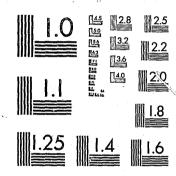
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National Institute of Justice United States Department of Justice Washington, D. C. 20531 City of New Orleans The Mayor's Criminal Justice Coordinating Council AN EVALUATION OF THE JUVENILE DIVERSION PROGRAM IN THE ORLEANS PARISH DISTRICT ATTORNEY'S OFFICE: A PRELIMINARY EVALUATION U.S. Department of Justice This document has been reproduced exactly as received from the person or organization originating it. Points of view or opinions stated in this document are those of the authors and do not necessarily represent the official position or policies of the National Institute of Permission to reproduce this copyrighted material has been Public Domain LEAA to the National Criminal Justice Reference Service (NCJRS). Further reproduction outside of the NCJRS system requires per sion of the copyright owner. Gilbert D. Litton, Jr., Director of Evaluation Linda Marye, Co-Project Evaluator

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Frank R. Serpas, Jr., Executive Director

Michael Bagneris, Vice-Chairman

12/8/83



ERNEST N. MORTAL MAYOR

CITY OF NEW ORLEANS OFFICE OF THE MAYOR

August 12, 1982

National Criminal Justice Reference Service Box 6000 Rockville, Md. 20850

Gentlemen:

Enclosed is the following evaluation completed by the CJCC Evaluation Section in June, 1982:

An Evaluation of the Juvenile Diversion Program in the Orleans Parish District Attorney's Office: A Preliminary Evaluation.

Sincerely,

Stuart P. Carroll Deputy Director, CJCC

For: Frank R. Serpas, Jr. Director, CJCC

SPC:eq Enc.

Criminal Justice Coordinating Council / Frank R. Serpas, Jr., Director 1215 Prytania Street, Suite 418 / New Orleans, Louisiana 70130 Phone: (504) 587-1620

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AN EVALUATION, OF THE JUVENILE DIVERSION PROGRAM IN THE ORLEANS PARISH DISTRICT ATTORNEY'S OFFICE: A PRELIMINARY , EVALUATION

Prepared by The Mayor's Criminal Justice Coordinating Council

June, 1982

NCJRS

AUG 16 1982

ACQUISITIONS

Frank R. Serpas, Jr., Executive Director Gilbert D. Litton, Jr., Director of Evaluation Linda Marye, Co-Project Evaluator

The Juvenile Diversion Program was funded by the Law Enforcement Assistance Administration through the LOUISIANA COMMISSION ON LAW ENFORCEMENT AND ADMINISTRATION OF CRIMINAL JUSTICE

THE MAYOR'S CRIMINAL JUSTICE COORDINATING COUNCIL MAYOR ERNEST N. MORIAL, Chairman MICHAEL BAGNERIS, Vice Chairman

MAYOR'S CRIMINAL JUSTICE COORDINATING COUNCIL

AN EVALUATION OF THE JUVENILE DIVERSION PROGRAM IN THE ORLEANS PARISH DISTRICT ATTORNEY'S OFFICE: A PRELIMINARY EVALUATION

PROJECT: Juvenile Diversion Program

PROJECT NUMBER: 81-J9-J.3-0006

SUBGRANTEE: Orleans Parish District Attorney's Office

PERIOD OF GRANT REPORT: March 15, 1981 - March 31, 1982

DATE OF REPORT: June, 1982

PREPARED BY: Gilbert D. Litton, Jr. Linda Marye

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DISTRICT ATTORNEY'S JUVENILE DIVERSION PROGRAM

. INTRODUCTION

A. PROBLEMS/NEEDS

During 1979, juvenile arrests in New Orleans accounted for almost 10% of the 48,240 total arrests made by the New Orleans Police Department and for about 27% of the 11,353 total arrests for more serious Part I Index Crimes.* To clarify this situation, the number of offenses cleared annually by arrest (CBA) of juveniles were analyzed. Based on 1969-1979 data, the types of offenses committed by juveniles became somewhat more serious, although total arrests and offenses CBA decreased markedly during that decade.**

The average youth who becomes involved with the juvenile justice system has been described as a fourteen year old black male from a broken home. In 1969, 59% of the juvenile arrestees were from broken homes; whereas, in 1979, 71% of them came from broken homes. Furthermore, a 1979 study of outpatient youth seen at the Youth Study Center for evaluative purposes indicated that 12.6% were diagnosed schizophrenic, 15.1% had personality disorders, and 34.1% exhibited behavior disorders of childhood and adolescence. An additional 32.7% were found to manifest a combination of one of the previously mentioned conditions and mental retardation.

*Part I Index Crimes include: homicide; rape; robbery; assault; burglary; and theft.
**Source: Juvenile Division Annual Report

While a number of community programs aimed at delinquency prevention exist in the New Orleans area, the service options for the juvenile offender are limited and tend to serve youth on a post adjudication basis. Informal probation is the main option available to youth at the pre-adjudication stage. Many youth arrested for minor crimes are referred to the Probation Department by the District Attorney's office to be handled in an informal non-judicial manner, usually involving lecture and release. However, recent data indicates that on a statewide basis the Probation Department has a worker/client ratio of 1:53. With caseloads of this size, the Probation Officer is obviously only able to spend minimal time with the client. In many instances, the youth involved are in need of much more attention than lecture and release can provide.

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The Louisiana Tr ining Institute (LTI), Juvenile Restitution Program, and Formal Probation are options available to the adjudicated juvenile offender. LTI provides for the actual incarceration of youth, with medical, educational and social services offered throughout the length of confinement. The Juvenile Restitution Program serves as an alternative to incarceration, whereby the youth is placed in employment when possible, which enables restitution to be made to victims of crime. In some cases community service work is performed. In the case of Formal Probation, the youth is assigned to a Probation Officer who is to provide counseling on a regular basis.

To provide more extensive pre-adjudication services to youth, the New Orleans District Attorney's Office submitted an application to establish the D.A.'s Juvenile Diversion Program (J.D.P.). The program proposed to serve as an alternative sanction before youth are petitioned and adjudicated delinquent and was designed to serve first offender felons (excluding murder, rape and robbery) and first offender high misdemeanants.* Through this program, those youth that would normally be petitioned would instead be diverted to the J.D.P. and receive intensive counseling and evaluative and social services, when necessary, in an effort to prevent further contact with the juvenile justice system.

Program emphasis was to focus on evaluation, family and individual counseling, parent involvement, restitution to the victim, tutorial services, and utilization of community resources. The program was also designed to purchase needed community services on a contractual basis when not provided by the program. This program was expected not only to significantly impact the number of delinquency cases handled annually by the juvenile court, but would also serve as a viable alternative to informal probation.

^{*} Charges to be accepted include: business burglary; automobile burglary; attempted residential burglary; possession of stolen goods; criminal damage over \$99.00; shoplifting over \$100.00; unauthorized use of credit cards; simple possession of drugs, except marijuana; and prostitution (on a case by case basis).

B. GOALS AND OBJECTIVES

The goals of the District Attorney's Juvenile Diversion Program are:

- To accept 200 program participants on a yearly basis;
- To reduce the number of cases brought before the Orleans Parish Juvenile Court by 10%;
- Of those youth who are accepted into the program, 80% will successfully complete it;
- Of those youth that successfully complete the program, less than 20% will recidivate during the one year period following release from the program through rearrest.

The objectives of the District Attorney's Juvenila Diversion Program are:

- To provide individual counseling to all program participants at least once a week.
- To work with each child and parent when applicable, to design a restitution contract that can be realistically met and involves the responsibility of both parent and child, whether monetary or service restitution.
- To provide psychological evaluations for at least 25% of all program participants within two weeks after intake.*
- To establish a parents group that would meet on a monthly basis by the end of the first year of program operations.
- To establish a purchase of service model for program participants referral within the first six weeks of program operation.*

C. TARGET POPULATION

The District Attorney's Juvenile Diversion Program was to be limited to youth who are:

- First Offender felons (excluding murder, rape, and robbery);
 and,
- 2. First offender high misdemeanants.

First offender is defined here as a youth who has not yet been convicted or not an adjudicated delinquent. This allows for program

* Deleted by grant amendment approved by L.C.L.E. on December 11, 1982.

participants to have prior arrests, but no convictions. A sample of cases petitioned by the D.A. in 1978 revealed that a probable group to be served and meeting the above criteria did exist.

D. PROGRAM DYNAMICS

The juvenile justice process is usually initiated with some inappropriate behavior resulting in police arrest. After arrest, the youth is taken to the Juvenile Division of the New Orleans Police Department. At this point, the officer makes a decision whether to refer the case to the District Attorney's Office for prosecution or to return the child to the parents via informal station house adjustment.* If it is decided to refer the case for prosecution, it must also be determined whether it is necessary to detain the child. Once a case has been referred for prosecution, all pertinent information and records are sent to the District Attorney's Juvenile Section. Here a determination is made within 24 hours regarding whether a case should be:

- 1. Refused:
- 2. Referred to probation or other programs; or,
- 3. Petitioned.

If a case is refused, no further action is required. In the other two instances, further processing must occur. It is at this point that the District Attorney's Juvenile Section makes the preliminary determination of eligibility and refers the case to the Juvenile Division Program. After the case is received, secondary screening is done by the Deputy Director to determine if an appropriate referral has been made. If the referral is deemed appropriate, the Deputy Director (or

^{*} Station house adjustment involves lecturing and releasing the juvenile without formal charges being filed.

designee) contacts the victim for consent for the youth to participate in the program. If the victim refuses consent, the case is returned to the District Attorney's Juvenile Section for resumption of the petition process. If the victim consents, the social worker assigned to intake contacts the youth and his/her parent(s) to schedule an intake interview to be held within 5 working days.

At the time of the intake interview, the social worker explains the program in detail. The client is asked to read a booklet entitled, "Your Rights As A Citizen When You Are Accused Of An Offense". In addition, the "Requirements For Voluntary Probation in the District Attorney's Juvenile Diversion Program" is read and initialed. Finally, some waivers are signed, dated and witnessed which waive the right to a speedy trial, the right to invoke the prescriptive laws, the right to trial during the period of application to the program, and authorizes the release of confidential information to the program. An intake report is then completed which includes all case and personal information. A questionnaire is administered to the youth to make certain that the constitutional rights booklet is understood and is initialed and dated. The youth and the parents are asked to sign a contract stating an intent to participate in the program and to pay restitution, if appropriate. At the close of intake, the client is asked to take home the "Application for Voluntary Probation in the District Attorney's Juvenile Diversion Program" and have it completed and brought to the first weekly counseling session. After the first counseling session, a treatment plan is developed which

incorporates the most appropriate method of treatment for the client.

In addition to the counseling sessions, other services are to be provided. These include: a monthly parents' group to be implemented by the end of the first year of operations; tutoring services; psychiatric evaluations; and, other services such such as hearing/vision screening, food stamps, health and nutrition services, career development, special education, etc. However, these outside services - excluding formation of the parents' group - were found to be unnecessary and these requirements were deleted through a grant adjustment.

The length of time a youth will spend in the program depends on the progress of each individual, but the period should range between three months and one year. If any violation of the contract occurs, the case is returned to the D.A.'s Juvenile Section for resumed processing and petitioning.

E. STAFF AND ORGANIZATION

The Juvenile Diversion Program staff consists of a Director, Deputy Director, four social workers*, and a clerical person. The Director of the J.D.P. is the current head of the D.A.'s Diversion Program for Adults and serves as the Supervisor of this new program. The main responsibility of the Director is to supervise the Deputy Director and other program staff and to channel all reports, communications, etc. to the D.A. and other authorities.

The Deputy Director devotes full time to program activities and is responsible for: maintaining all program data and statistics; coordinating with outside agencies; contacting victims; monitoring contracts for service; and, all public relations aspects of the program. The four

^{*} Amended by grant amendment approved by L.C.L.E. on February 11, 1982 to provide for 3 full time and one part-time social worker.

social workers are responsible for: intake; victim contact; contract compliance; family therapy; individual therapy; development of treatment plans; and, case follow-up.

II. PARTICIPANT DESCRIPTION

A. REFERRALS

During the period of the evaluation - March 15, 1981 - March 31, 1982 - the D.A.'s Juvenile Diversion Program received 259 participant referrals from the D.A.'s Screener. Of that number, 156 referrals were accepted and 103 of them were refused admittance. Of those accepted, 74 completed the program successfully, 21 violated the program conditions and were terminated, and 61 were still active participants on March 31, 1982. (See Table I).

B. VIOLATIONS/TERMINATIONS

Table II indicates the specific program violation committed by the 21 participants who were terminated. As evidenced in that table, 12 (57%) were removed because of a violation involving meeting the terms of program participation; i.e., not attending scheduled counseling sessions, not paying restitution, etc. Of the remaining 9 terminations, 8 (38.1%) of them were removed as a result of rearrest and charge accepted, a plea of guilty to a subsequent offense, or a subsequent conviction. Those terminated account for 13.5% of all accepted participants and 8% of all program referrals.

C. REFUSALS

The 103 refusals (39.8% of all referrals) not accepted into the program were denied admittance for a number of reasons. Those specific reasons are detailed in Table III. Of all refusals, 57 (55.4%) were denied either because the parent or the defendant wanted to go to trial or because the victim wanted to prosecute. The remainder were denied for 15 additional refusal reasons.

Table I Program Referrals as of 3/31/82

Category	N	% of Referrals	% of Accepted Participants
Successful Completions	74	28.6	47.4
Actives	61	23.6	39.1
Terminations	21	8.1	13.5
Refusals	103	39.8	_
TOTAL	259	100.1	100.0

Table II

Violation For Which Participants Were Terminated

		·
Reason for Violation	N	olo
Failure to make scheduled appointment, pay restitution, contact program, or attend school	12	57.0
Rearrested and charge accepted, plead guilty or convicted	8	38.1
Possession of drugs in school	1	4.8
TOTAL	21	99.9

Table III
Reasons Why Referrals Were Not Accepted

Reason For Refusal	N %
Continuing Pattern of Deviant Behavior	7 (6.8%)
Parents of Defendant Wishes to go to Court	36 (35.0%)
Victim Wishes to Prosecute	21 (20.4%)
Defendant Living out of State	4 (3.9%)
Victim Refuses to Consent	2 (1.9%)
Inability to Contact Applicant	2 (1.9%)
Failed to Respond to Intake Letter or Follow-Up	11 (10.7%)
Missed Intake Appointments	2 (1.9%)
Rearrested pending Acceptance	3 (2.9%)
Victim Wishes to Drop Charges	1 (1.0%)
Not a Felony Offense	2 (1.9%)
Charges Dropped by Juvenile Diversion	2 (1.9%)
Currently in another facility	4 (3.9%)
Defendant is an Adult	1 (1.0%)
Charged with a Violent Offense	3 (2.9%)
Needs Extensive Psychiatric Care	1 (1.0%)
Defendant Doesn't want to Participate	1 (1.0%)
TOTAL	103 (101,0%)

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D. SEX AND RACE

Of the 259 referrals, 228 (88%) were male and 31 (12%) were female. As Table IV indicates, this male/female ratio varied somewhat among the four different participant categories. For instance, all those terminated for committing program violations were male and the percentage of successfully completing participants was 20.3% female.

Among all referrals, 56 (21.6%) were white, 197 (76.1%) were black, and 6 (2.3%) were Oriental. The number of these participants successfully completing the program and those terminated from the program very nearly approximate that same racial breakdown. However, among active participants, the ratio was 85% black/15% white (See Table V).

E. PREVIOUS ARREST HISTORY

Of all 259 referrals, 183 (70.7%) had no previous arrest history. An additional 53 (20.5%) had a single previously recorded arrest incident. The remaining 23 referrals had multiple previous arrests which numbered between 2-10 incidents. Of the four referral categories, terminations and refusals showed a smaller percentage of referrals with no previous arrests than did the categories of successful completions and active participants. (See Table VI).

Of the 76 referrals having previous arrest incidents, 18 (23.7%) had been previously arrested for Shoplifting, 11 (14.5%) for Trespassing, and 8 (10.5%) for Theft/Shoplifting/Possession or some combination of those three charges. The remaining 39 referrals had

Table IV
Sex of All Referrals

Sex	A11	%	Successfo Completion		Actives	%	Terminations	%	Refusals	%
Male	228	88.0	59	79.7	54	88.5	21	100.0	94	91.3
Female	31	12.0	15	20.3	7	.11.5	0	-	9	8.7.
TOTAL	259	100.0	74	100.0	61	100.0	21	100.0	103	100.0

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Table V

Race of All Referrals

Race	A11	%	Successful Completions	%	Actives	%	Terminations	%	Refusals	%
White g	56	21.6	19	25.7	9	14.8	5	23.8	23	22.3
Black	197	76.1	55	74.3	52	85.2	16	76.2	74	71.8
Oriental	6	2.3	0	•••	0	-	0,	_	6	5.8
TOTAL	259	100.0	74	100.0	61	100.0	21	100.0	103	99.9

Table VI Number of Previous Arrests of All Referrals.

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Number of Previous Arre	ests	All	%	Successful Completion		Actives	%	Terminations	%	Refusals	%
0		183	70.7	56	75.7	47	77.0	12	57.1	68	66.0
1		53	20.5	16	21.6	12	19.7	5	23.8	20	19.4
2		13	5.0	0	-	2	3.3	3 =	14.3	8	7.8
3		5	1.9	2	2.7	0	- -	1 •	4.8	2	1.9
4		1	0.4	0		0	-	0	-	1	1.0
5		1	0.4	0		0	- · ·	0		1	1.0
7		1	0.4	0		0	· -	0		1	1.0
9		1,	0.4	0	-	0	. =	0	.	1	1.0
10		1	0.4	0	-	0	.	0		1	1.0
TOTAL		259	100.1	74	100.0	61	100.0	21	100.0	103	100.1

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previous arrests resulting from 17 other categories of criminal activity. (See Table VII).

F. CURRENT CHARGE

Table VIII delineates the current charge(s) of the 259 referrals submitted to the program. As evidenced, 112 (43.2%) were referred after being charged with either Attempted Theft/Theft/Receiving Stolen Property or some combination of those three offenses. An additional 79 (30.5%) of referrals were charged with either Attempted Simple Burglary/Simple Burglary or both. Further,41 (15.8%) were charged with either Criminal Mischief/Criminal Damage/Criminal Trespass

or some combination of those charges. Thus, these three general categories of charges account for 232 (89.5%) of all program referrals. The remaining 27 referals were charged in 14 additional offense categories.

Those same three general categories of charges that account for 89.5% of all current charges were also the high offense areas among the four referrals categories, ranging between 80.9% - 93.2%.

G. AGE

Table IX provides the age at the time of the arrest which led to program referral. As indicated, the mean and median for the successful completions is somewhat higher than for other categories. Based on this very limited data, it does offer the possibility that somewhat older individuals are more likely to be successful in the program.

Table VII Most Serious Prior Charge of All Referrals

			-		<u> </u>					
Most Serious Prior Charge	A11	%	Successfu Completio		Actives	%	Terminations	%	Refusals	%
Shoplifting	18	23.7	4	22.2	5	35.7	0		9	25.7
Trespassing Theft/Shoplifting/	11	14.5	1	5.6	1	7.1	1	11.1	8	22.9
Possession	8	10.5	0	_	1	7.1	2	22.2	5	14.3
Simple Robbery	5	6.6	3	16.7	1 1	7.1	1	11.1	۱ŏ	-
Battery/Simple		0.0	ľ	10.7	1	. ,	•	****		
Battery	5	6.6	2	11.1	0	_	· 0		3	8.6
Simple Burglary/		-					·			
Attempted S.Burg.	4	5.3	2	11.1	1	7.1	. 0	-	1	2.9
Criminal Mischief/	l									
Criminal Damage	4	5.3	0	-	1	7.1	1 .	11.1	2	5.7
Unsupervised juv/										
runaway / dependent	4	5.3	1	5.6	0		1	11.1	2	5.7
Possession of stolen	3	3.9	2	11.1	0		0		1	n 0
property Armed Robbery/Att	3	3.9	-	11.1	Ι .υ		U	-	1 -	2.9
Armed Robbery	3	3.9	0		0		0	_	3	8.6
Sexual Molestation	ž	2.6	ž	11.1	Ŏ	_	ŏ		ŏ	-
Attempted Theft/] -	0								
Resisting Arrest	2	2.6	Ò	-	1	7.1	0		1	2.9
Shoeshining	1	1.3	0	-	1	7.1	0	-	0	-
Disturbing the Peace	1	1.3	. 0		1	7.1	0	-	0	•
Possession of marij					-	-				4
w/intent to distrib										
	1 😓	1.3	, 1	5.6	0	-	0	-	0	
Aggravated Crime	1	1 2					1	11 1	١ ,	
Against Nature	1	1.3	0	-	0	-	4	11.1	0	
Carrying Dangerous Weapon	1	1.3	0	· _ ·	0	_	1	11.1	0	
Aggravated Assault	1	1.3	0		Ö		1 1	11.1	Ŏ	
Auto Burglary	li	1.3	Ö	- ·	1	7.1	Ō		1 0	.
naco par grar J	1	2.0		-	•					
TOTAL	76	. 99.9	18	100.1	14	99.6	9	99.9	35;	100.2

Table VIII

Current Charges of All Referrals

Current Charge	A11	%	Successful Completions	%	Active	%	Terminations	%	Refusa1s	%
Attempted Theft/								-		
Theft/ RSP	112	43.2	34	45.9	23	37.7	11	52.4	44	42.7
Attempted S.Burglary,					!					
S. Burglary	79	30.5	26	35.1	18	29.5	4	19.0	31	30.1
Crim. Mischief/ Crim					1					
Damage/Crim.Trespass		15.8	9	12.2	13	21.3	2	9.5	17	16.5
Simple Burglary/RSP	8	3.1	0 2	-	2 0	3.3	2 2 0	9.5	4	3.9
Marijuana Possession		1.2	2	2.7	0	:	0	-	1	1.0
Simple Battery/Aggra-									1	
vated Assault	3	1.2	0	-	0	. -	0	-	3	2.9
Simple Burglary/			1		1					
Crim. Damage	2	0.8	0	-	0 2		1	4.8	1	1.0
Crime Against Nature	2	0.8	0	-	2	3.3	0	-	0	-
Crim. Damage/Illegal							1			
Use of Weapon	1	0.4	0	-	1 0	1.6	0	-	0	-
Forgery	1	0.4	1	1.4	0	_	0	-	0	-
RSP/Crim. Trespass	1	0.4	1	1.4	0	-	0	-	0	~
Attempted Theft/ RSP		0.4	0	-	1	1.6	0	- '	0	-
Accessory After Fact/										
S. Robbery	1	0.4	0	-	0	-	1	4.8	0	-
Crim. Damage/Resist									1	
an Officer	1	0.4	0		1	1.6	0	-	0	•
Theft/Resisting Arr	1	0.4	0	-	0	-	0	-	1 1	1.0
Prostitution	1	0.4	0	-	0	-	0		1	1.0
Peeping Tom	1	0.4	1	1.4	0	d an	θ	-	0	
TOTAL	259	100.0	74	100.1	61	99.9	21	100.0	103	100.1

Table IX

Age at Time of Arrest

Years	All Referrals	Successfuls	Actives	Terminations	Refusals
5	1	0	0	0	1
6	2	0	1	0	1
7	0	0	0	0	0
8	5	1	0	1	3
9	4	0	0	0	4
10	9	2	,5	1	1
11	11	3	2	0	. 6
12	19	3	9	3	4
13	34	10	7	4	13
14	47	12	14	4	17
15	60	19	11	6	24
16	63	24	11	2	26
17	2	" 0	1	0	1
Missing	2	0	0	0	<i>*</i> 2
TOTAL	259	74	61	21	103
Mean Yrs.	14.3	14.8	14.0	14.0	14.1
Median"	14.9	15.4	14.1	14.5	15.1

H. <u>SERVICES</u>

Originally, the program envisioned providing a multitude of outside services to participants. However, the need for those services was found to be much less than anticipated. In fact, the purchase of service Objective was deleted from the grant effective December 11, 1981. Tables X and XI indicate the apparent lack of need for outside services by participants, both purchased and non-purchased. According to Table X, only 20 of the participants were provided with purchased services. Further, Table XI shows that only 37 participants were provided with non-purchased services. For all practical purposes, the need for extensive service referral/purchase proved negligible.

I. RESTITUTION

Table XII provides data regarding those participants required to pay restitution. Overall, about 52% were required to pay and about 48% had no such requirement. Among those terminated because of program violations, the ratio of those required to pay restitution was higher (66.7%) than the overall average.

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Table X Purchased Services Provided to All Referrals

Number of Purchased Services	A11	%	Successfu Completio		Active	s %	Terminati	ons %	Refusals
0	239	92.3	63	85.1	55	90.2	18	85.7	103
1	15	5.8	9	12.2	4	6.6	2	9.5	0
2	5	1.9	2	2.7	2	3.3	1	4.8	0
TOTA⊆	259	100.0	74	100.0	61	100.1	21	100.0	103

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Table XI

Non-Purchased Services Provided to All Referrals

Number of Non-Purchased Services	All	%	Successful Completions	%	Actives	%	Terminatio	ons %	Refusals
0	222	85.7	55	74.3	49	80.3	15	71.4	103
1	29	11.2	15	20.3	10	16.4	4	19.0	0
2	3	1.2	2	2.7	0	-	1	4.8	0
3	3	1.2	1	1.4	2	3.3	0	, -	0
5 .	1	0.4	0	-	0	- 0	1	4.8	0
6	1	0.4	1	1.4	0	-	0	-	0
TOTAL	259	100.1	74	100.1	61	100.0	21	100.0	103

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Table XII Restitution Ordered To Be Paid by Participants

Restitution Ordered	A11	%	Successfu Completio		Actives	%	Terminations	%	Refusals
Yes	81	51.9	.38	51.4	29	47.5	14	66.7	0
No	75	48.1	36	48.6	32	52.5	7	33.3	0
(Refusals)	103	- \)	0	0	0	0	0	0	103
TOTAL	259	100.0	74	100.0	61	100.0	21	100.0	103

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III. GOAL AND OBJECTIVE ATTAINMENT

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A. <u>GOAL 1</u>-To accept 200 participants on a yearly basis.

During the period of the evaluation (March 15, 1981 - March 30, 1982),

156 participants were accepted into the J.D.P. To meet this goal, 16.7

participants must be accepted each month. During the first year of operation, the J.D.P. accepted approximately 13 participants monthly,

thereby attaining about 78% of the requisite participants.

B. GOAL 2- To reduce the number of cases brought before the Orleans Parish Juvenile Court by 10%.

This is a very difficult goal to measure because it assumes that the arrests, etc. for the years being compared are constant and that reductions can be determined based on numbers alone. Nevertheless, aggregate statistics for 1980-1981 were analyzed in terms of cases accepted, cases refused, cases informally probated, and cases petitioned. These statistics were compared not only to measure the caseloads in Juvenile Court, but also to attempt to determine if the J.D.P. is serving as a true alternative to other existing referral options. The 1980-1981 data are provided in Table XIII.

Table XIII

Aggregate Statistics

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Category	1980	1981	% Chạnge 1980-1981
# of Juveniles Received	3,734	3,327	-10.9
# of Juveniles Accepted	1,304 (34.9%)	1,161 (34.9%)	-11.0
# of Juveniles Refused	397 (10.6%)	790 (23.8%)	+99.0
# of Juveniles Referred to Probation Department	2,033 (54.5%)	1,067 (32.1%)	-47.5
# Diverted to Proper Venue	. -	86 (2.6%)	-
# Referred to D.A.'s Diversion Program		223 (6.7%)	_
TOTAL	3,734 (100.0%)	3,327 (100.1%)	

That table indicates that there was a 10.9% decrease in the number of juveniles received in 1981. Correspondingly, there was an 11% decrease in the number of juveniles accepted. However, the number of juveniles refused doubled and those handled by the Probation Department (H.T.P.D.) decreased by one-half. Finally, a total of 233 participants were referred to the J.D.P. in 1981, comprising 6.7% of all juveniles received. The only sizeable decrease between 1980 and 1981 occurred in the H.T.P.D. category. The decrease in the percentage of those accepted (11.0%) was approximately the same percentage reflected in the overall reduction in the number of juveniles received in 1981 (10.9%).

C. GOAL 3 - Of those youth accepted into the program, 80% will successfully complete it.

This goal is difficult to measure in the case of an on-going program. During the period being evaluated, 74 of the 156 participants successfully completed the program. While that accounts for only 47.4% of the accepted participants, an additional 61 (39.1%) participants were in an active program status on March 31, 1982. The number of active participants successfully completing the program cannot be determined until sometime in the future. Nevertheless, the number and percentage of participants terminated from the program because of violations provides some indication of anticipated program success. During the evaluation period, only 21 (13.5%) of the accepted participants were terminated from the program for violation of program rules, etc.

D. GOAL 4 - Of those youth who successfully complete the program, less than 20% will recidivate during the one year period following release from the program through rearrest.

While recidivism is defined as the D.A.'s acceptance of a criminal case, rearrest and re-conviction rates of both successful and unsuccessful program participants should also be analyzed for periods less than 12 months to provide a comprehensive analysis. However, that measure has very limited application to the first year of the J.D.P. operations, largely because none of the participants completed the program and were "at risk" for one year during the evaluation period. Additionally, for periods less than a year, only 2 successful completions were subsequently rearrested, although 8 of the accepted participants were terminated from the program because of rearrests. One of those terminated for that reason has been rearrested on two other occasions.

These limited data all indicate that rearrests for periods less than a year are well below the less than 20% recidivism rate specified in the goal (74 successful participants times 20% = 14.8 participants). Even when the successful completions (74) and the terminations (21) are combined, the goal is met for periods less than one year in that only 10.5% (8 + 2 = 10) of those participants were rearrested.

A much more comprehensive recidivism analysis can be undertaken in subsequent evaluations, wherein larger numbers of successful completions and a breakdown by time periods since program completion will be available.

E. OBJECTIVE 1 - To provide individual counseling to all program participants at least once a week.

Table XIV describes the average frequency and length of individual coun-

seling sessions for three categories of participants. A major reason for removing participants from the program was a failure to keep appointments. Table XIV supports this reasoning in that the terminations met less frequently with the counselor on an average than any other category. While the successful completions and still active participants did not meet strictly on a weekly basis, each did average approximately 7 sessions for every 10 weeks of program participation (0.66 and 0.71).

In both categories, the average frequency of counseling decreased with time spent in the program which indicates some gradual tapering off of counseling sessions toward the end of program participation.

F. OBJECTIVE 2 - To work with each child and parent when applicable, to design a restitution contract that can be realistically met, and involves the responsibility of both parent and child, whether monetary or service restitution.

Of the 74 participants successfully completing the program, 37 (50%) were ordered to pay a total of \$3,027.44 in restitution. All of that amount was paid before program release. Of the 61 participants still active in the program as of March 31, 1982, 29 (47.5%) were ordered to pay a total of \$4,375.72 in restitution. As of March 31, 1982, \$2,066.80 had been paid. Of the 21 participants terminated from the program, 14 (66.7%) were ordered to pay a total of \$3,400.43 in restitution. However, only one of those participants paid a total of \$20.00. The remainder paid nothing and in fact, non-payment or inability to pay was one of the reasons for being terminated. The total amounts of restitution ordered and paid are provided in Table XV.

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Table XIV Average Counseling Received by Length of Time in Program

Weeks from	N	Average	Average Sessions	Average	.Average .Hours
Intake to Exit		Total Sessions	Per Week	Total Hours	Per Session
Successful Completions 10 to 15 16 to 21 22 to 26 27 to 46	21	10.83	0.78	8.17	0.74
	19	11.95	0.64	10.21	0.84
	19	15.00	0.62	10.92	0.74
	15	19.00	0.58	16.67	<u>0.84</u>
	74	13.84	0.66	11.12	0.78
Terminations 0 to 10 10 to 19 20 to 27	10	3.20	0.58	2.90	0.74
	7	4.71	0.33	4.21	0.74
	4	11.00	0.45	10.12	0.95
	21	5.19	0.47	4.71	0.78
Still Active	15*	5.93	1.40	5.13	0.89
0 to 10	15	10.67	0.87	9.63	0.91
10 to 19	11	13.45	0.64	11.91	0.92
20 to 29	17	17.50	0.46	16.32	<u>0.96</u>
30 to 51	58	11.97	0.71	10.86	0.92

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^{* 3} of less than 1 week not counted.

Restitution Ordered and Paid by Participants
As of March 31, 1982

Category	N	Ordered	N	Paid
Successful Completions	37	\$3,027.44	37	\$3,027.44
Active Participants	29	4,375.72	19	2,066.80
Terminated Participants	14	3,400.43	1	20.00
TOTAL	80	\$10,803.59	57	\$5,114.24

That table states that a total of \$10,803.59 was ordered to be paid as restitution by 80 accepted program participants, an average of \$135.04 per ordered participant. As of March 31, 1982, a total of \$5,114.24 had been so paid by 57 participants, an average of \$89.72 for each paying participant.

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G. OBJECTIVE 3-To provide psychological evaluations for at least 25% of all program participants within two weeks after intake.

This objective was deleted through an LCLE approved grant adjustment dated December 11, 1981.

H. OBJECTIVE 4-To establish a parents group that would meet on a monthly basis by the end of the first year of program operations.

Although the first year of program operation was nearing completion at the time of this evaluation, a parents group had already met twice, with approximately 35 parents attending each meeting.

I. OBJECTIVE 5-To establish a purchase of service model for program participants' referral within the first six weeks of program operations.

This objective was deleted through an LCLE approved grant adjustment dated December 11, 1981.

IV. PERIODS OF TIME BETWEEN INTEGRAL PROGRAM ACTIVITIES

Table XVI indicates the days between a number of integral program activities. These include the days between: Arrest and D.A. Screening; D. A. Screening and D.A. Referral; D.A. Referral and Program Screening; Program Screening and Program Intake; Program Intake and First Counseling; Program Intake and Treatment Plan; and, Program Intake and Program Exit.

As that table indicates, all of the time periods appear to be reasonable and, in most instances, do not vary substantially among all participants and the four categories of participants. Those participants who were subsequently terminated from the J.D.P. do appear to have a larger period of time involved between

arrest and D.A. Screening. Perhaps, those individuals were considered to be more "risky" and, therefore, the screening was more extensive. It should be noted that successful participants remain in the J.D.P. about five months, while terminated participants remain in the program about half that time. The means and medians for all categories of participants and for all time periods are provided in Table XVI. Additional tables which include a detailed numeric breakdown of all categories and all time periods is included as Appendix A.

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Table XVI Summation of the Mean and Median Number of Days Between Integral Program Activities

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	ALL REFE	RRALS		SUCCESSFUL COMPLETIONS ACTIVES TERMINATIONS		REFUSALS								
T	Mean	Median	N		Hedian	N	Mean	Median	H	Hean	Hedian	Н	Mean	Hedian
257			73	6.7 1 mis	4.2 sina	61	15.8	12.0	21	21.0	8.0	102		6.0
			74			61	6.2	5.9	21	4.9	3.7	103	8.4	5.4
	0.6	0.1	74	0.9	0.1	61	0.05	0.03	21	0.2	0.5	101	0.9	0.07
154	15.6*	13.0*	74	14.5	12,4	59			21	17.8	14.9			
152	9.1*	8.0*	74	8.3	8.0	57	10.6	-8.0	21	8.9	8.0			
130			72	20.4 2 mis	sinc b	44	19.5	16.4	14				•	
95	:		74						21				-	103
	259 257 154 152	257 13.1 2 mis 259 6.6 257 0.6 2 mis 154 15.6* 2 mis 152 9.1* 4 mis	257 13.1 7.0 2 missing 259 6.6 4.0 257 0.6 0.1 2 missing 154 15.6* 13.0* 2 missing 152 9.1* 8.0* 4 missing	257 13.1 7.0 73 2 missing 259 6.6 4.0 74 257 0.6 0.1 74 2 missing 154 15.6* 13.0* 74 2 missing 152 9.1* 8.0* 74 4 missing 130 19.7* 16.4* 72 26 missing	ALL REFERRALS COMPI Mean Median N Mean 257 13.1 7.0 73 6.7	ALL REFERRALS Mean Median N Mean Redian 257 13.1 7.0 73 6.7 4.2 2 missing 1 missing 259 6.6 4.0 74 4.8 2.0 257 0.6 0.1 74 0.9 0.1 2 missing 154 15.6* 13.0* 74 14.5 12.4 2 missing 152 9.1* 8.0* 74 8.3 8.0 4 missing 130 19.7* 16.4* 72 20.4 26 missing 72 missing	ALL REFERRALS M Hean Hedian N Hean Hedian N 257 13.1 7.0 73 6.7 4.2 61 2 missing 1 missing 259 6.6 4.0 74 4.8 2.0 61 257 0.6 0.1 74 0.9 0.1 61 2 missing 74 14.5 12.4 59 154 15.6* 13.0* 74 14.5 12.4 59 152 9.1* 8.0* 74 8.3 8.0 57 4 missing 74 8.3 8.0 57	ALL REFERRALS M Mean Median N Mean Hedian N Mean 257 13.1 7.0 73 6.7 4.2 61 15.8 2 missing 259 6.6 4.0 74 4.8 2.0 61 6.2 257 0.6 0.1 74 0.9 0.1 61 0.05 2 missing 154 15.6* 13.0* 74 14.5 12.4 59 14.8 2 missing 152 9.1* 8.0* 74 8.3 8.0 57 10.6 4 missing 130 19.7* 16.4* 72 20.4 missing 130 19.7* 16.4* 72 20.4 missing	ALL REFERRALS Mean Median N Mean Nedian N Mean Median 257 13.1 7.0 73 6.7 4.2 61 15.8 12.0 259 6.6 4.0 74 4.8 2.0 61 6.2 5.9 257 0.6 0.1 74 0.9 0.1 61 0.05 0.03 258 259 257 258 13.0* 74 14.5 12.4 59 14.8 13.4 2 missing 150 15.6* 13.0* 74 14.5 12.4 59 14.8 13.4 2 missing 151 152 9.1* 8.0* 74 8.3 8.0 57 10.6 8.0 4 missing 152 154 15.6* 155 16.4* 72 20.4 2 missing	ALL REFERRALS Mean Median N Mean Median N Mean Median N	ALL REFERRALS Mean Median N Mean Mean Median N Mea	ALL REFERRALS COMPLETIONS ACTIVES TERMINATIONS	ALL REFERRALS COMPLETIONS ACTIVES TERMINATIONS Mean Median N Mean Median N Mean Median N Mean Median N 257 13.1 7.0 73 6.7 4.2 61 15.8 12.0 21 21.0 8.0 102 259 6.6 4.0 74 4.8 2.0 61 6.2 5.9 21 4.9 3.7 103 257 0.6 0.1 74 0.9 0.1 61 0.05 0.03 21 0.2 0.5 101 2 missing 74 14.5 12.4 59 14.8 13.4 21 17.8 14.9 154 15.6* 13.0* 74 14.5 12.4 59 14.8 13.4 21 17.8 14.9 152 9.1* 8.0* 74 8.3 8.0 57 10.6 8.0 21 8.9 8.0 154 15.6* 13.0* 74 8.3 8.0 57 10.6 8.0 21 8.9 8.0 155 9.1* 8.0* 74 8.3 8.0 57 10.6 8.0 21 8.9 8.0 156 15.6* 15.4* 72 20.4 2 missing 2 missing 2 missing 2 missing 2 missing 3 mi	ALL REFERRALS M Mean Median N Mean

^{*} Includes time periods for Active and Refused participants. Therefore, the means and medians are not completely accurate. The number of cases drop substantially after Q.A. Referral to Program Screening because many Refusals did not progress beyond that point.

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V. COMPARISON GROUPS

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In order to form a tentative idea of how successful the program was in reducing delinquency, two comparison groups were developed. The first group consists of those participants refused admittance to the program, and the second group is made up of a sample of juveniles who were informally handled through the Probation Department (H.T.P.D.) in lieu of prosecution. After a single year of operation, it is premature to make definitive judgments about the program's ability to reduce participants' arrests following completion, but some indication of the program's potential can be discerned.

Of the 74 successful completions, only two have been rearrested, a recidivism rate of 2.7%. Both of these were rearrested approximately two months after termination from the program, one for possession of stolen property and the other for shoplifting. On the other hand, 103 participants were refused admittance to the program. Of this group, the arrest records of three participants could not be found; however, 28 of the remainder were arrested following the charge which resulted in referral to the program. The recidivism rate of this group is thus 28%, almost ten times that of successful participants. Table XVII describes the number of incidents and charges for which these refusals were later arrested. While 14 were arrested only once, 12 were arrested between two and four times following program refusal, and 2 were arrested more than 4 times. As the table indicates, subsequent charges ranged in severity from trespassing to murder.

The reasons for refusal were analyzed for these 28 recidivists. As Table XVIII indicates, 7% were refused because the charge did not fit program guidelines and 18% failed to make the required contact with the program. On the other hand, the program exercised its discretion in refusing 11% who were re-

Table XVII
Subsequent Arrests
of Refused Referrals

				<u> </u>	·	· · · · · · · · · · · · · · · · · · ·
Number of	Arrests	N	%%	Charges	N	%
0		72	72	None	72	72
1		14	14	Theft	8	8
2		6	6	Burglary	8	8
3		3	3	Simple Battery	3	3
4		3	3	Aggravated Assault	2	2
5		0	-	Possession of Stolen Property	1	1
6		0	_	Criminal Damage	1	1
. 7		1	1	Trespassing	1	. 1
8		<u>1</u>	1 100	Crime Against Nature	1	1
				Prostitution	1	1
			·	Murder	1	1
3	Missin	g Info	rmation	Traffic	100	100

Table XVIII

Reason for Refusal of Referrals

Who Were Later Arrested

Reason	N	Percent
Victim Wishes to Go to Court	10	36%')
Parent or Defendant Wishes to Go to Court	6	21%
Missed Intake Appointment	3	11%
Rearrested	3	11%
No Response	2	7%
Continuing Pattern of Delinquency	2	7%
Misdemeanor	1	3.5%
Violent Offense	1	3.5%
TOTAL	28	100%
TOTAL	28	100%

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arrested before acceptance in the program and 7% who showed a continuing pattern of delinquency before referral (usually a large number of arrests in a short period of time or many arrests for the same offense). Nevertheless, the majority (57%) were refused because either the victim wanted to prosecute or the defendant or the parents wanted a trial.

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Table XIX discloses the outcome of the trial for these 28 rearrested refusals. Of that number, 16 (57%) were not prosecuted. In addition, 3 of those prosecuted were found not guilty, while 9 (32%) of them were found guilty. Of those 9, only one has been incarcerated. The others received probation or some less severe sanction. Thus, comparing this group to the successful participants reveals a much higher recidivism rate (28%), but a low likelihood of prosecution (43%), and, a very low probability of incarceration (3.6%).

A sample was taken by the District Attorney's Screener over a period of 45 days of those referred to the Probation Department rather than to the J.D.P. To determine how comparable this H.T.P.D. group is to those successfully completing the program, previous arrests were analyzed. That analysis appears in Table XX. The percentages of the two groups with previous arrests are nearly identical, 24.3% of successful completions and 22.9% of those handled by the Probation Department. Subsequent arrests of the H.T.P.D. youth are shown in Table XXI. Eight (16.7%) were rearrested following referral to the Probation Department, approximately six times the rate of those successfully completing the program (2.7%).

Based on this limited analysis, the successful program participants seem to have a much lower recidivism rate than either of the comparison groups. At this point, however, this conclusion must be qualified. First of all, the amount

Table XIX

Disposition of Charges for Which Referred to Program

in Those Refusals Later Rearrested

Category	N	Percent
Not Prosecuted	16	57
D.A. Refused Case Nolle Prosequi Handled through Probation Department Informal Adjustment In Other Jurisdiction Missing	5 4 4 1 1	
Prosecuted	12	43
A. Not Guilty Found Not Guilty Continued Indefinitely B. Guilty Found in Need of Supervision Probation Probation Probation and Restitution Department of Corrections, Suspended Department of Corrections, Suspended, Probation Pending Sentence Department of Corrections	2 1 3 1 1 1	311 32
	20	100%
TOTAL	28	100%

Table XX
Previous Arrests of
The Handled Through Probation Comparison Group

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Number of Arrests	N	Percent	Charges	N	Percent
0	37	77	None	37	77
. 1	7	15	15 Status Offense		. 2
2	1	2	Traffic	2	5
3	1	2	Theft	1	2
4	0	-	Simple Robbery	,1 °	2
5	1	2	2 Simple Damage/Weapons		2
6	0	_	Aggravated Battery	1	2
7	0	_	Attempted Theft	1	. 2
8	0		Aggravated Battery/Simple Robbery	1	2
9	0	_	Burglary	1	2
10	0	-	- Aggravated Arson		2
11	1	2		48	100%
	48	100%			

Table XXI

Later Arrests of
The Handled Through Probation Comparison Group

Number of Arrests	Ņ	Percent	Charges	N		Percent
0	40	83	None	40	4	83
1	7	15	Theft	. 3		6
2	0		Criminal Damage	2		5
3	0	· -	Smoking on Bus	1		2
4	1	2	Traffic Offenses	1		2
	48	100%	Aggravated Battery	1		2
				48	a	100%

of time "at risk" of arrest was not controlled. For successful terminations, this time would begin at exit from the program. For refusals, "at risk" would begin upon refusal, and for H.T.P.D. youth, upon referral to the Probation Department. With only two successful participants having been rearrested, and after less than a year of program operations, a detailed study of recidivism by time "at risk" would begin at exit from the program. For refusals, "at risk" would begin upon refusal, and for H.T.P.D. youth, upon referral to the Probation Department. With only two successful participants haveing been rearrested, and after less than a year of program operations, a detailed study of recidivism by time "at risk"

would be meaningless. For the second year evaluation, such an analysis is planned, as well as an analysis of seriousness of crimes in those rearrested

In addition, the J.D.P. can effectively control its recidivism rate in ways the comparison groups cannot. The program refused those referrals who were rearrested before formal acceptance; it refused those whose delinquency seemed to form a serious pattern; and, it violated those participants who were rearrested while still in the J.D.P. While this control is not at all unusual for a delinquency prevention program to adopt on the basis that participants did not adhere to the conditions of participation, it does serve to lower the recidivism rate among successful participants by eliminating those with an obviously high likelihood of being rearrested and by limiting the period of time "at risk" to the time after program completion.

VI. UNIT COST SUMMARY

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As Table XXII indicates, the amount expended for the operation of the J.D.P. through March 31, 1982 totaled \$113,594.76. For all 156 accepted participants the total cost per placement was \$728.17.

Table XXII

Cost Analysis

CATEGORY	TOTAL EXPENDED THRU 3/31/82	
Personnel	\$87,320.52	
Fringe Benefits	9,485.31	
Travel	320.00	
Equipment	10,648.97	
Supplies	3,684.82	
Contractual Services	795.00	
Construction	-0-	
Other Direct Costs	1,052.06	
Indirect Costs	288.08	
TOTAL	\$113,594.76	

VII. CONCLUSIONS AND RECOMMENDATIONS

Diversion programs emerged in the mid-1960's in response to two theories of delinquency. The first theory, labeling theory, contends that persons labeled delinquent become what they are labeled. The second, differential association, suggests that persons become delinquent because most of their associations are with those whose behavior favors delinquency. Under these theories, the juvenile justice system, as it labeled children delinquent or predelinquent and forced them to associate with other delinquents, was only creating more delinquents. Thus, in order to reduce delinquency, contact with the juvenile justice system had to be minimized.

Defining diversion from the juvenile justice system was not, however, as simple as it seemed. At one extreme, diversion was defined as handling children who would otherwise be labelled delinquent by unofficial, non-governmental means. Doing nothing, though, was not considered diversion, so proponents of this definition felt that diversion had occurred when a child was referred to a non-criminal justice agency through non-coercive, non-judicial means. A more often used, more limited definition of diversion, and one which fits the New Orleans program, defines diversion as diversion from court processing. Cressey and McDermott call this definition "minimization of penetration." "'Minimization of penetration' has become a popular phrase used for identifying diversion occurring within the juvenile justice system from court to another official or semi-official program." (pg. 4) The question for policy makers then is whether the newly established juvenile justice diversion program is better than the traditional judicial ways of handling these juveniles.

A national evaluation of juvenile diversion programs was completed in 1978.

That evaluation listed the generally accepted goals of diversion programs as:

- 1. avoidance of negative labelling and stigmatization
- 2. reduction of unnecessary social control and coercion
- reduction of recidivism

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- 4. provision of service (assistance), and
- 5. reduction of juvenile system costs. (pg. 3)

In that evaluation the average cost per participant was found to be \$250. The New Orleans program is probably more expensive at \$728 per participant, even though inflation will account for some increase. The local program, however, provides more services to participants, with an average stay in the program of five months compared to six weeks in the national study, and with 100% of the local participants receiving individual counseling versus only 52% nationally. Preliminary indications are that recidivism may also be less among New Orleans participants. In the national study, 25.4% of the participants were rearrested within six months of program completion.

Nevertheless, as originally defined, it is questionable whether program participants perceive the J.D.P. as "diversion" from the justice system. At the point of admittance to the program, they have been arrested, screened by the D.A.; summoned to the D.A.'s office, presented with papers waiving their right to a speedy trial, and asked to sign contracts agreeing to pay restitution and requiring attendance at counseling sessions. They are warned that if they do not wish to paggicipate in the program, prosecution of their case will begin immediately.

One major concern, then, involves the "coercion" of participants to agree to program participation, Goal 2 of the national study. An additional area of concern relates to the potential for deeper penetration into the criminal justice system by participants and stigmatization of them than would have occurred in the absence of the J.D.P., Goal 1 of the national study.

Unless the program is, in fact, being referred and is accepting cases that

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would otherwise have been prosecuted by the D.A.'s office, it is probable that this kind of deeper penetration into the system does occur. The analyses done in the evaluation of those referrals to the program which were desired admittance does support the probability that prosecution of those referrals is unlikely and that institutionalization seldom ever occurred. Therefore, a number of cases referred to the J.D.P. are unlikely to be prosecuted.

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To balance the negative consequences of this kind of deeper penetration, some positive gain must be identified; i.e., it must be shown that the benefits of program participation outweigh the negative aspects. For example, it may be that the rate of recidivism is much less for successful participants than for comparison groups.

It must also be considered to what extent refusing to accept referrals into the program and terminating those participants who are rearrested minimizes the recidivism rate of participants. It is at least possible that the great majority of those accepted are those individuals that would be less likely to recidivate, and those refused and terminated from the program include those individuals most likely to recidivate. If this is the case, the J.D.P. may be serving no legitimate diversion function in the D.A.'s office, as the participants would likely not recidivate whether referred to the J.D.P. or handled through one of the existing sanctions.

Yet, there are probable benefits to be derived by participants regardless of the "prosecutability" of the case in terms of counseling and deferred adjudication. On the other hand, it would seem that the effect of being referred to the program after being told that the case would be prosecuted, and then refused ad-

mittance and having the case not prosecuted is negative. In fact, the rate of recidivism among those refused was higher than the comparison group referred to the Probation Department (H.T.P.D.).

Based on 9 months of operation, none of the above concerns can be resolved. However, the second year evaluation with more individuals and longer time frames will explore those areas of concern in much greater detail and should produce at least tentative findings.

Based on these considerations, the following recommendations are made:

- 1. Appropriate program personnel should maintain on-going contact with the D.A. Screener to insure that the referral of appropriate cases occurs. Prospective participants that would not otherwise be prosecuted should not be referred to the program, but should be handled in the way they would have been handled in the absence of the J.D.P. Making inappropriate referrals will result in the participation of those not meeting program criteria, will inhibit the program in attempts to establish a program designed to serve that target group identified in the grant, and may, indeed, increase delinquency in those actually refused for program participation.
- 2. The program should maintain records on the disposition of charges of those referred to the program, but denied admittance. In addition, the same data should be maintained on all participants terminated from the program for violating the conditions of program participation.
- 3. The grant should be amended to reflect the fact that counseling sessions are held less frequently than weekly for some participants at the discretion of counselors. Of course, this reduction in services to participants may indicate the need for fewer program staff.*

* Effective June 23, 1982, the half-time counselor position was eliminated.

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VIII.

APPENDIX

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Table XXIII

DAYS FROM ARREST TO D.A. SCREENING

STATUS		0 Days	. 1 Day	2 Days	3 Days	4 Days	5 Days	Total	
SUCCESSFUL COMPL	N %	10 13.7	40 54.8	13 17.8	8 11.0	1 1.4	1 1,4	73 <u>1ሳባ%</u>	
ACTIVES	Ŋ	1.6	17 27 9	22 36 1	11 18 A	6	4 6 6	100%	
TERMINATIONS	N %	2 9.5	5 23.8	11 52.4	1 4.8	0 0.0	2 9.5	21 100%_	
REFUSALS	N %	12 11.8	44 · 43.1	19 18.6	11 10.8	10 9.8	6 5.9	102 100%	

49.

Number of missing participants = 2

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Table XXIV DAYS FROM D.A. SCREENING TO D.A. REFERRAL

STATUS		O Days	1 Day	2 Days	3 ,Days	4 Days	5 Days	Total
SUCCESSFUL COMPL	N	13	47	8	5	0	1	74
	%	17.6	63.5	10.8	6.8	0.0	1.4	100
ACTIVES	N %	3 4.9	41 67.2	15 24.6	1 1.6	1 1.6	0.0	61 100
TERMINATIONS	N	3	15	2	1	0	0	21
	%	14.3	71.4	9.5	4,8	<u>0</u> .0	0.0	100
REFUSALS	N	13	60	17	8	0	5	103
	%	12.6	58.3	16.5	7.8	0.0	4.9	100

Table XXV

DAYS FROM D.A. REFERRAL TO PROGRAM SCREENING

STATUS		0 hays	1.Day	2 Days	3 Days	4 Days	5 Days	Total
SUCCESSFUL COMPL	N %	67 90.5	4 5.4	1 1.4	2 2.7	0 0.0	0 0.0	74 100
ACTIVES	N %	58 95,1	3 4.9	0 0.0	0 0.0	0 0.0	0.0	61 100
TERMINATIONS	N %	19 90.5	2 9.5	0	0 0.0	0 0.0	0 0.0	21 100
REFUSALS	N %	89 88.1	10 9.9	0 0.0	0 0.0	1 1.0	1 1.0	101 100

Table XXVI

DAYS FROM PROGRAM SCREENING TO PROGRAM INTAKE

STATUS	<u>.</u>	0 Days	1 Day	2 Days	3 Days	4 Days	5 Days	Total
SUCCESSFUL COMPL	N	0	18	30	16	4	6	74
	%	0.0	24.3	40.5	21.6	5.4	8.1	100
ACTIVES	N	0	16	18	11	11	3	59
	%	0.0	27.1	30.5	18.6	18.6	5.1	100
TERMINATIONS	N %	0	3 14.3	7 33.3	6 28.6	0 0.0	5 23.8	21 100
REFUSALS	N	1	6	7	3	2	4	23
	%	4.3	26.1	30.4	13.0	8.7	17.4	100

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Number of missing participants = 82

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Table XXVII

DAYS FROM PROGRAM INTAKE TO FIRST COUNSELING

STATUS		0 Days	1 Day	2 Days	3 Days	5 Days	<u>Total</u>
SUCCESSFUL COMPL	N	1	35	33	5	0	. 74
	%	1.4	47.3	44.6	6.8	0.0	. 100%
ACTIVES	N	1	25	21	9	1	57
	%	1.8	43.9	36.8	15.8	1.8	100%
TERMINATIONS	N	1	8	9	3	0	21
	%	4.8	38.1	42.9	14.3	0.0	100%
REFUSALS	N %	0 0.0	4 80 . 0	1 20.0	0	.0	5 100%

Number of missing participants = 102

Table XXVIII
DAYS FROM PROGRAM INTAKE TO TREATMENT PLAN

STATUS		0 Days	1 Day	2 Days	3 Days	4 Days	5 Days	Total
SUCCESSFUL COMPL	N %	0.0	11 15.3	21 29.2	16 22.2	10 13.9	14 19.4	72 100
ACTIVES	N %	0	12 · 27.3	7 15.9	14 31.8	5 11.4	6 13.6	44 100
TERMINATIONS	N %%	1 	0 0.0	6 42.9	2 14.3	1 7.1	4 28,6	14 100
REFUSALS	N %	0.0	2 66.7	1 33.3	0 0.0	0 0.0	0 0.0	3 100

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Number of missing participants = 126

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Table XXIX

DAYS FROM PROGRAM INTAKE TO PROGRAM EXIT

STATUS		O Days	1 Day	2 Days	3.0						
					3 Days	4 Days	5 Days	ō Days	7 Days	8 Days	Total
SUCCESSFIIL COMPL	N.	•	_								
TOTAL COMPL	it	0	0	ð	5	19	12	17	10	•	
	3,	0.0	0.0					17	12	9	74
			0.0	0.0	6.8	25.7	16.2	23.0	16.2	12.2	100%

Number of missing participants = 140

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END