
Promoting Equity with Youth Diversion

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Agenda

- **Issue Background**
Overview of Diversion, Racial Disparities in Diversion, Possible Explanations
- **How Do We Solve the Problem?**
Brainstorming Session, Los Angeles County Model
- **Conclusion**
Question and Breakout Time

Learning Objectives

- Explain what diversion is as well as the benefits it can present when it limits youth justice involvement and promotes racial and ethnic equity
- Identify promising practices exemplified by model jurisdictions
- Help participants identify opportunities for reform to diversion practices in their local justice system



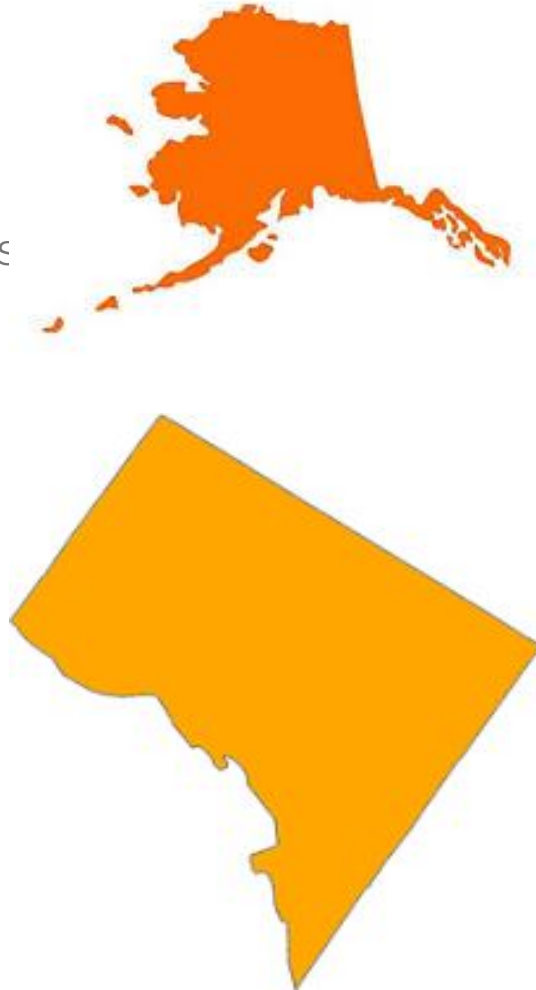
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How many youth are
arrested annually?

Approximately **809,700** youth arrests occurred in 2017 in the United States

- Black youth composed over 283K arrests
- White youth composed over 502K arrests
- American Indian youth composed 16k, and Asian youth around 8k arrests

**THAT'S MORE THAN THE
POPULATION OF D.C.,
ALASKA OR NORTH DAKOTA**



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How much more likely are
black or American Indian
youth to be arrested than
their white peers?

In 2017, black youth were **2.6x more likely to be arrested** than white youth, and American Indian youth were **1.4x more likely to be arrested** than their white counterparts



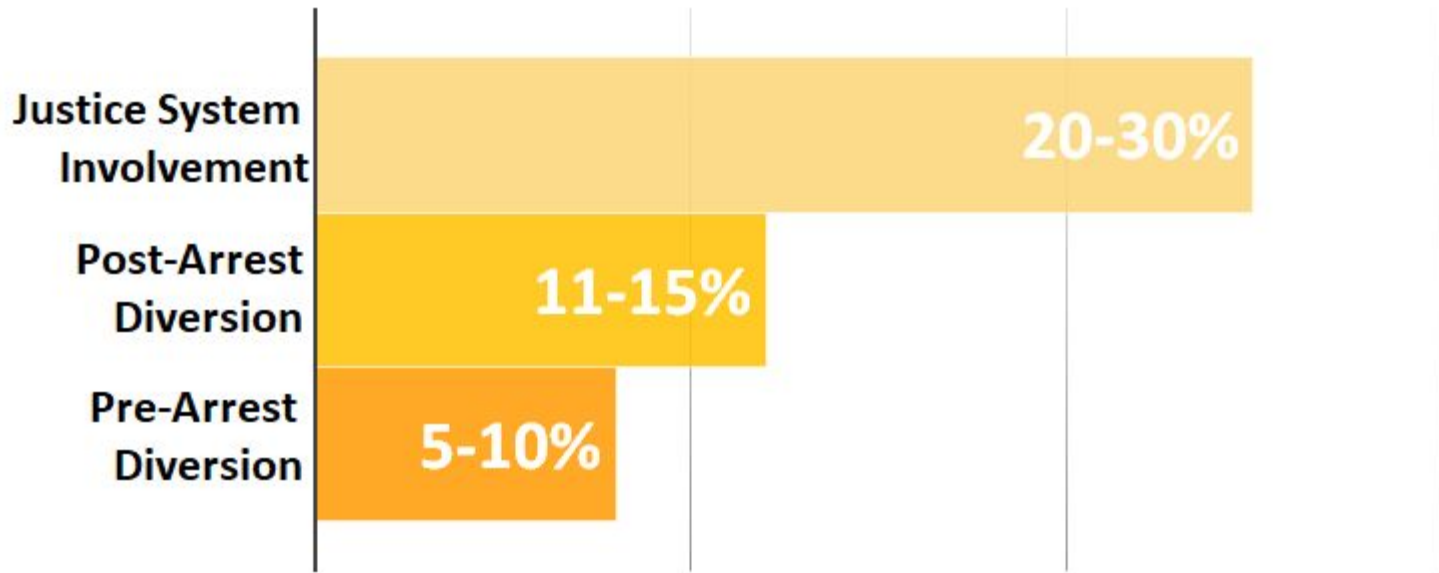
What is the purpose of diversion?



Three Purposes

1. **Prevent involvement** or further involvement in the justice system.
2. **Effectively and equitably reduce future involvement** in the justice system by providing developmentally appropriate alternatives.
3. **Improve health, academic, and social outcomes** for young people without net widening.

Diversion is an effective community safety strategy; young people who are diverted are less likely to re-offend than similar youth who are not diverted.



A Roadmap for Advancing Youth Diversion in Los Angeles County. 2017.

Human Impact Partners. 2017. Reducing Youth Arrests Keeps Kids Healthy and Successful: A Health Analysis of Youth Arrest.

How and why can diversion actually grow **Racial and Ethnic Disparities** and make the problem worse?



Important Statistic

Nationally, **youth of color** are **30 percent less likely** to be diverted and **20 percent more likely** to have their cases petitioned to court **when compared to their white peers.**



Possible Explanations

→ **Differential Use of Diversion by Police or Court Actors**

Perceptions of suitability, etc.

→ **Eligibility Requirements for Diversion**

Fees, family member participation, offenses eligible, etc.

→ **Perceived Lack of Community Options to Support Diversion**

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**Q: How can we solve
this problem?**

Some ideas...

**Expand
Pre-Arrest
Eligibility For
Diversion**

Los Angeles County, CA

**Automatically
Divert Individuals
for Eligible
Offenses**

Scott County, Iowa

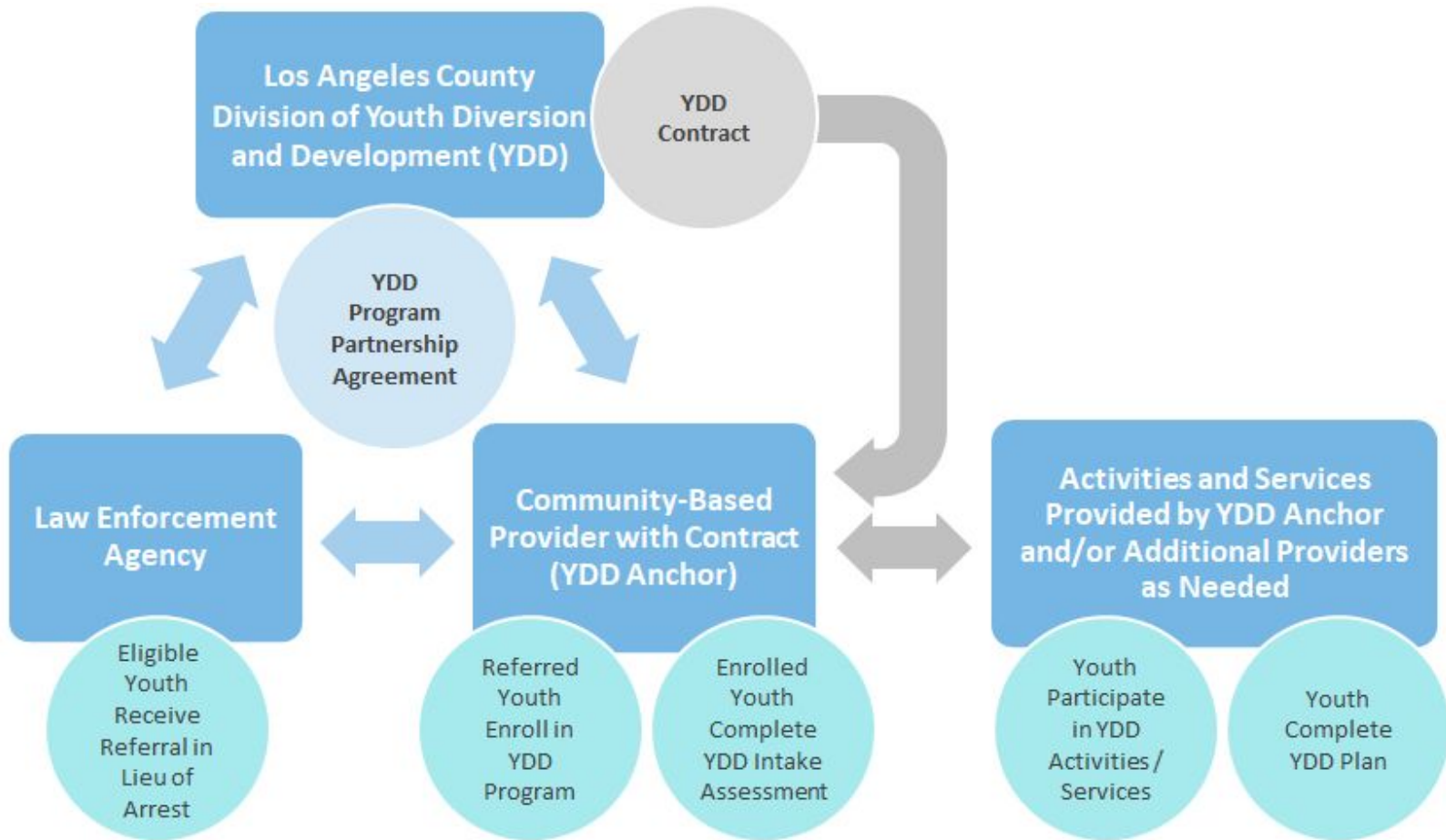
**Work with Schools
to Reduce
Referrals to Law
Enforcement and
Arrests**

Clayton County, GA

LOS ANGELES COUNTY'S MODEL FOR YOUTH DIVERSION AND DEVELOPMENT

- Health Agency contracts with community-based providers for countywide network of youth diversion / development services
- Referrals from law enforcement are pre-arrest / pre-booking, including higher level offenses
- Youth get strengths-based assessment, holistic individualized care plan, and graduated case management







Counsel and Release:

Infractions, status offenses,
and low-level misdemeanors
are eligible.

No records are kept.

Pre-Arrest Diversion:

Misdemeanors and non-
707(b) felonies are eligible.

Limited status reports are
provided in lieu of
arrest/citation.

How can you advance similar strategies in your jurisdiction?



BRING SYSTEM AND COMMUNITY STAKEHOLDERS TOGETHER IN DIALOGUE

- Take the time to learn who the players are when it comes to young people involved in the justice system in your jurisdiction.
- Support participation in committees run by the courts, probation, advocates.
- Create space for those usually left of out decision-making to join as true partners.



TRANSLATE (LOTS OF) DATA INTO ACTIONABLE PRIORITIES

- Think creatively about what kinds of data you need / how to present it to different audiences.
- Understand the characteristics of youth arrests and referrals to diversion in your jurisdiction.
- Clearly communicate priorities based on the evidence you have to allow for collaborative review and decision-making.



ALWAYS CENTER THE WELLBEING OF YOUTH AND FAMILIES

- Justice reform is complex and often polarizing but shaping narratives with a health lens helps keep dialogue focused, productive, and capable of effecting meaningful change.
- Let young people guide your model, including education, restorative justice, and the arts.
- Ask "Does this improve equity?" for all things.

Los Angeles County's Approach to Evaluating Racial Equity in Diversion

Assessing key metrics at the following touchpoints:

- 1) Initial Contact with Law Enforcement
- 2) Referral
- 3) Enrollment
- 4) Participation
- 5) Completion
- 6) Long-term Outcomes



Advancing Racial Equity in Youth Diversion:

An Evaluation Framework Informed by Los Angeles County



Meet James.

James was getting into a fight with a classmate when a school police officer intervened. When the officer approached James, he became defensive. When the officer attempted to handcuff him, he pulled away and kicked her in the process.

The officer considered arresting James for assault but, following agency protocol for diversion eligibility, James was instead referred to a community-based diversion program.



What could support James and repair the harm caused?

1. Strengths-based intake assessment and care coordination
2. Access to restorative justice practices
3. Protection of records



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Questions?

Breakout Time

Please meet with individuals in your state or local jurisdiction to discuss the barriers to equitable, effective diversion that you see in your system and brainstorm potential reforms

(10 minutes)



Contact Information

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You can find links to the R Street Institute's policy study on diversion and Human Impact Partners' and LA County's equity evaluation framework here:

<https://www.rstreet.org/2019/07/24/promoting-equity-with-youth-diversion/>

<https://humanimpact.org/hipprojects/evaluateyouthdiversion/>