

Juvenile Diversion: Research and Recommendations for Program Implementation in Waukesha County

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Overview

Introduction

The majority of delinquents in the United States are adolescents who commit their first offense at age 15 or later. Most of these adolescents engage in few delinquent acts, commit few serious crimes and stop their criminal careers by the time they reach adulthood (Steinberg, 1987, p. 257). According to the 1967 President's Commission on Law Enforcement and Administration of Justice and its Task Force on Juvenile Delinquency, policies and programs must begin before youth become involved in the formal criminal justice system to do the most good (United States Presidential Commission on Law Enforcement and Administration of Justice (1967). Recent brain development research suggests that non-violent first-time offenders up until the age of 24 may benefit from alternative methods of formal court proceedings (Coalition for Juvenile Justice, 2006, p. 23).

Since the mid-1960's, diversion has become one of the most popular reforms in juvenile justice and has emerged as an important alternative to the initiation of formal court proceedings for juvenile offenders and their families. Diversion programs were recommended by the 1967 President's Commission on Law Enforcement and Administration of Justice as a major strategy for combating shortcomings of the juvenile justice system. This recommendation has received clear support from criminologists. Criminal justice experts generally define diversion as "the channeling of cases to non-court institutions in instances where these cases would ordinarily have received an adjudicatory hearing by a court" (Siegel & Senna, 1991, p. 471). As such, diversion is an organized effort that involves a suspension of formal criminal or juvenile justice proceedings while alleged offenders participate in interventive/preventive measures to resolve areas of concern outside of the justice system.

Diversion programs benefit society by dealing quickly and effectively with delinquent behavior. Intervention saves the juvenile justice system from voluminous caseloads and costs significantly less than the per capita cost of institutionalization. Diversion programs also save tax dollars by reducing the burden on local police departments and the court system. Above all, diversion programs help youth avoid the stigma of being labeled a delinquent. A theory known as the "labeling theory" posits that formal interaction with the justice system propels an individual toward a delinquent self-concept. Diversion greatly lessens this formal interaction, possibly reducing the chances for future criminal involvement and allowing youth to actively choose alternatives to criminal activity (Siegel & Senna, 1991, p. 472). The empirical support for labeling is mixed, with results supporting the idea that white males are seriously affected by labeling, but that the other races and genders are not (Ageton & Elliott, 1974).

Statement of Purpose

Currently, most juvenile court cases in Waukesha County are handled by the Department of Health and Human Services (DHHS). In criminal cases, DHHS provides a social worker and court-ordered services for all adolescents ages 12-16. Under Wisconsin state law, criminal offenders ages 17 and up are charged as adults and prosecuted by the District Attorney's office. Although significant efforts have been put forth to implement a diversion program in Waukesha County for young first time offenders, there is currently no such program in operation.

This report reflects a compilation of research and recommendations to implement a proposed diversion program for non-violent young-adult offenders in Waukesha County.

Methodology

In order to develop a plan for implementing a juvenile diversion program in Waukesha County, program components of diversion programs that have proven effective in reducing delinquency and recidivism among juvenile offenders were researched. The research included commonly used methods of diversion program implementation.

Secondly, a literature review was conducted. Professional publications and academic research related to the involvement of youth within the juvenile justice system and juvenile diversion were examined. This highlighted the theoretical background to juvenile diversion and examined many of the common components in existing diversion programs on an objective basis. The most salient points of the literature are summarized in this paper.

The next step was to research and evaluate scientifically based model programs to determine if an appropriate curriculum existed for use within a diversion program in Waukesha County. Programs recommended by Blueprints for Violence Prevention, the Office of Juvenile Justice and Delinquency Prevention, the Substance Abuse & Mental Health Administration and Washington State Institute for Public Policy were reviewed. In order to be listed as a scientifically based model program, programs are subject to rigorous testing and evaluation over several years. The programs examined address a wide range of issues across the juvenile justice spectrum.

To supplement the research, specifically regarding areas where there was a lack of evidence-based studies, existing diversion programs were examined. Contact was made with several diversion programs from across the nation to examine their program structure, program length, curriculum, hiring practices, and program cost. The contact information and a brief summary of the diversion programs contacted are available in Appendix F – Diversion Program Contacts.

Finally, a telephone survey of Enlight, Inc graduates (the former juvenile diversion program in Waukesha County), was conducted. Program participants were asked to evaluate the effectiveness of Enlight program components by answering three questions: 1) What did you like the most about Enlight?, 2) What did you like the least about Enlight?, 3) What would you change or add to the program? Out of 126 total Enlight, Inc. graduates, 22 were randomly selected for the survey, for a sample size of 17%. The results of the telephone survey are available in Appendix E – Enlight Graduate Telephone Survey.

The results of all methods of research have been compiled to create a proposed program logic model for juvenile diversion in Waukesha County. The logic model can be referenced in Appendix A – Proposed Program Logic Model.

Juvenile Diversion Research

The following paragraphs detail the highlights of research conducted on the commonly included components of juvenile diversion programs. These components were selected for research because of the frequency of their use within existing diversion programs. Common components include: anger management, behavior modification, collaboration with community partners, evaluations, holistic methods, competency development, mentoring, and restorative justice.

Anger Management

Aggressive behavior and poor self-control are important problem behaviors to consider among delinquent adolescents (Ialongo, Poduska, Werthamer & Kellam, 2001, p. 146-160). However, mental health practitioners often disagree as to what constitutes an anger problem because anger is a normal occurring emotion (Tafrate, Kassinove & Dundin, 2002, p. 58). Few controlled studies exist to verify what components of anger management treatment operate as the source of behavior change. As a result, there is skepticism as to the effectiveness of psychosocial treatments for anger. Most treatments for anger appear to be minimally beneficial and available research suggests that psychosocial treatment is better than no treatment at all. Psychosocial treatment means any treatment pertaining to the interaction between social and psychological factors. Psychosocial treatments include, but are not limited to relaxation, muscle relaxation, systematic desensitization, meditation, biofeedback, self-instructional training, cognitive behavioral management, social skills training, problem solving training, assertiveness training, exposure, education and stress inoculation (DiGiuseppe & Tafrate, 2003) There is currently no compelling evidence to prove that one psychosocial treatment works better than any other or that the benefits experienced from such treatments are not caused by other factors (Lohr & Olatunji, 2004).

Despite the number of controlled studies available, anger management treatment produces results while remaining efficient and cost-effective (Piper & Joyce, 1996, p. 311-328). Additionally, treatment appears to be somewhat effective when it deals with concrete specifics of cognitive learning, such as problem-solving (Sukhodolsky, Kassinove, & Gorman, 2004, p. 247-269). Early intervention to address aggressive behavior and poor self-control has a better impact than later intervention. This is because early intervention directs the youth away from their potential problems, whereas later interventions must deal with patterns of behavior that are already established (Ialongo, et al, 2001, p. 146-160).

Cognitive behavioral management, a psychosocial treatment, appears to be effective when administered to groups. Research supports a size of 5-10 members (Carroll, Rounsaville & Gawin, 1991, p. 229-247). However, it should be noted that in the supporting empirical studies, these groups were led by counselors with master's level training (or higher). Specifically, cognitive behavioral therapy, group therapy, and/or substance abuse treatment have been found to be effective when administered in such a manner (Smokowski & Wodarski, 1996, p. 171-189).

Behavior Modification

For years, criminologists and psychologists have studied human behaviors as they relate to crime and delinquency. As a result, many theories exist that attempt to explain the role of behavior in this context. According to Small, Reynolds, O'Conner and Cooney (2005), behavioral modification approaches should be based on social and cognitive learning theories so that offenders can learn new behaviors (p. 10).

Social learning theory holds that youth will model their behavior after their observations of adults whom they are in close contact. Behavioral techniques for future situations will form depending on whether youth receive a positive or negative response. Additionally, social learning theory states that youth learn from behaviors that they view on television and the movies. One of the most widely regarded social learning theorists, Albert Bandura, suggested that adolescent aggression is a result of disrupted dependent ties to his/her parents that is expressed in an immediate, direct and socially unacceptable fashion (Siegel & Senna, 1991, p. 103).

The cognitive learning theory is divided into several subgroups including Gestalt psychology, moral/intellectual development and humanistic psychology. Gestalt psychology concentrates on the perception of the world as a whole, rather than in individual pieces. The moral/intellectual development focuses on how adults morally represent and reason with the world. Lastly, humanistic psychology stresses self-awareness and concentrates on becoming aware of individual feelings (Siegel & Senna, 1991, p. 105).

Behavioral, skill-oriented programs in the context of positive, supportive relationships produce the largest effects on the rehabilitation of juvenile offenders (Lieb, 1994, p. 6). Effective programs should strive to create an environment where individuals feel safe and trust one another. Most importantly, programs should foster trusting relationships over time among participants, staff and volunteers (Small, O’Conner, Cooney & Huser, p. 3). Interventions in juvenile delinquency should “be “fine tuned” to maximize response from individual offenders, based on their motivation, maturity, learning style, anxiety level, etc” (Small, Reynolds, O’Conner & Cooney, 2005, p. 10).

Collaboration with Community Partners

A growing body of research studies indicates that the social environment of a community has significant influence over its crime and delinquency rates. Consequently, it is only fitting that interventive/preventive programs for juvenile crime collaborate effectively with a multitude of community organizations that share a common mission for helping at-risk youth. (Siegel & Senna, 1991).

Community partnerships have the potential to meet a wide variety of needs, from improving participant recruitment and attendance to contributing volunteers or other resources to programs (Burkhauser, Bronte-Tinkew & Kennedy, 2008). According to *Juvenile Offenders: What Works? (1994)*, diversion programs that operate as an extension of the formal justice system were found to be the most promising type of correctional intervention. This type of collaboration may bring a deterrent value not associated with programs run outside of the system (Lieb, p. 7).

Competency Development

As defined by *Advancing Competency Development: A White Paper for Pennsylvania (2005)*, “competency development is the process by which juvenile offenders acquire the knowledge and skills that make it possible for them to become productive, connected and law-abiding members of their communities” (Torbet & Thomas). In order to be effective, the justice system must address specific developmental needs of each individual offender. Specific needs found to be important include pro-social skills, moral reasoning skills, academic skills, workforce development skills and independent living skills.

Additionally, a study of existing juvenile diversion programs in Ohio noted that the most successful programs addressed five research-based characteristics in their curricula. These five characteristics were low self-esteem, poor decision-making skills, poor communication skills, association with a negative peer group, and a dysfunctional family unit (Cummings & Clark, 2008). This is not to say that the above characteristics were the cause of the success in the programs studied, but that they were correlated with success.

Evaluation

Evaluation is an important tool to measure how well a program is doing and to develop ways to improve it. Common types of evaluative methods include assessing a program's quality, identifying problem areas, tracking implementation and guiding program improvement. It is important to have a well-functioning program in place before an organization attempts to undergo the rigorous testing that is needed for a program to be considered evidence-based (Small, Reynolds, O'Conner & Cooney, 2005, p. 18).

Holistic Methods

Criminal justice scholars recognize that criminal behavior is the result of many factors and influences. The holistic approach to combating crime is based on the idea that crime prevention and intervention should address the needs of the whole person and the underlying causes of crime. Many times, the underlying causes of juvenile crime can be traced to an individual's developmental setting, which may have exposed them to factors that increased their risk for delinquency. These "risk factors" are any circumstances that may increase a youth's chance of engaging in risky or delinquent behavior. Conversely, "protective factors" are any circumstances that promote healthy behaviors and decrease a youth's chance of engaging in delinquent behavior (Helping America's Youth, 2008). Although the probability of delinquent behavior increases with the presence of multiple risk factors, it is important to note that the presence of risk factors does not make offending a certainty (Shader, 2002, p. 1-2). Two tables of common criminogenic risk and protective factors are included in Appendix B – Criminogenic Risk Factors and Appendix C – Common Risk and Protective Factors for Juvenile Delinquency.

Research suggests that effective delinquency prevention programs often target common risk and protective factors of crime in more than one developmental setting, including school, family, friends, workplace and neighborhood (Small, Reynolds, O'Conner & Cooney, 2005, p. 10). Knowing that such a widespread approach is necessary for prevention, and that one of the primary goals of diversion is the prevention of future crimes, the following developmental settings are important factors to consider within diversion programs:

Individual/Peer

The holistic approach to crime intervention and prevention focuses on addressing the criminogenic risk factors of the individual in terms of peer, family, school and community-based relations (Lieb, 1994, p. 14). Examples of crime-producing needs related to individuals include anti-social peer associations, substance abuse and a lack of problem solving or self-control skills (Small, Reynolds, O'Connor, Cooney, 2005).

Family

In terms of family relations, a healthy home environment is the single most important factor in preventing delinquency (Lieb, 1994, p. 14). Regardless of how dysfunctional a family may

appear, the family is the primary source of attachment for most youth. Family involvement is critical to effective court interventions. Thus, it is essential to involve the family in diversion from the beginning to the end of the process, whenever possible (McPhail & Weist, 2007, p. 17-18).

School

An individual's low academic aspirations and lack of commitment to school mark two of the school-based risk factors for delinquency. Considering that almost half of adult inmates lack a high school diploma or GED, it is reasonable to conclude that school-based risk factors are important predictors of crime and delinquency (Normandin & Bogenschneider, 2008).

Community

Communities play an important role in providing a sound environment for individuals to develop. If a community fails to offer an adequate developmental setting, criminogenic risk factors such as the availability of drugs and weapons, extreme economic deprivation and/or community disorganization may result. Community programs should focus on providing avenues for youth to demonstrate their increasing maturity such as opportunities to volunteer in hospitals, nursing homes, childcare centers or after-school programs. Additionally, communities should strive to provide opportunities for youth to participate in positions of responsibility and decision-making (Bogenschneider, 1994, p. 16). However, it should be noted that at-risk youth would also need skill development assistance and encouragement if they were to be successful in such opportunities.

Mentoring

Mentoring can be one of the most cost effective solutions to juvenile delinquency. Mentors act as positive role models for youth who often lack such influences. The absence of role models has been linked to increased risk for drug and alcohol use, sexual promiscuity, aggressive behavior, and inability to maintain employment. Successful mentoring programs pair youths with role models who provide an influence that helps mitigate risky behavior (Beier, Rosenfeld, Spitalny, Zansky & Bontemp, 2000).

The theory behind mentoring is that it can impact different risk factors while simultaneously supporting various protective factors. Having a relationship with a mentor "can provide a youth with personal connectedness, supervision and guidance, skills training, career or cultural enrichment opportunities, a knowledge of spirituality and values, a sense of self-worth, and perhaps most important, goals and hope for the future" (U.S. Department of Justice, 1998).

There are a wide variety of mentoring programs. Youth mentoring programs vary in scope, structure and length of mentor/mentee involvement. These differences make it difficult for researchers to measure the effectiveness of specific factors (Brown, 1995).

Mentoring can be broadly divided into two categories: formal and informal. A formal mentoring program is characterized by the presence of an institution such as a school or community organization which adds cohesion to the mentoring relationship. An informal mentoring program is simply frequent, unstructured contact between the mentor and mentee over an extended period of time (Brown, 1996). School based mentoring programs show potential for improving school attendance and performance, reducing violent behavior, decreasing the likelihood of drug use, and improving relations with parents (Sipe, 1996).

When well implemented, the mentoring approach can positively influence both criminal and non-criminal behavior outcomes in youth (Small, Reynolds, O'Conner & Cooney, 2005). Research shows that juveniles, even in groups as large as 30 benefit from sustained contact with an adult who they can relate to. However, this benefit is not observed when the adult is perceived as an authority figure (Tierney & Grossman, 1995). Such a large group would not be reflective of traditional mentoring programs.

The oldest existing mentoring program in the United States is Big Brothers/Big Sisters (BB/BS). It has a proven track record and was studied extensively during an 18-month evaluation by Public/Private Ventures. The research revealed that in order to be successful, there must be a high level of contact between the mentor and mentee. To maintain integrity of the program, four factors must be present. 1) There must be a mentor screening process to weed out adults who might pose a safety risk. 2) Mentors must receive some sort of training in limit-setting skills and on the best way to interact with youth. 3) Procedures must be present to determine which mentor would pair best with each youth. 4) The match, of mentor and mentee, must receive the support of a case manager or parent/guardian and regular contact between the parties must take place (Tierney & Grossman, 1995).

Noteworthy results of the Public/Private Ventures study showed that in comparison to the control group during the study period, mentored youth were 46 percent less likely to initiate drug use, 27 percent less likely to initiate alcohol use and almost one-third less likely to hit someone. Additionally, mentored youth skipped half as many days of school as control youth, felt more competent about schoolwork and skipped fewer classes (Tierney & Grossman, 1995).

Another mentoring program, the Michigan Adolescent Diversion Project (ADP) was studied to calculate the costs and benefits that mentoring entailed. ADP, consisting of youth case management and mentoring, involved 18 weeks of contact for 6-8 hours per week. The study revealed that recidivism was reduced at a cost of approximately \$1,835 per participant (Small, Reynolds, O'Conner & Cooney, 2005).

In any type of mentoring program, parental involvement is key for success. Little progress can be made without a parent's support. The support can range anywhere from signing a consent form to allow their youth's participation to taking part in the activities that the mentor and child are engaging in (Herrera, 1999). One of the best tactics that mentors have developed to benefit their mentees is the development of goals. Setting achievable short-term goals can increase a mentee's confidence and foster a high level of enthusiasm on the mentee's part. To facilitate this, a mentor might want to set up a goal plan with the mentee and his/her family which would be reviewed periodically (Brewster & Fager, 1998).

Many mentoring programs prefer to make same race or same gender matches. If there is a genuine preference for such a match, it should be honored. But it should also be considered that youth who wait a long time for a same race or same gender mentor are delaying the potential benefits that any mentor can provide. In an 8 year study by Public/Private Ventures (including mentoring programs other than BB/BS), the factors of age, race, and gender did not correlate with the frequency of meetings or the effectiveness of the mentor/mentee match (Grossman & Garry, 1997).

It must be remembered that the mentoring process is complex. “As with all human relationships, there are risks and potential trouble spots that must be acknowledged.” A program must place mentors with care to maximize effectiveness. Mentors should be prepared to engage in the difficult process of building a relationship (National Criminal Justice Reference, 2000). In summary, a mentoring program needs parental involvement, a mentor screening process, training for the mentors, solid criteria of mentor/mentee placement, and regular contact between mentors and mentees.

Restorative Justice

Restorative justice is an alternative to formal court processing that involves offenders, victims and community representatives in the reparation of crime. Scientific evidence favorably suggests that offenders who participate in restorative justice efforts are less likely to recidivate (Patchin & Keveles, 2004). This drop in recidivism may be the result of showing offenders the harm they have caused by requiring them to compensate for their crimes. Restorative justice efforts help offenders learn to control their impulses for delinquency and recognize the impact of their behavior (Rubin, Rabinovich, Hallsworth & Nason, 2006).

One form of restorative justice is restitution. Restitution is a widely used method of treatment for crime and delinquency. Restitution can take many forms including monetary, victim service or community service restitution. Monetary restitution involves reimbursement to the crime victim for crime related damages. Victim service is the requirement of the youth to provide a direct service to the victim (Siegel & Senna, 1991, p. 541). Finally, community service restitution is “unpaid work done by the offender for the benefit of a community or its institutions meant as compensation for the harm inflicted by an offense to a community” (Bazemone & Walgrove, 1999, p. 139). Community service is most effective when linked to a specific cause that is related to the offender’s crime (Patchin & Keveles, 2004).

Program Implementation Research

During a series of planning meetings between research team members, questions were raised about the implementation of juvenile diversion programs. Generally, questions centered around the most effective practices to be used when delivering programming to the targeted audience. Topics raised included: staff criteria, instructor criteria, pre-screening and assessment, program fees, program length, use of contracts, class specifications, and the use of a probationary period.

Staff Criteria

In order to determine the criteria that should be used for selecting diversion program staff, the Office of Juvenile Justice and Delinquency Prevention (OJJDP), The National Center for Mental Health and Juvenile Justice (NCMHJJ), and the Substance Abuse and Mental Health Service Administration (SAMHSA) websites were reviewed. That review resulted in the conclusion that there is no accepted set of best practices governing the hiring or performance of juvenile diversion staff. There also appear to be no studies specifically relating to diversion program staff or instructors. Lacking evidence-based studies, the hiring practices of existing diversion programs were examined to assist in development of speaker and staff criteria.

The most common qualification for diversion staff was that they have experience in the fields of either counseling, case management, social work or law enforcement. The diversion programs in Torrance, California and Denver, Colorado, as well as the SAFE Haven program in Racine, Wisconsin and the Utah Department of Human Services are all examples of programs using such hiring criteria (City of Torrance, 2008; City & County of Denver, 2008; Safe Haven of Racine, 2008; & Utah Department of Human Services, 2008). For juveniles who are repeat offenders and/or who have demonstrated patterns of substance abuse, a licensed psychologist or psychiatrist is essential. (Of course, such a pattern of behavior would not yet be established when an individual is participating in a diversion program.)

Finally, the best determinant of staff qualification should be the program itself. If the program offers comprehensive in-house services such as counseling or behavior modification therapy, then staff should possess the appropriate professional qualifications to deliver such services. If the services of the program are more modest, then lesser qualification would be necessary. The content of the programming should determine the level of professional qualification needed.

Instructor Criteria

Distinct from the hiring practices of diversion programs, it should be noted that virtually all curricula that receive an 'exemplary' rating from OJJDP have their own certification and training systems. For maximum effectiveness in any diversion program, all staff should pursue training/certification in whichever curriculum is utilized.

It is important that the instructors and any supplemental speakers be able to communicate effectively with their students. The following are characteristics recommended by the Creating Lasting Family Connections (CLFC) curriculum, which they believe are necessary for someone to be an influential and effective instructor:

1. Speakers should be outgoing and have a caring personality.
2. Speakers should be non-judgmental/or tolerant of different opinions.
3. They should be able to handle and accept ambiguity.

4. They should be willing to examine both sides of an issue.
5. Speakers should hold and model moderate beliefs and attitudes.
6. They should be helpful.
7. They should be able to recognize, name, and express feelings as they occur.
8. They should have experience with successful group-oriented personal growth opportunities, such as counseling, spiritual development, self-help or related activities.

As to the question of what any supplemental instructors/speakers should be teaching, they should cover a range of topics that support and add depth to the curriculum being taught. The topics should include information aimed at teaching participants how to avoid criminogenic factors. These include, but are not limited to, workforce development, social skills including stress management and anger management, life skills including money management, adult living, and potential options for further education (Strader & Noe, 2007, p. 11).

When considering supplemental speakers, the important thing is that they address issues that are relevant to the goals of the program. More specifically, they should address issues that advance learning in a significant area. If they offer complementary information to something that is being covered in class, then they should be scheduled to speak near when that information is presented. Also, it remains to be seen if having a speaker come only once will be effective. Evaluations should be conducted to determine supplemental speaker effectiveness.

Pre-Screening and Assessment

In order to determine if a client will be receptive of diversion program services, it is important to conduct a pre-screening and assessment of each individual case. This helps to ensure that the needs of clients are appropriately matched with the proper interventive/preventive services (Patchin & Keveles, 2004). Commonly referred to as intake within the juvenile justice system, pre-screening and assessment is a similar concept in order to formally admit eligible participants into a juvenile diversion program. (Siegel & Senna, 1991).

Program Fee

There are many factors to consider when determining a fee for an individual participating in a diversion program. Although funding for a non-profit diversion program will largely depend on the availability of grants and private donations, costs such as drug testing, office space, office supplies, training and technology should be considered. In the absence of published research relating to diversion program fees, an independent review was conducted.

Numerous diversion programs across the state and nation were contacted to gauge the average fee charged for a diversion program. Fees ranged from \$0-\$1000 per participant. Diversion programs contacted include; ACHIEVE (Oregon, OH), Cape Island District Attorney's Office (Barnstable, MA), Clean Break (Appleton, WI), Enlight (Waukesha, WI), Denver County District Attorney's Office (Denver, CO), Fairfield Police Department (Fairfield, OH), North Star Juvenile Diversion (Golden Valley, MN), Pennington County States Attorney's Office (Rapid City, SD), Putnam County Sheriffs Department (Palatka, FL) and The City of Wilsonville (Wilsonville, OR). Ultimately, the source of funding will determine the final cost of the program. A complete summary of the information gathered for the above diversion programs is included in Appendix F – Diversion Program Contacts.

Program Length

There is no specific research based evidence for the recommended length of a juvenile diversion program. However, in terms of treatment-based programming (i.e. Alcohol or Other Drug Abuse) it should be noted that generally the longer the program the better (Bull, 2003).

In the absence of research that studied length of diversion programs as a variable factor, a review of existing diversion programs was conducted. The following diversion programs were contacted; ACHIEVE (Oregon, OH), Cape Island District Attorney's Office (Barnstable, MA), Clean Break (Appleton, WI), Enlight (Waukesha, WI), Denver County District Attorney's Office (Denver, CO), Fairfield Police Department (Fairfield, OH), North Star Juvenile Diversion (Golden Valley, MN), Pennington County States Attorney's Office (Rapid City, SD), Putnam County Sheriffs Department (Palatka, FL) and The City of Wilsonville (Wilsonville, OR). These programs varied in length from 90 days up to one year with the majority falling in the 6-9 month range. A complete summary of the information gathered for the above diversion programs is included in Appendix F – Diversion Program Contacts.

Contracts

Although little evidence exists that verifies the effectiveness of contracts, the concept of a contract between the diversion program and the participant received some consideration. Stuart and Lott's (1971) work proved helpful in recommending contracts. According to their study, "despite optimistic expectations that the details of behavioral contracts would be differentially associated with client outcomes, no such differences were apparent" (167).

However, although "research suggests that while the content of contracts per se may not matter, the existence of a contract may predispose family conflicts towards successful resolution" (Stuart & Lott, 1971, p. 167). Overall, "It can be said that the contracting process is indeed useful; ... The tactics of service delivery in intervention in the natural environment may rival in importance the means of intervention they deliver" (Stuart & Lott, p. 169).

Class Specifications

In determining what would be an effective class size, several methods were pursued. First, a literature review was undertaken that looked for studies where class size was evaluated and not a control factor. Secondly, research was done on existing diversion programs to see what type of class size and structure they utilize.

A study done by Ohio State University Extension recommends class sizes of 8-10 juveniles; males, females or a combination (Hitchcock, 1996). This study was of twelve different diversion programs, in differing Ohio counties. The programs were all led by 4-H agents. The diversion program taught participants communication skills, organization skills, decision-making skills, and mandated community service. The study found that classes should be small enough to allow individual attention, but large enough to allow group activities.

A 2004 study, done by the Policy and Program Study Service of the U.S. Department of Education, specifically focused on academic class size. The study found that students who were randomly assigned to smaller academic classes (of 13-17 students per class, in grades K-3) outperformed students in regularly sized classes (of 22-25 students) at statistically significant levels. There are questions about whether it is beneficial to have more classes if the instructors

are not as qualified. However, instructor qualification being equal, smaller class size is better (U.S. Department of Education, 2004).

Two studies of cocaine users in treatment for anger management show that improvement is noticeable in groups of 5-10. It should be noted that in these studies, the participants were receiving treatment from counselors with master's level training (or higher) in cognitive behavioral therapy, group therapy, and/or substance abuse treatment (Carroll, Rounsaville & Gawin, 1991; Smokowski & Wodarski, 1996).

In the survey of existing programs, most were found to utilize a class structure. The DuPage County (IL) diversion program is typical of most diversion programs, capping classes at 20 juveniles. They normally have classes of 15-20 at one time (DuPage County Bar Association, 2008). Some diversion programs do not use a class structure. Thurston County, Washington uses a 'fast track' approach that has been studied and lauded. The participants are seen one on one by a board of volunteers. This board meets with the youth and formulates a diversion contract which may include community service, restitution, or counseling (Porpotage, 2003; Washington State Institute for Public Policy, 1997). Similar in structure to the Thurston County program, the ACHIEVE juvenile program in Oregon, OH, does not use a class format. All participant cases are handled individually. The program staff determines the necessary time of community service or counseling, both of which are performed by partners, not by the ACHIEVE project itself (R. Jardy, personal communication, October 7, 2008).

Probationary Period

Although court-ordered probation and a 'probationary period' within diversion programs both have the same intent of helping a youth avoid the effects of confinement in a correctional facility, an important distinction must be made between the two. Court ordered probation, with which some diversion programs pair, retains a large body of research detailing the effectiveness of its programs. However, there is minimal research available as to the 'probationary period' of a diversion program. The following evidence coincides with research about the many types of court-ordered probation, some of which are more effective than others.

Probation is generally effective. It has been noted that the greater the number of contact hours a youth has with a service worker, the greater the positive effect (Lieb, 1994). There is a large body of research demonstrating the saving and benefits accrued by putting eligible offenders on probation instead of incarcerating them. In Wisconsin, conditions of probation for youth are weekly contact in State probation offices, including monitoring and supervision, for twelve months. The annual cost of this service is approximately \$2,160 (Small, Reynolds, O'Conner & Cooney, 2005).

However, there are some types of probation programs that have been shown to be ineffective at reducing recidivism. These include "Shock" probation programs (i.e. Scared Straight); restitution ordered as the sole condition of probation, early release from probation/parole and wilderness/challenge programs (Austin, Johnson & Weitzer, 2005). Also, probation is ineffective when it is defined as a once a month visit to a probation officer for a 5-20 minute check of whether or not a youth is fulfilling court order and probation requirements (Siegel & Senna, 1991).

Many existing juvenile diversion programs incorporate a 'probationary period' in which, after

finishing the other requirements of the program, clients are required to maintain contact with diversion staff for a predetermined period of time. As to the effectiveness of a 'probationary period', the research of the National Center for Mental Health and Juvenile Justice (NCMHJJ), Substance Abuse and Mental Health Service Administration (SAMHSA) and the Office of Juvenile Justice and Delinquency Prevention (OJJDP) were consulted and found lacking in studies where the 'probationary period' was specifically isolated to determine effectiveness.

Curriculum Review of Existing Diversion Options

One of the main goals of research was to find an evidence-based curriculum or program employing best practices for use in a juvenile diversion program for Waukesha County. Evidence-based model programs incorporate strategies, activities and principles that have been shown through scientific research to be effective and reliable after undergoing extensive evaluation (Small, Reynolds, O’Conner & Cooney, 2005).

Research showed how important utilizing a holistic treatment method was to addressing the problems which might lead a juvenile to commit criminal offenses. In order to find a program that offered the most comprehensive and all-inclusive approach for diversion, programs that addressed a wide range of issues across the juvenile justice spectrum were considered. In particular, programs recommended by Blueprints for Violence Prevention, the Office of Juvenile Justice and Delinquency Prevention, the Substance Abuse & Mental Health Administration and Washington State Institute for Public Policy were evaluated.

As part of research for the diversion program in Waukesha County, curricula and programs were evaluated based on how well they conformed with the research done on anger management, behavior modification, collaboration with community partners, holistic methods, competency development, mentoring, and restorative justice. Also considered were: the age range of the target population, whether drug abuse was covered prominently, the extent of family involvement, logistical/staffing needs, and number of times the program/curriculum had been duplicated.

Based on the evaluation criteria, the following curricula/programs were reviewed as inappropriate for the purposes of juvenile diversion in Waukesha County:

Aggression Replacement Training	Multisystemic Therapy
Adolescent Transitions Program	Parenting With Love and Limits
Cognitive Behavioral Therapy	Positive Adolescent Choices Training
Family Solutions Program	Project Back on Track
Family Integrated Transitions (FIT)	Repeat Offender Prevention
Functional Family Therapy	Repeat Offender Prevention Program
Indianapolis Restorative Justice Project	School Based Probation
Intensive Probation Supervision	Standard Probation
JobCorps	Strengthening Families Program (Iowa State University-Extension)
JOBSTART	Truant Recovery Program
Life After Incarceration	

The following curricula/programs were reviewed according to the above criteria and were considered as possibilities for inclusion in a juvenile diversion program for Waukesha County:

Creating Lasting Family Connections	Real Colors
Michigan State Adolescent Diversion Project	Success in Stages
Prime for Life	Teen Outreach Program

Creating Lasting Family Connections

Overview

Of all the curricula and programs that were reviewed, the Creating Lasting Family Connections (CLFC) program seemed to offer the most comprehensive package for a juvenile diversion program in Waukesha County. The CLFC serves youth ages 9 to 17 and their families in low to high risk environments. It has been implemented in 50 states and a number of foreign countries with a variety of racial and/or ethnic backgrounds including African American, Hispanic, Asian and Native American populations. Creating Lasting Family Connections is designed for use in a community-based system that provides significant contact with parents and youth and is linked with other human service providers. It has been conducted in community based settings including recreation centers, juvenile justice facilities and churches. The curriculum is most effective when parents and youth are each involved simultaneously in their own separate three-module track lasting 15-18 sessions. The ideal program length is one year (Office of Juvenile Justice and Delinquency Prevention, 2008).

Program Components

The Creating Lasting Family Connections program involves three parent and three youth training modules, each consisting of five or six weekly sessions. Parent trainings are designed to increase parent resiliency among a variety of topics including increased knowledge of ATOD (Alcohol, Tobacco, and Other Drugs) abuse, family management skills and communication skills. Youth trainings are similarly designed to increase resiliency through teaching communication and refusal skills and encouraging bonding with family. The final component of the CLFC involves early intervention and case management services. Case management services are administered for 6 months following the parent and youth trainings (Office of Juvenile Justice and Delinquency Prevention, 2008).

After an extensive review of Creating Lasting Family Connections, it was determined that behavior modification, community involvement, holistic treatment methods, interpersonal skills and evaluation are the research-based components present within the curriculum. An extensive documentation of the CLFC review conducted by the research team is included in Appendix D – Creating Lasting Family Connections (CLFC) Review.

Training & Costs

The Creating Lasting Family Connection's training involves a 5-10 day training offered by the developer. This can be done at numerous trainings across the country as well as onsite. The cost of training facilitators depends on the number of people being trained and the training location. The cost for the complete CLFC package can range from \$3,000 to \$7,500 depending on a number of specific variables. Specific to Waukesha County, it has been determined that because the curriculum has already been purchased by UW-Extension, off-site training for qualified facilitators would be \$750 per individual, plus travel and lodging (Council on Prevention and Education: Substances, Inc., 2008).

Copyright Restrictions

The Creating Lasting Family Connections program utilizes participant workbooks for each of the three modules throughout the 15-18 sessions. As a result, copyright restrictions were discussed with CLFC staff to determine if the workbooks could be photocopied. Copyright laws do allow

for the photocopying of workbook material if the workbooks are purchased with the CLFC program in its entirety. (T. Strader, personal communication, September 24, 2008)

Enlight Graduate Telephone Survey

The results of the survey of Enlight, Inc. graduates did not reveal any overwhelming trends. Program participants were asked to evaluate the effectiveness of Enlight program components by answering three questions: 1) What did you like the most about Enlight?, 2) What did you like the least about Enlight?, 3) What would you change or add to the program? Many of the graduates felt strongly about certain issues and aspects of the program. However, the areas where graduates chose to praise or criticize Enlight were varied. The varied responses and a 17% sample size make any sort of definitive conclusions difficult.

Some common themes in graduate responses were that the nutrition and personal finance classes were appreciated. There is no data to show that these specific classes are effective per se, however 18% of graduates independently said that those respective classes were beneficial and should be included in any future diversion program. Another common theme was that graduates found that a “tough” approach from staff helped them realize the gravity of their situation. This helped them to realize the depth of their predicament. It should be noted that the “tough” approach from staff was pursued based solely on staff decision and not based on any documented research.

The meditation class was considered by some graduates to be boring or unnecessary. Also instructive is the fact that the meditation class received no positive comments. Several graduates (9%), felt that the program was not equitable because it allowed some students who broke the rules to continue receiving instruction and treatment. Other notable concerns, from 14% of graduates, were that the schedule of Enlight was overly burdensome or inconvenient.

In all, most graduates felt that the program was effective and needed only minor changes at most. In response to the question “What would you change or add to the program?”, 36% either replied “Nothing.”, or had no strong opinions. Also, 14% expressed a desire to know more about the criminal justice system as it applied to their particular offenses.

A methodological bias is certainly present. This being that the survey was only conducted among graduates of the program and not unsuccessful participants. If a survey were to be conducted among unsuccessful participants, undoubtedly more information would be revealed. Due to the dissolution of Enlight, Inc. there is no documentation regarding the number of participants who failed to complete the program. Documentation of the Enlight Telephone Survey is included in Appendix E – Enlight Graduate Telephone Survey.

Recommendations for Waukesha County

Based on the research that is contained in this report and the corresponding logic model in Appendix A, the following pages outline the authors' proposals for implementing a juvenile diversion program in Waukesha County. A list of strategic planning questions, included in Appendix G, was developed to assist in creating the most comprehensive program recommendation.

It is important to note that the following recommendations represent an ideal juvenile diversion program. Although every effort should be made to include multiple research-based program components, it may be necessary to scale back on the final product based on available program resources and the needs of the community. A summarized handout version of the recommendations is included in Appendix I – Recommendation for a Diversion Program in Waukesha County.

Organization Structure

It is our recommendation that the structure of a diversion program in Waukesha County be a nonprofit program, modeled after other diversion programs currently in existence. The nonprofit distinction would increase legitimacy of the organization and provide tax advantages. It would also avoid the moral hazard that a for-profit agency may face of trying to divert as many people as possible from the system to generate an income. Refer to Appendix H for comparisons between possible organizational structures.

A board of directors, subdivided into appropriately chaired committees, could provide a governing system for the organization. The board would be responsible for providing a system of checks and balances for the diversion program. Possible members of the board are covered below in the 'Community Collaborations' section.

Program Structure

The ideal diversion program should consist of: a screening process, 12-14 weeks of classes, random drug tests, mandatory community service, mentoring, six months of case management following classes, an exit/evaluation process and family involvement. The recommended complete running time of the program is 9 months. Depending on the number of program staff, multiple sessions could run simultaneously. All of the individual program components are explained below.

Funding

The diversion program would be funded by various sources. First and foremost, the program will charge a fee for enrollment. This fee should be sufficient for the diversion program to cover most of the operating and staffing costs it will incur. Operating costs that the enrollment fee will need to cover include: staffing, office space, office and classroom supplies, drug testing, and service fees that partnering organizations might charge. Private donations could also be solicited and grant funding should be pursued. The funding received from private donations and grants could be devoted towards start up costs, program expansion, or offering scholarships to participants who cannot afford the enrollment fee. For additional clarification regarding program funding, please refer to the 'Program Eligibility and Fees' section.

Staff

Ideally, the program would be staffed by a minimum of 3.5 full time equivalents (FTE's). These staff positions could include a full-time Executive Director, two full-time Case Managers and a part-time Administrative Assistant. The Executive Director would be responsible for program development, acquiring funding, and maintaining community partnerships. Case Managers would be responsible for conducting initial interviews, facilitating classes, and counseling. The Administrative Assistant would be responsible for general correspondence, maintaining class schedules, and fulfilling daily office tasks.

Community Collaborations

To maximize program effectiveness, it is important to collaborate with a multitude of community partners. Since there are several community organizations who are stakeholders for juvenile justice, a diversion program should pursue the support of as many of these advocates as possible.

A strong partnership with the District Attorney's Office of Waukesha County would be essential. The District Attorney's office would likely serve as the main source of referrals for the diversion program. In addition, other possible sources of referrals may include police departments, private attorneys, public defenders, juvenile court, the Chief of Police Association, and the Department of Health and Human Services (DHHS). Besides referral sources, community organizations that may be interested in collaborative efforts include The Addiction Resource Council, La Casa de Esperanza, mentoring agencies, UW-Extension, UW-Waukesha, Waukesha County Technical College (WCTC) and Workforce Development.

In Waukesha County, the most efficient way to pursue community support would be to make personal contact with individuals and organizations who worked with Enlight Inc., the previous diversion program in Waukesha. After reengaging the support of previous diversion partners, the next step would be to invite additional juvenile diversion stakeholders to join in the collaboration. Perhaps the best way to present the initiative would be to host a formal presentation highlighting the research, recommendations and proposed plan for a juvenile diversion program within Waukesha County to all interested organizations.

Assuming a board of directors or steering committee is established, it would be advisable to fill many of the seats on the board with representatives from community collaborative efforts. Seating partners on the board will provide oversight and increase the spirit of collaboration between the respective organizations and the diversion program.

Program Eligibility & Fees

Participation in the diversion program is voluntary. To be eligible for participation, candidates must apply to the diversion program after receiving a recommendation from a referral source. Ideally, eligible candidates will be those youth between the ages of 14-20, separated by age, who are facing misdemeanor or low-level felony charges. Additionally, candidates may not have prior criminal convictions. If an individual does not complete the application process, or declines to participate, he/she will be referred back to the referral source for formal charging.

It is recommended that a fee of up to \$1000 per participant be implemented to cover the costs of staff, office space, office supplies, drug testing, curriculum, training, technology, and service fees. This figure was determined based on the range of fees charged for other diversion programs across the nation. Since the cost of the program may present a financial problem for some

potential participants, it is advisable that the diversion program applies sliding scale rates and/or maintains a scholarship fund for qualified individuals.

One way to justify a \$1000 fee is to calculate the anticipated amount of staff time per participant throughout the 9-month diversion program. An estimated 88-100 hours of staff time per participant would be required when you consider a 2-hour initial interview, 72-84 hours of class time, 12 hours of case management and 2 hours allotted for follow-up and evaluation. If you divide \$1000 by the estimated hours of staff time per participant (88-100 hours), it ranges from \$11.36-\$10.00 per hour.

Another way to justify the fee is to calculate the \$1000 cost solely for the 12-14 week juvenile diversion class session and compare it to a one-credit course offered by the University of Wisconsin-Waukesha. As previously stated, 12-14 weeks of classes in the proposed diversion program is equivalent to 72-84 hours of class time. When \$1000 is divided by 72-84 class hours, it equals a cost of \$13.89-\$11.90. In comparison, the 2007-2008 semester cost per credit at the University of Wisconsin-Waukesha for a Wisconsin resident is \$189.83 (University of Wisconsin Colleges, 2008). Figuring that a UW-Waukesha student spends 12 hours in class for a one-credit course each semester, the cost of one class hour at UW-Waukesha is equal to \$15.82.

Initial Interview

Once referred and accepted to the diversion program, an individual would participate in an initial interview. This initial interview would consist of a meeting with parents and youth to complete the intake process. A drug test may or may not be required. The initial interview will include a brief orientation of program requirements to familiarize parents and youth with their responsibilities. An assessment of individual client needs will be administered. Lastly, the initial interview will involve drafting a program contract that incorporates program expectations and youth goals throughout diversion completion. Staff, youth and parents will work together to write the contracts. Program staff and parents will be responsible for ensuring that the contract is followed.

By agreeing to participate in the diversion program, youth will be required to participate in the full length of the recommended 9-month program. Suggested requirements include abiding by signed contracts, remaining drug and alcohol free, maintaining regular attendance at school, attending 12-14 weeks of diversion classes, participating in random drug screenings, paying program fees in full, completing community service, and attending all meetings with a Case Manager.

Classes & Curriculum

Once a youth has completed the initial interview, he/she will be enrolled in the class portion of the diversion program. Participants will be divided into appropriate age groups for class periods.

Classes will be conducted 2 nights a week for 2-3 hours lasting for 12-14 weeks. To deliver programming effectively, each class should be taught by 2 staff members. It is recommended that no more than 20 participants be enrolled in each session, with some attrition expected. Ideally, youth will be separated based on gender, age and level of crime whenever possible. Minimally, youth will be separated based on age, the dynamics of dealing with a 14-20 year old age range demand that participants be separated. In order for the participants to benefit from the classes, they need to be comfortable. Having peer groups that do not vary widely in age will

reduce the possibility that participants feel negatively about the classes. There will be a mandatory parent/caregiver component, which will last for 3-8 class sessions. The proposed start date for classes is February of 2009; in a given calendar year, the program could run between 4-8 sessions.

The Creating Lasting Families Connections (CLFC) curriculum would be the foundation of the educational component for the 12-14 weeks. Diversion program staff trained in Creating Lasting Family Connections would facilitate these classes. CLFC training costs \$750 per individual, plus travel and lodging. The individuals trained should maintain consistency in presenting class sessions.

In addition to the CLFC, we recommend that guest speakers compliment the formal curriculum during class by addressing topics that focus on criminogenic risk factors (Appendix B – Criminogenic Risk Factors and Appendix C - Common Risk and Protective Factors for Juvenile Delinquency). A mandatory training is recommended for all guest speakers prior to their participation as classroom presenters. Guest speakers will be invited to participate in classes based on the appropriateness of subject matter and presentation effectiveness. Suggested subject matter for guest speakers includes stress/anger management, budgeting, nutrition, employment and how to navigate the court system. Staff and youth should evaluate these speakers on a regular basis.

Drug Testing

Drug testing is an important tool that deters risky behavior. Participants should be informed that they will be randomly drug tested throughout the program. Case managers will test at their discretion. Considering the cost of drug testing, a maximum number of three drug tests should be included in the budget. However, participants should not be informed as to the maximum number of drug tests they will likely receive as this might allow them to calculate when they will be tested.

Case Management

Following the completion of 12-14 weeks of class, case management will be provided for each participant every other week for up to one hour at each session. The case management period will continue for 6 months after the completion of the class. During the case management sessions youth will meet with a case manager to follow up on the completion of program requirements and address issues as related to the individual. Drug testing may also be administered during this portion of the program.

Restorative Justice

Along with class participation, youth will be required to participate in restorative justice whenever applicable. This includes payment of monetary restitution and/or victim service restitution. Additionally, it is recommended that participants complete up to 40 hours of community service restitution, regardless of their offense. Program staff will explain the purpose of community service and provide opportunities for youth to complete this requirement. Recommended community service opportunities include services related to offenses and group outings, if applicable. Hours will be completed outside of class time and youth will have the entirety of the 9-month program to fulfill their obligation. Participants will be required to provide appropriate documentation of community service hours so that program staff can verify that the information is correct.

Mentoring

It is recommended that a mentor program be established to provide youth with positive role models. Ideally, each youth would be partnered individually with a same sex mentor. Youth and mentor would meet outside of class time once a week for a minimum of one hour. The mentor component would last throughout the duration of the program. Our research indicates that for a mentoring program to be effective, it must be done appropriately and according to pre-established successful procedures. A mentoring program should not be undertaken if there are not sufficient monetary and human resources to sustain it.

Due to the laborious task of establishing an in-house mentor component, it is recommended that a partnership be established with a local organization that specializes in mentoring programs. Possible partners might include Big Brothers/Big Sisters, Waukesha County Technical College, and UW-Waukesha. The mentoring program must contain a screening process, yield parental support, and match youth and mentors appropriately.

Evaluations

In order to ensure effective practice and implementation of the diversion program, evaluations will need to be conducted. Evaluations should focus on curriculum, speakers, community service, mentors, case management and the overall program. Curriculum will be reviewed after every 12 -14 week class session. Speakers will be evaluated after each class. The components of community service and mentoring will be evaluated after the requirements have been fulfilled. After the completion of the program, case management and the overall program will be evaluated. Each youth's success in this program will be measured by recidivism rates based on a follow up survey, conducted one year after program completion. These evaluations will be administered by program staff.

Program Completion

To successfully complete this program, youth will be required to attend all classes, complete community service hours and participate in the mentoring and case management components. Once youth have met all of the program requirements, they will receive a certificate verifying completion. Youth may also be asked to participate in a formal recognition celebration in partnership with a community organization. Upon completion of the program, the referral source will be notified. If an agreement has been previously reached with the District Attorney's Office and/or referral source, formal charges will be dropped from the participant's record.

Appendices

Appendix A – Proposed Program Logic Model

Juvenile Diversion Program Logic Model

OUTPUTS			OUTCOMES		
INPUTS	WHO WE REACH	ACTIVITIES	SHORT TERM OUTCOMES*	MEDIUM TERM OUTCOMES*	LONG TERM OUTCOMES*
<p>In order to accomplish our goals we will need the following resources</p> <ul style="list-style-type: none"> - Participants - Participant Fees - Parents - Volunteers - Diversion Staff - Interns - Grants / Funding - Community Partnerships - AmeriCorps VISTA - Addiction Resource Council - District Attorney - DHHS - Juvenile Court - La Casa de Esperanza - Mentoring Agencies - Private Attorneys - Public Defender - UW-Extension - UW-Waukesha - WCTC - Workforce Development 	<p>The following individuals will benefit from inclusion in a juvenile diversion program</p> <ul style="list-style-type: none"> - First-time offenders ages 14-20 charged with misdemeanors and/or low-level felonies & their families - Crimes may NOT include the following: <ul style="list-style-type: none"> - Sexual Assault - Violent Felonies - Repeat Offenders 	<p>Accomplishing the following activities will result in evidence of progress</p> <ul style="list-style-type: none"> - Pre-Screening & Family Assessment - Contracts - Creating Lasting Family Connections Curriculum (the foundation of the 12-14 week program) - Additional Competencies <ul style="list-style-type: none"> - Participant Goals - Anger Management - Budgeting - Nutrition - Employment Information - Navigating the court system - Community Service - Mentoring - Family Involvement - Case Management - Program Evaluations 	<p>We expect the following measurable changes within the span of the 9 month program</p> <ol style="list-style-type: none"> 1. Participants develop goals for their future 2. Participants receive referrals and treatment for individual social service needs. 3. Participants develop skills for independent living. 4. Participants experience pride and community connection through service and mentoring. 5. Participants build closer bonds with family members. 6. Participants diverted from the criminal justice system. 	<p>We expect the following measurable changes within the next one to three years</p> <ol style="list-style-type: none"> 1. Participants choose to avoid criminal activity. 2. Participants choose drug free and healthy lifestyles. 3. Reduce the frequency of use of ATOD 4. Reduce antisocial, violent and deviant behavior 5. Participants are aware of and enrolled in appropriate educational settings. 6. Participants are aware of job options and are able to obtain employment. 7. Reduce the need for criminal justice resources and services 	<p>We expect the following impacts/trends within the next three to seven years or more</p> <ol style="list-style-type: none"> 1. Reduce recidivism among participants 2. Participants choose drug free and healthy lifestyles. 3. Reduce the frequency of use of ATOD 4. Reduce antisocial, violent and deviant behavior 5. Participants are aware of and enrolled in appropriate educational settings. 6. Participants are aware of job options and are able to obtain employment. 7. Reduce the need for criminal justice resources and services

Appendix B - Criminogenic Risk Factors

The following table is a compilation of criminogenic risk factors. Criminogenic risk factors are those which are empirically linked with antisocial behavior. Risk factors are divided into dynamic or static categories. Dynamic risk factors are those stemming from attributes that can be changed. Static risk factors are those which are primarily unchangeable, such as historical attributes. Empirical research focused on 'risk and protective' factors was an outgrowth of resiliency research, which began in the 1950's. Risk factors are also directly related to the probability of re-offending (Flores, Russell, Lateesa & Travis, 2005).

<u>Community</u> <ul style="list-style-type: none">- Availability of drugs- Media portrayals of violence- Transitions and mobility- Economic and social deprivation- Low neighborhood attachment and community disorganization	<u>Family</u> <ul style="list-style-type: none">- Family history of problem behavior- Family management problems- Family conflict- Parental attitudes and involvement
<u>Individual/Peer</u> <ul style="list-style-type: none">- Alienation, rebelliousness- Early initiation of problem behavior- Friends who engage in problem behavior- Favorable attitudes towards problem behavior	<u>School</u> <ul style="list-style-type: none">- Early anti-social behavior- Academic failure in elementary school- Lack of commitment to school

Source: McPhail, M. & Wiest, B. (2007). *Combining Alcohol and Other Drug Abuse Treatment with Diversion for Juveniles in the Justice System*. Rockville: U.S. Department of Health and Human Services Substance Abuse and Mental Health Services Administration.

Appendix C – Common Risk and Protective Factors for Juvenile Delinquency

Risk Factors	Protective Factors
Individual Level	Individual Level
<ul style="list-style-type: none"> • Early initiation problem behavior • Early and persistent antisocial behavior • Low IQ • Hyperactivity • Rebelliousness • Favorable attitudes toward deviant behavior • Involvement in other problematic or dangerous behavior 	<ul style="list-style-type: none"> • High IQ • Intolerant attitudes toward deviant behavior • Positive social orientation • Ability to feel guilt • Trustworthiness
Family Level	Family Level
<ul style="list-style-type: none"> • Family history of criminal or delinquent behavior • Family conflict or violence • History of maltreatment • Parental psychopathology • Teenage parenthood • Poverty 	<ul style="list-style-type: none"> • Good relationships with parents • Good family communication • Parents/caregivers who possess strong parenting skills
Peer Level	Peer Level
<ul style="list-style-type: none"> • Friends who engage in delinquent behavior • Peer rejection 	<ul style="list-style-type: none"> • Non-delinquent friends (or pro-socially oriented friends)
School Level	School Level
<ul style="list-style-type: none"> • Academic failure or poor performance beginning in late elementary school • Lack of commitment or bonding to school • Low academic aspirations 	<ul style="list-style-type: none"> • Positive commitment to school • Academic achievement • Strong school motivation • Positive attitude toward school
Community Level	Community Level
<ul style="list-style-type: none"> • Availability of drugs and weapons • Low neighborhood attachment and community disorganization • Media portrayals of violence • Extreme economic deprivation • Concentration of delinquent peer groups 	<ul style="list-style-type: none"> • Non-disadvantaged neighborhood • Low neighborhood crime • Community norms and laws that condemn drug use, crime and deviant behavior • High neighborhood stability and cohesion

Source: Adapted from Small, S.A., O’Conner, C. & Cooney, S.M. (2005) *What Works Wisconsin: What Science Tells Us about Cost-Effective Programs for Juvenile Delinquency Prevention*. Madison, WI: University of Wisconsin-Madison/Extension.

Appendix D – Creating Lasting Family Connections (CLFC) Review

Team Review

1. Youth Module – “Developing a Positive Response”
 - Youth examine their knowledge, attitude, beliefs and skills regarding alcohol and drug issues
 - Lays foundation for communication with family and friends regarding alcohol and drug issues
 - Examines negative pressures and negative behaviors within youth social environment
 - **Reviewed as BENEFICIAL for all youth in juvenile diversion program, especially youth with alcohol and drug issues**
2. Adult Module – “Developing Positive Parental Influence”
 - Participant discuss facts and feelings about chemical use, abuse, and dependency
 - Participants develop a practical understanding of intervention, referral procedures, and treatment options
 - Participants engage in an in-depth look at the dynamics of chemical dependency and its impact on families
 - Participants learn to role model behavior for their children
 - **Reviewed as OPTIONAL module for parent participation, especially BENEFICIAL for parents of teens with alcohol/drug issues**
3. Youth Module – “Developing Independence and Responsibility”
 - Youth learn tools for recognizing, naming and expressing their thoughts and feelings
 - Youth learn to control behaviors as a result of emotions and provide effective feedback for others
 - Youth examine personal responsibility in their family life, and focus on developing personal independence and responsibility for adulthood
 - **Reviewed as BENEFICIAL module for all youth in juvenile diversion program**
4. Adult Module – “Raising Resilient Youth”
 - Participants practice showing love, acceptance, and warmth of the parent toward the child
 - Participants learn effective methods of sharing feelings and communicating with their child
 - Participants develop and implement expectations and consequences with their children in all areas of interest a
 - **Reviewed as BENEFICIAL module for all parents of youth in juvenile diversion program**
5. Youth and Adult Module - “Getting Real”
 - Youth session can be divided based on participant gender
 - Promotes greater awareness of types of communication responses
 - Promotes various levels of depth of communication, and the impact these factors may have on the receiver of the communication.
 - Youth practice skills of self-awareness and mutual respect
 - **Reviewed as BENEFICIAL module for all youth in juvenile diversion, OPTIONAL module for parents**

Appendix E – Enlight Graduate Telephone Survey

Survey Date(s): 9/18/2008 – 10/14/2008
Number of Responses: 22
Total Number of Enlight Graduates: 126
Survey Size: 17%

Survey Questions:

1. What did you like the most about Enlight?
2. What did you like least about Enlight?
3. What would you change or add to the program?

Note: The percentage calculations of the following responses are skewed, at times totaling more than 100%. This is due to the fact that several respondents gave answers that corresponded to more than one category. (Responses have been paraphrased and/or summarized for brevity.)

What did you like most about Enlight?

Response	Number	Percent
Learning about the negative effects of, and alternatives to using, ATOD	3	14
Drug testing kept participants 'clean'	2	9
Nutrition Class	4	18
Budgeting/Personal Finance Class	4	18
Job Skills Class	2	9
Being with peers in a similar situation	4	18
Learning about consequences of certain behaviors	3	14
It gave participants a second chance	4	18
Staff intimidation helped participants see their errors	4	18

What did you like least about Enlight?

Response	Number	Percent
Nothing; fine as is	4	18
Attitude / behavior of certain staff members	4	18
Some of the speakers were 'boring'	2	9

The schedule; class time	3	14
The attitude of other students; some were not behaving but still allowed to continue in the program	2	9
The portfolio wasn't necessary	1	4.66
Nutrition presentation was not necessary	1	4.66
Too much parental involvement	1	4.66
The meditation speakers were not effective	2	9
It lacked professionalism	2	9

What would you change or add to the program?

Response	Number	Percent
Nothing	4	18
Nothing, the program was effective	2	9
It should be expanded to help more clients	1	4.6
The program should be more individually focused.	2	9
Better explain the justice system; make sure participants know the potential penalties for criminal behavior	3	14
Increase the frequency of drug testing	2	9
Place more emphasis on addiction and rehabilitation	1	4.6
Bring in reformed juvenile offenders to inspire current students	1	4.6
Have class earlier in the day	1	4.6
Change certain staff	1	4.6
No opinion / no answer	4	18

For further information about Enlight, Inc. and the results of this survey, contact the authors.

Appendix F – Diversion Program Contacts

In an effort to understand the current trends in juvenile diversion, the research team collected basic information from a variety of diversion programs across the state and nation. Information related to program structure, program length, curriculum and cost was of specific interest. In the absence of web-based answers, personal phone calls were made to diversion programs. The following is a summary of programs that are either currently operating or have operated within the past year.

ACHIEVE

Juvenile Diversion Program

Oregon Police Division

5330 Seaman Rd

Oregon, OH 43616

Phone: (419) 698-7103 or (419) 698-7188

<http://www.ci.oregon.oh.us/ctydpt/police/cmmntyplcng/cmmntyplcng.htm>

“The ACHIEVE Juvenile Diversion program seeks to employ a broad-based, comprehensive approach to juvenile delinquency and unruliness by applying the principles of restorative justice. After committing a non-violent delinquent offense or an unruly act, a juvenile is referred to the ACHIEVE program instead of being charged through county juvenile court system. The juvenile will be required to complete a contract, which may include the performance of community service, mentoring or life-skills training, family education, asset building, addiction services, substance abuse testing, counseling, restitution, and letters of apology. Once all tenets of the individually tailored contract are completed, the juvenile is released from the program and will not be charged criminally. The program is designed to promote a sense of responsibility to one's community, one's family and one's self” (ACHIEVE Juvenile Diversion Program, 2008).

Cape and Island District Attorneys Office

Juvenile Diversion

3231 Main St.

Barnstable, MA 02630

Phone: 508-362-8114

<http://www.mass.gov/da/cape/juvjustice.htm>

Participants may qualify for Cape and Islands District Attorney's Juvenile Diversion Program if they are first time non-violent offenders between the ages of 7-17. Local police departments, juvenile probation, clerk magistrates, and school personnel refer participants to the program. There is a \$0 cost for diversion program participation (Nora, personal communication, September 30, 2008).

A juvenile is eligible for participation if they do not have a prior criminal record and are willing to complete all requirements of the program. The juvenile and parent must sign a contract agreeing to perform community service, remain drug and alcohol free, submit to random urine testing, counseling (if appropriate), and payment of restitution. Consequences are based upon the charge. A caseworker supervises each juvenile over the course of 6 months. Once a participant successfully completes the program requirements, the criminal complaint is dismissed so that a criminal record does not exist (Commonwealth of Massachusetts, 2008).

Clean Break Juvenile Diversion

1009 E Northwood Dr,
Appleton, Wisconsin 54911
(920) 731-7474

<http://www.wisspd.org/html/pub/preleases/05-0512.asp>
<http://www.youthnetwork.org/listing.aspx?lid=1391099>

The Clean Break Juvenile Diversion Program is a grant funded community-based program. Youth participants, ages 14-17, are referred to the program by local police departments, schools and juvenile courts. Once admitted into the program, youth participate two days per week in classroom sessions, including a taekwondo class. Additionally, eight hours of community service are required. Parents are involved throughout the entirety of the program. A banquet is hosted for program graduates after successful completion. There is \$0 cost for participation in the diversion program (Sandy, personal communication, September 30, 2008).

Denver County District Attorneys Office

Juvenile Diversion Program
303 West Colfax Avenue, 11th floor
Denver, CO 80204
Phone: 720-913-9013

http://www.denverda.org/Prosecution_Units/juvenile_diversion/juvenile_diversion.htm

In the Denver County Juvenile Diversion Program, one program coordinator and 4 officers operate the program out of the District Attorney's Office. The cost for the program is \$150, payable at intake. Eligible first time offenders, referred to as clients, participate in programs based on their needs. Courses include cognitive-behavioral programming, specialized client services (i.e. substance abuse treatment), family intervention and restorative justice. In addition, all clients complete restitution and must perform community service (Denver District Attorney, 2008).

Enlight, Inc.

Juvenile Diversion Program
515 W. Mooreland Blvd.
Waukesha, WI 53188
(Program operational until 10/31/2008)

The Enlight program is a diversion program that offers an alternative to the court system for first-time offenders, ages 15-20. Most participants of the program are charged with misdemeanors and low-level felonies and are referred by the Waukesha County District Attorney's Office.

The 12-week classroom portion of the program focuses on behavior change, relationship management, employability, leadership development, stress management, substance abuse education, financial management and judicial system review. Community service completion is also required. Following the classroom sessions, participants meet for 3-6 months with a case manager to ensure successful completion of program requirements. The program costs \$750 for misdemeanor offenses and \$1000 for felonies.

Fairfield Police Department

Juvenile Diversion Program

5230 Pleasant Ave.

Fairfield, OH 45014

Phone: 513-829-8201

Fax: 513-867-6009

Email: police@fairfield-city.org

http://www.fairfield-city.org/Police/Programs/Juvenile_Diversion_Program_667.cfm?&style=print

Funded by the city of Fairfield, Ohio, the Fairfield Police Department operates a juvenile diversion program for first-time offenders with the following offenses: misdemeanor drug/alcohol offenses, theft, criminal vandalism/criminal damage, criminal trespassing, disorderly conduct, curfew violations, and statutory offenses. Participation in the program is voluntary.

Once referred to the program, youth and their parents meet with a Diversion Counselor. Contracts are written for both youth and parents to adhere to program requirements. For the following 90 days, youth and parents participate in an individualized treatment plan. Home visits and intensive supervision supplement the curriculum. There is a \$0 cost for diversion program participation. (J. Wessler, personal communication, September 30, 2008).

Northern Star Juvenile Diversion

5300 Glenwood Avenue

Golden Valley, MN 55422

Phone: 763-231-7242

Fax: 763-231-7202

<http://www.juvenilediversion.org/>

The Northern Star Juvenile Diversion Program, conducted through the efforts of the Boy Scouts, diverts youth criminal offenders between the ages of 10-17 from the court system. Instead of formal court procedures, eligible individuals participate in a structured 10-week program. In order to be eligible for participation, the severity of the offense is considered and facts must exist to prove the alleged offense. Additionally, a youth must have no prior criminal convictions (Juvenile Diversion, 2008).

The Northern Star Juvenile Diversion Program is run by 3 part-time staff members and volunteers. Youth are divided into preteen and teenage sessions. The program includes parental involvement, contract agreements, class sessions (with a self-developed curriculum) and a minimum of 16 hours of community service. Youth are monitored for 4 months following the completion of the program. Each program hosts 15-20 individuals and costs \$50 per participant (Juvenile Diversion, 2008).

Pennington County Juvenile Diversion

300 Kansas City Street

Suite 400

Rapid City, SD 57701

Phone: (605)394-6909

Email: jdmail@co.pennington.sd.us

<http://www.co.pennington.sd.us/juvdiv/jd.html>

The Pennington County Juvenile Diversion Program is a collaborative effort between Pennington County State Attorney's Office, Teen Court, Truancy Court and social service agencies.

Individuals, ages 14-17, with misdemeanor criminal charges voluntarily agree to participate in the program. Depending on the offense committed, staff recommend any or all of the following: community service, drug testing, writing an apology letter to the victim, drug/alcohol evaluations, taking classes, mediation and participating on a M.A.D.D. Victim Impact Panel. A service is also available for juveniles who wish to remove tattoos. Youth have 90 days to complete program requirements. There is a \$25 fee to participate in the program (Pennington County South Dakota; personal communication, October 1, 2008).

Putnam County Sheriffs Office

Juvenile Diversion Program
130 Orié Griffin Blvd
Palatka, FL 32177
Phone: (386) 329-1231

The Putnam County Sheriff's Diversion Program is very informal. Parents bring their kids on a voluntary basis for participation. The program lasts for 5 weeks and costs \$0 (M. Garner, personal communication, September 30, 2008).

The City of Wilsonville

Juvenile Diversion Program
Wilsonville, OR 97070
Phone: (503)-570-1519
<http://www.ci.wilsonville.or.us/Index.aspx?page=194>

The City of Wilsonville offers an alternative to juvenile incarceration by enabling youth to make better choices about their behavior for themselves, their families and their future. At-risk youth are referred to the program by the juvenile court system, where participants engage in family counseling and community services (City of Wilsonville, 2008).

Appendix G – Strategic Planning Questions

These questions were devised to help plan the implementation of a diversion program. In a brainstorming session, the authors set out to walk themselves through, step by step, the creation of a new diversion program. Some of the questions were not answered by any research based evidence. The following list is not intended to be comprehensive but should serve as a good platform from which to launch a new diversion program.

Program Structure

- What type of organization will the diversion program be, for profit or non-profit?
- Who will oversee the organization and provide checks and balances?
- What are the requirements for participating in the program?
- What are the benefits of participating in a diversion program?
- How many program staff will be required to administer the diversion program?

Program Length

- What is the recommended length of time for a juvenile diversion program to run?

Program Fee

- What is the going fee for a juvenile diversion program?
- What are the costs of the program?
- What is an estimated budget for program implementation?

Eligibility

- Which offenses will be eligible for participating in a diversion program?
- How will eligibility be determined?

Referrals

- What agencies and/or individuals will refer participants to the diversion program?
- How long after an individual is referred will the program start?
- How many referrals does Waukesha County make for diversion programs in one year?

Intake

- What is the structure and criteria for an intake session?
- How long will intake last?
- Who attends intake?
- What assessment tools will be used?
- Who will administer the assessment?
- Is there a drug test involved?
- Will the Intake include writing a contract?

Contracts

- When will a contract be written?
- Who will the contract be between?
- What should contracts include?

- Who writes the contract?
- What checks and balances will there be to ensure that the contract is being followed?

Class

- What are effective class specifications?
- How many sessions will run each year?
- Will program sessions run simultaneously?
- When will sessions start?
- Who will facilitate class sessions?
- Will a career portfolio be created?

Curriculum

- What research-based curriculum will a diversion program use?
- What are the costs associated with each curriculum?
- What trainings are necessary?
- What are the costs associated with training?

Instructor/Speaker Criteria

- What qualities make an effective speaker?
- What suggested criteria should speakers cover?
- How many times will the instructors/speakers present?
- How many classroom instructors are needed?

Drug Testing

- Who will conduct drug tests? (I.e. Outside agency, Diversion Staff)
- How much does a drug test cost?
- How often will drug tests be administered?

Case Management

- Is case management an effective component of juvenile diversion?
- How long is an appropriate case management period?
- What will the structure of the case management be?
- Who will administer the case management component to participants?

Mentoring

- How will a mentoring component be structured?
- Who will be in charge of overseeing the mentor component within the diversion program?
- What are the costs associated with a mentoring program?
- Will mentors be paid or volunteer?
- What is the ideal age, sex, and race of mentors?
- How will mentors be recruited?
- How will mentors be screened?
- How many mentors do we need?
- How many students will be assigned to a mentor?
- How many times will mentors meet with their students?

- How many hours will mentors meet with their students?
- Will mentoring be a part of class sessions?

Restorative Justice (Community Service)

- Who administers community service opportunities?
- What community service projects will participants complete?
- How many community service hours will be required?
- When will community service hours be completed?
- What will be the system of checks and balances for making sure that participants complete the required amount of community service hours?
- Will restitution be a component of the diversion program?

Evaluation

- What evaluations will be conducted?
- When will evaluations be conducted?
- Who administers the evaluations?

Program Completion

- What are the requirements of program completion?
- How will diversion completion be recognized by the program and community?
- How will the referral source be notified of participant completion?
- Will a celebration, recognition or certificate be planned for the graduates?

Follow-Up

- How will success be measured?
- How will the rate of recidivism be determined?
- Who will track the rate of program success?

Appendix H – Organizational Structure of Proposed Diversion Program

Type	Pro	Con
Independent 501c3	Financial independence; Status within community	Time consuming to start up operations; Establishing a board of directors; Ongoing growth and maintenance of the board; Startup expenses; Fundraising challenges; Liability responsibilities
Partner with 501c3 Waukesha County Community Foundation	Established fiscal agent and day to day management; Account is audited and monitored through foundation director and board; Ability to acquire grants & contracts; Less expensive than establishing an independent organization; Alliance & networking through foundation contacts	Financially working through and intermediary; Advanced planning needed to pay bills (within 30 days); A 30-45 day delay to establish program account
Partner with existing 501c3 community organization	Established organization with fiscal management capabilities; Community reputation; Able to start program quickly	Responsible to an established board of directors; Ambiguous responsibility for program; Pre-existing chain of command
Partner with Waukesha County department	Program co-located with target audience and courts; Instant credibility through county; Access to resources and staff; Liability protection; Chain of command for program leadership and management	Fiscal oversight through county; Possible restrictions on obtaining grants; Bureaucracy could create delay start up of program
Co-located within County department	County government presence; Access to resources and staff via county department; Liability protection; Strategic alliance	Public perception may be confusing; Complicated chain of command for program leadership

Appendix I – Recommendations for a Diversion Program in Waukesha County

Component	Proposal	Details
Program Structure	The structure would consist of 9 months of formal programming.	<ul style="list-style-type: none"> • 12-14 weeks of classes • Case management for 6 months <ul style="list-style-type: none"> ○ Mentoring ○ Community Service
Staff	3 Full-time staff equivalents <ul style="list-style-type: none"> • Executive Director • 2 Case Managers • Administrative Assistant 	Executive Director responsible for program development, acquiring funding and maintaining community partnerships Case Managers responsible for conducting initial interviews facilitating classes and counseling youth.
Community Collaborations	District Attorney’s Office of Waukesha County would be the main partner	Other partners may include: <ul style="list-style-type: none"> • AmeriCorps*VISTA • Department of Health and Human Services • Juvenile Court • La Casa de Esperanza • Law Enforcement Agencies • Mentoring Agencies • Private Attorneys • Public Defenders Office • UW- Waukesha • UW-Extension • WCTC • Workforce Development
Program Funding	Most funding would come from participant fees. Based on the program structure, grants and donations may be available options.	Funding would cover: <ul style="list-style-type: none"> • Staff Salary • Office Supplies • Curriculum • Curriculum Training • Drug Testing • Technology
Program Eligibility	<ul style="list-style-type: none"> • Ages 14-20 • First time offenders • Misdemeanor and/or low level felony charges • Non-violent 	Offenses not eligible include offenses of a sexual nature and violent felonies.
Curriculum	Creating Lasting Family Connections	2 nights a week 2-3 hours a night
Classes	Speakers to compliment the formal curriculum focusing on criminogenic factors	Topics may include: <ul style="list-style-type: none"> • Anger and Stress Management

		<ul style="list-style-type: none"> • Budgeting • Nutrition • Employment • Judicial Affairs • Importance of community service
Case Management	Case management provided every other week for up to one hour at each session.	Case managers will work with individuals to follow up on the completion of program requirements and address issues as related to the individual.
Restorative Justice	Youth will be required to participate in restorative justice components. These components include restitution, as applicable, and community service.	40 hours of community service will be required. Opportunities include group outings and services related to offenses.
Mentoring	A mentoring program will be established to provide youth with positive role models.	Collaboration with a community agency that can provide this service is recommended. Each youth will be partnered with a same sex mentor and meet with them once a week for the entirety of the program.
Evaluations	Evaluations are needed to ensure effective practice.	Evaluations will be completed for the following components of the program: <ul style="list-style-type: none"> • Curriculum • Speakers • Mentors • Community Service • Case Management • Program Effectiveness
Program Completion	<p>Participants must fulfill all requirements to complete the program.</p> <p>Upon agreement with the referral source, criminal charges may be reduced or dropped.</p>	<p>Program requirements include:</p> <ul style="list-style-type: none"> • Class Attendance • Mentoring • Community Service • Case Management <p>Youth completing the program will receive a certificate and the referral source will receive a letter of completion.</p>

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