Results of this experimental study will contribute significantly to the final conclusions that can be made about the effectiveness of diversion. Randomized assignment of clients to various types of treatment is being followed, and extensive client data are being collected. The study will provide data concerning the relative effectiveness of various police dispositions, including two different types of diversion.

2. Consult with the Prevention and Community Corrections (P & CC) Branch of CYA. P & CC has a major responsibility for implementing diversion projects in local communities throughout the State. Models developed by EJDP will be extremely helpful in designing these new diversion projects. Information about these projects will also be valuable to EJDP, because the projects can provide testing sites for the EJDP diversion models.
3. Collaborate with Youth Service Bureau (YSB) evaluation. The Department of Finance is collaborating with CYA Research in a careful

evaluation of the YSB's that will be funded by OCJP. Since the objectives and methods of YSB's are virtually identical with those of diversion projects, the evaluation methods developed by EJDP should be helpful to the YSB evaluation and YSB data will be helpful to EJDP.

Prepare final report. The culmination of EJDP will involve the following tasks:

1. Describe general diversion program. This task is complicated by the diversity among individual projects. The differences as well as the similarities observed by EJDP from project to project will be described to provide the reader with an understanding of the variety of diversion programs being operated in California.
2. Develop recommendations. Different diversion models will be suggested for different types of jurisdictions. What works in a rural agricultural county may not work in downtown Los Angeles. The evaluators will also make recommendations about future diversion studies.



### Epilogue

Relatively few correctional programs have been demonstrated to reduce delinquency. Three out of eight programs discussed in this report have apparently done so. Preliminary data on the next two projects we are assessing suggest that they are reducing at least certain types of delinquency for certain types of clients. If the data for these two projects hold up, they, plus the three projects mentioned above, will represent five out of ten diversion projects that have reduced delinquency. Furthermore, we intend to re-analyze the five projects for which we have not demonstrated delinquency reduction. They may have reduced types of delinquency for types of clients--we have not yet tested these possibilities.

In short, juvenile diversion seems to be a promising adjunct to the traditional justice system. EJDP is anxious to see the results of our third year analysis. Those data should more clearly demonstrate what works in diversion.

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