

An Evaluation of the
Status Offense Diversion Program
in the
Juvenile Court of
Washtenaw County, Michigan

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Executive Summary

The Washtenaw Juvenile Court Status Offense Diversion Program was implemented in 2002 to provide effective non-court interventions for status offenders to resolve presenting problems and prevent delinquent behavior. It is based on the assumption that “status offenses are generally a product of family problems, not delinquency.” Specifically it addresses complaints of truancy, educational neglect and incorrigibility. The stated goals of the Diversion program for the juvenile and the family are “increased school attendance, increased parental involvement with youth’s educational program, and enhanced psychosocial and family functioning.” The program is of limited duration. Diversion activities focus on regular school attendance, parents’ attendance and participation in educational planning or progress meetings, and referrals to community-based or court-sponsored treatment programs.

This evaluation considered data collected over the first three years of the program. Staff assessments of outcomes indicate that large percentages of the youth were considered to have been successful (40.1%) or moderately successful (23.3%) in the program. Comparison of those assessments with subsequent new offenses demonstrated the general accuracy of the staff assessments. 81.5% of the children who were assessed as successful and 66% of those assessed as moderately successful by the staff committed no subsequent offenses.

There was no correlation between staff assessments of success and the race or gender of the children in the program. There were differences based on

age with younger children more likely to be considered successful. Analysis of subsequent offenses by participants revealed consistent results with the incidence of new offenses showing no major disparity by race or gender but again indicating a lower recidivism rate for younger participants.

Comparison of the types of new offenses by gender and race indicated that males were more likely to commit subsequent assault offenses but there were otherwise no significant differences by gender. While African American children were more likely to commit subsequent property offenses, Caucasian children were far more likely to commit subsequent status and drug/alcohol offenses.

The evaluation also included data from staff input. That process revealed that some further education of and coordination with school authorities could improve the operation of the program. Staff also felt that some adjustments needed to be made in the outcome assessment process. There was also a perceived frustration by staff and parents with the absence of formal Court involvement or sanctions.

This evaluation concludes that the status offense diversion program has met its established measures of success and if those continue to be Court goals, the program should continue. Given the age-differential in outcome statistics, revisions to the program, and/or specific staff training, are recommended to address the needs of older children in the program. Further education of school authorities regarding the goals and functions of the program is recommended. Some revision of staff outcome evaluation standards is recommended. While

direct Court involvement or sanctions are not recommended, consideration should be given to the development of additional incentives for program successes. However discussion and consideration of sanctions for lack of youth success short of official Court intervention should also be undertaken.

The limitations on this evaluation are primarily related to the relatively short time the program has been in operation and the corresponding limited duration of follow-up information regarding the subsequent conduct of participants. It is recommended that follow-up statistics should continue to be collected and a further evaluation should be conducted in two years when the initial participants will have been out of the program for five years.

Purpose of the Report

The Washtenaw Juvenile Court Status Offense Diversion Program was implemented in 2002 as part of a massive reorganization of the Washtenaw County Juvenile Court. The general purpose of the diversion program is to provide effective non-court interventions for status offenders to resolve presenting problems and prevent delinquent behavior. It addresses youth age 6 – 17 that are referred to juvenile court for non-delinquent behavior, including educational neglect, incorrigibility, runaway, school truancy, or wayward minor. The program is built on the assumption that status offenses are generally a product of family problems, not delinquency. The program has just completed its fourth year of operation.

This is a report of the 2007 summative evaluation of the program. Befitting the outcome measures established at the onset of the program, this is primarily a quantitative evaluation. However, since data used in the evaluation involves qualitative assessments by the Diversion Program staff, information was also collected in staff surveys.

This evaluation reviews and analyzes outcome data regarding children who have completed the program during the period of January, 2003 through December, 2005. Follow-up data collected during the program concerning subsequent status, as well as delinquent, offenses is utilized to evaluate program success as compared to the goals established during the inception of the program. This Report can function as one tool in the policy determination by

County officials as to continuation or revision of the Washtenaw Juvenile Court Status Offense Diversion Program

“Status Offenses” and “Diversion” Programs Generally

A juvenile status offense is conduct which is only unlawful when committed by a child. It is the minority status itself that allows children to be the subject of a status offense and thus to the jurisdiction of the juvenile court. Status offenses include truancy, runaways, or “incorrigible” children considered to be beyond the control of their parents. Juvenile status offenses are as old as the juvenile court concept itself. More than fifty percent of the delinquency docket of the first juvenile court, in Chicago, Illinois, was comprised of status offenses of disorderly behavior, "immorality," vagrancy, truancy, and incorrigibility. It has been a consistent trend. A 1965 U.S. Children's Bureau report still found that noncriminal cases constituted over 25% percent of cases coming to court.

In 1974, the federal Juvenile Justice and Delinquency Prevention Act¹ banned states from institutionalizing status offense juveniles in state delinquency facilities and generally banned pretrial detention for status offenses. The law significantly changed juvenile court processing of status offenders.

The Center on Juvenile and Criminal Justice describes the history and theoretical basis for juvenile diversion programs:²

Diversion is "an attempt to divert, or channel out, youthful offenders from the juvenile justice system" (Bynum and Thompson, 1996:430). The concept of diversion is based on the theory that processing certain youth through the juvenile justice system may do more harm than good (Lundman, 1993). The basis of the diversion argument is that courts may inadvertently stigmatize some youth for having committed relatively petty acts that might best be handled

outside the formal system. In part, diversion programs are also designed to ameliorate the problem of overburdened juvenile courts and overcrowded corrections institutions (including detention facilities), so that courts and institutions can focus on more serious offenders.

Diversionary tactics have a strong theoretical background that is based on "labeling" principles that initially evolved from Tannenbaum (1938), who wrote on the "dramatization of evil," to Becker's (1963) notion that social groups create deviance by labeling certain acts as "deviant" and treating individuals who commit those acts as "outsiders," to Lemert's (1951) classic statements about labeling leading to "secondary deviance." Thus, legal intervention by the juvenile justice system may actually perpetuate delinquency by processing cases of children and youth whose misbehavior might be remedied more appropriately in informal settings within the community.

The concept of diversion of status offenses away from the ordinary course of juvenile delinquency case processing is consistent with the social development model, integrating social control theory and social learning theory. As Hawkins and Weiss described it, the model asserts that the most important units of socialization and behavioral influence include family and schools.³ Positive socialization is achieved when children can be assisted to develop the skills necessary to be successful in those units.

Many juvenile diversion programs in the last 30 years have focused on status offenders.⁴ Diversion programs for status offenders have not been universally praised. Rojek and Erickson thought such programs were based on "faulty assumptions".⁵ Rausch found that early status diversion attempts did not demonstrate significant differences in juvenile recidivism rates.⁶

Washtenaw County Program Background

History of the Status Offense Diversion Program

During 2001, a large reorganization of the Washtenaw County Juvenile Court was undertaken. As part of that reorganization, Court officials examined the process for dealing with status offenses. As a result, the Washtenaw Juvenile Court Status Offense Diversion Program was implemented in 2002. The origins of the program were described in the Washtenaw County Trial Court Family Division Juvenile Court Reorganization Report dated December 1, 2001⁷:

The Delinquency Status Offenses and Court Diversion Program

Previously the court diversion program allowed delinquent youth to remain under court supervision without entering a plea and without enforced diversion goals. This was in part responsible for the large number of old cases pending on unauthorized petitions. The court diversion program has been redefined to focus diversion resources and family services on youth status offenders (incorrigibility, truancy, runaway) and on educational neglect petitions. Status offenses where there is no other charge are addressed primarily as family problems. The court's role is to take a "hands-on" approach to the youth and to direct the youth and family to community resources. Status offenders are generally not placed in the detention center and are not considered for other placement outside of the home. The staff has been restructured and reassigned to reflect this change with two probation officers assigned exclusively to status offenses.

As part of this approach, the Court adopted a policy that it will not detain, place in foster care, or institutionalize a child due solely to a status offense. Schools and parents are advised of this firm policy in the "Truancy/Educational-Neglect Prevention/Reduction Program" description (Appendix A).

Diversion Program Description

The purpose of the Status Offense Diversion Program is set forth in the Court Policy which established the program (Appendix B). It seeks “to provide effective non-court interventions for status offenders to resolve presenting problems and prevent delinquent behavior” and is based on the assumption that “status offenses are generally a product of family problems, not delinquency.”

In Michigan, juvenile proceedings are initiated by a petition complaining of alleged delinquent conduct. Before the allegation can result in formal proceedings, the Juvenile Court must “authorize” the petition. If a juvenile enters the status offense diversion program, the petition is not authorized and is not regarded or recorded as a delinquency offense while efforts are made to address the situation and behavior that resulted in the complaint.

The program functions in a simple format where, in response to a petition, the court caseworker provides both supervision for the juvenile and services for the family. The program is designed to be of limited duration (typically the equivalent of one school semester). Diversion is regarded as a voluntary contract between the juvenile, the family and the court, without authorization of the petition. Diversion activities focus on regular school attendance, parents’ attendance and participation in educational planning or progress meetings, and referrals to community-based or court-sponsored treatment programs.

Goals of the Diversion Program

The stated goals of the Diversion program for the juvenile and the family are “increased school attendance, increased parental involvement with youth’s educational program, and enhanced psychosocial and family functioning.” On a larger scale the program goals relate to both the court and the community. The stated goals in that regard are to “1) reduce the stigma of court involvement; 2) actively involve the community to correct family and social problems; 3) reduce the burden on the court / probation system; and 4) reduce more restrictive actions.”

Outcome Measures

The stated outcome measures for the program are based on the caseworker’s assessment of whether an individual’s participation in the program is classified as “successful”, “moderately successful” or “unsuccessful”. The Court Policy which established the program (Appendix A) sets forth the standards for “success”⁸:

Proportion of cases closed as “successful”:

- Youth achieved 85% school attendance during three months prior to case closing
- Youth received no delinquency petitions

Proportion of cases closed “moderately successful”:

- Youth achieved 70% school attendance during three months prior to case closing
- Youth received only minor delinquency charge (retail fraud, tickets)

These assessments are recorded at the closing of the case. In this manner they reflect the initial or short term results of court intervention. This evaluation does

initially reflect those case closing assessments but then goes on to measure longer term outcomes utilizing additional data collected for several months after case closure regarding any subsequent delinquent behavior.

Diversion Program Functioning

Within 30 days of the Court's receipt of a petition, a diversion caseworker has an initial meeting with the family. The caseworker refers the youth and family to community-based services such as mental health, substance abuse, and family support services. The "Adjunct Community-Based Services" list is utilized as a resource and the caseworker coordinates those services with the family. A more general list is available to families and the public on the Juvenile Court web site.⁹

Following the initial meeting, the worker has in-person contact with the youth and the family at least every two weeks to monitor progress. The worker contacts the school at least every two weeks to monitor the youth's attendance and progress in school. At least once per month, the caseworker visits the school and meets with the youth and school personnel to discuss attendance and progress.

Some of the methods and resources utilized by caseworkers for the youth and parents include: increased home/school/office visits; family counseling; psychological, psychiatric, and medical evaluations, substance abuse education, assessment, treatment, and drug testing; and mediation. For the youth individually, techniques and resources include: writing assignments specific to school behavior; anger-management classes; Court-sponsored Girl Scout Troop;

community service work projects, night surveillance by court staff; weekend boot camp; a 43 hour substance abuse education/self-esteem building weekend program); and urine screens. For parents individual resources include parenting classes, support groups and anger –management classes.

Staffing the Diversion Program

Staff for diversion cases includes one supervisor and two (2) diversion caseworkers. The case workers are trained juvenile court probation workers, each of whom have prior experience supervising youth in delinquency cases in the Court. They are selected and assigned to the Diversion program based on an assessment of their individual skills and experience in dealing with family issues. Over the course of the program four different caseworkers have been assigned to the diversion program. All four caseworkers and the supervisor are still with the Court and provided information for this evaluation.

Evaluation Goals

This evaluation seeks to assess the success of the status offense diversion program as measured by its impact on children referred to the program. Initially it seeks to identify the number and demographic characteristics of youths who have entered the program. Then it attempts to gauge the success of children in the program as measured initially by the staff assessments. It then measures program success by evaluating the recidivism rates and types experienced by children who complete the program. A comparison of those two measures (staff

evaluation and actual recidivism) is made. Each of those measures is evaluated by demographic characteristics of gender, race and age.

The evaluation also seeks to assess the qualitative success of the program using observations and suggestions from program staff. Specifically in this area, the evaluation focuses on an assessment of the internal and external resources available to children and staff in the program.

Methodology

Quantitative data collection

Since the inception of the program, data has been collected and maintained by the staff using a “Casework Closing Summary - Status Offense Unit” which is attached at Appendix C. Demographic and prior history of the youth participants was recorded. The data also included categorical information about the nature of the status offense, i.e. truancy, educational neglect or incorrigibility. As youth completed the program the status at completion was recorded as successful, moderately successful, unsuccessful, or other. Subsequently, juvenile court records of the former participants were monitored and any further delinquent offenses were recorded, both by time and type.

Quantitative data analysis

Descriptive analyses of the data were conducted. Table 1 reflects the distribution of participant by type of status offense and reveals that over 90% of the participants were in the program for school related issues, i.e. truancy or educational neglect.

Table 1. Status Offense by Type

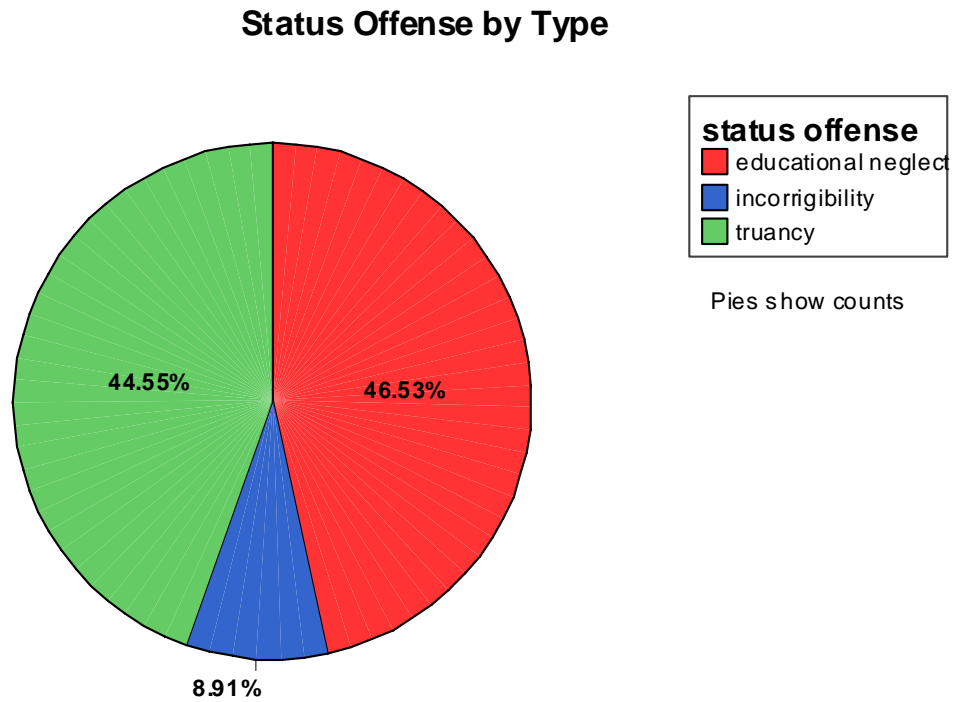


Table 2 reflects the assessments of program success as recorded by the staff when youth completed the program and indicates that almost 2/3 (63.4%) were regarded as successful or moderately successful participants.

Table 2. Staff Outcome Evaluations

	Successful	Moderately Successful	Unsuccessful	Other
Total (n=202)	81 (40.1%)	47 (23.3%)	42 (20.8%)	32 (15.8%)
Gender				
Male	41 (36.3%)	26 (23%)	27 (23.9%)	19 (16.8%)
Female	40 (44.9%)	21 (23.6%)	15 (16.9%)	13 (14.6%)
Race				
Caucasian	47 (44.3%)	26 (24.5%)	21 (19.8%)	12 (11.3%)
African American	25 (32.1%)	17 (21.8%)	21 (26.9%)	15 (19.2%)
Hispanic	5 (45.5%)	2 (18.2%)	0	4 (36.4%)
Asian	0	1 (25%)	2 (50%)	1 (25%)
Other	4 (57.2%)	1 (14.3%)	2 (28.6%)	0
Age at Closure				
6	0	1 (25%)	1 (25%)	2 (50%)
7	5 (55.6%)	0	1 (11.1%)	3 (33.3%)
8	9 (69.2%)	3 (23.1%)	0	1 (7.7%)
9	5 (55.6%)	1 (11.1%)	1 (11.1%)	2 (22.2%)
10	4 (80%)	0	0	1 (20%)
11	5 (41.7%)	4 (33.3%)	0	3 (25%)
12	4 (40%)	4 (40%)	1 (10%)	1 (10%)
13	8 (29.6%)	9 (33.3%)	6 (22.2%)	4 (14.8%)
14	18 (40%)	10 (22.2%)	13 (28.9%)	4 (8.9%)
15	17 (34%)	13 (26%)	13 (26%)	7 (14%)
16	6 (40%)	1 (6.7%)	6 (40%)	2 (13.3%)

To determine if there was a significant relationship between the various demographic factors and staff outcome evaluations, a correlation analysis was conducted. Only cases where staff made an outcome evaluation were included and all outcomes designated as “referred to DHS”, “moved”, or “other” were excluded from the correlation analysis. After recoding the evaluation variable, there was no significant correlation between race or gender and the staff evaluation of the outcome of the diversion program at the $p < .01$ level. There was a significant negative correlation between age at closure and staff outcome

evaluation, meaning that the younger the age, the more like the staff were to evaluate the outcome as successful. These results are shown in Table 3.

Table 3. Correlation of Outcome Evaluations with Race, Gender and Age

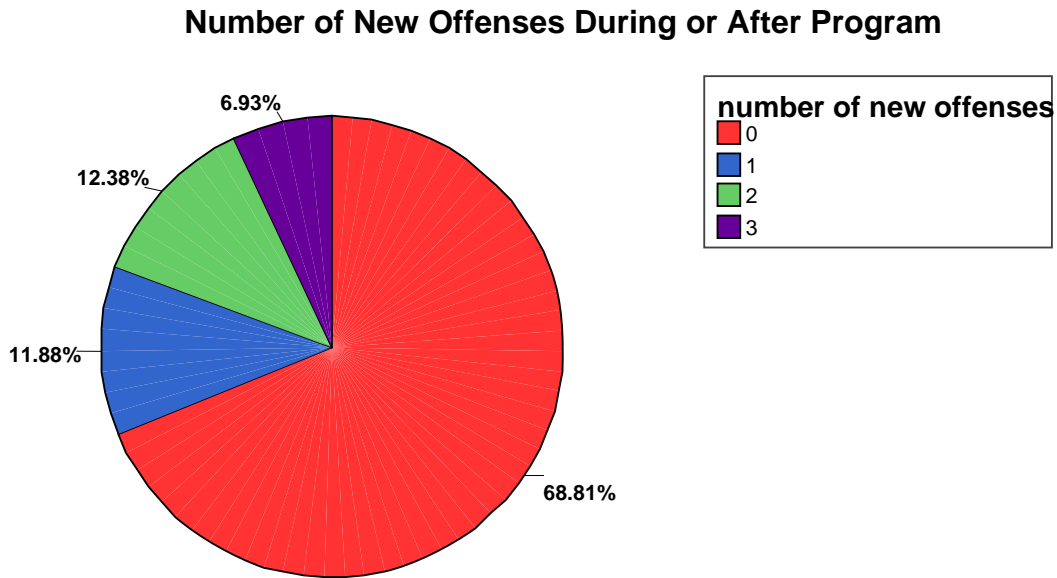
<u>demographic factor</u>		<u>staff outcome evaluation</u>
age at closure (n=169*)	<i>r</i>	-.243(**)
	<i>p</i>	.001
gender (n=170)	<i>r</i>	.109
	<i>p</i>	.156
race (n=170)	<i>r</i>	-.002
	<i>p</i>	.974

* one age datum missing

** Correlation is significant at the 0.01 level (2-tailed)

The data regarding subsequent offenses was analyzed and, as indicated in Table 4, showed that almost 69% of the participants were not charged with subsequent delinquent offenses during the reporting period. It must be noted that some of the recent participants had not been out of the program as long as the earlier youth.

Table 4. Number of New Offenses During or After Program



A cross-tabbed comparison of the staff evaluated success and subsequent offenses was conducted. As indicated in Table 5, large percentages of the youth regarded as successful (81.5%) or moderately successful (66%) by the staff committed no subsequent offenses.

Table 5. New Offenses by Staff Outcome Evaluations

Staff Evaluated Outcome	Number of New Offenses						
	0	1	2	3	4	5	6
Successful (n=81)	66 (81.5%)	6	5	2	0	1	1
Moderately Successful (n= 47)	31 (66%)	7	7	0	1	1	0
Unsuccessful (n= 42)	22 (52.4%)	9	7	2	0	2	0
Other (n=32)	20 (62.5%)	2	6	2	1	0	3

The new offense data was then analyzed by demographic characteristics of age, race, and gender. Tables 6, 7 and 8 indicate the results.

Table 6. Age at Closure and New Offenses

Age at Closure	Number of New Offenses						
	0	1	2	3	4	5	6
6 (n=4)	4 (100%)	0	0	0	0	0	0
7 (n= 9)	6 (66.7%)	2	1	0	0	0	0
8 (n= 13)	13 (100%)	0	0	0	0	0	0
9 (n=9)	9 (100%)	2	6	2	1	0	3
10 (n=5)	5 (100%)	0	0	0	0	0	0
11 (n=12)	12 (100%)	0	0	0	0	0	0
12 (n=10)	8 (80%)	0	2	0	0	0	0
13 (n=28)	14 (50%)	5	6	1	1	0	1
14 (n=45)	25 (55.6%)	6	6	3	1	4	0
15 (n=51)	35 (68.7%)	8	6	1	0	0	1
16 (n=15)	7 (46.7%)	3	4	1	0	0	0
Total (n=201*)	138 (68.7%)	24	25	6	2	4	2

* one age datum missing

Table 7. Race and New Offenses

Race	Number of New Offenses						
	0	1	2	3	4	5	6
caucasian (n=106)	75 (71.7%)	11	13	2	1	2	2
african american (n=76)	49 (64.5%)	12	10	4	0	1	0
hispanic (n=11)	8 (72.7%)	1	1	0	1	0	0
asian (n=2)	2 (100%)	0	0	0	0	0	0
other (n=7)	5 (71.4%)	0	1	0	0	1	0
Total (n=202)	139 (68.8%)	24	25	6	2	4	2

Table 8. Gender and New Offenses

Gender	Number of New Offenses						
	0	1	2	3	4	5	6
male (n=113)	70 (61.9%)	15	20	5	0	1	2
female (n= 89)	69 (77.6%)	9	5	1	2	3	0
Total (n=202)	139 (68.8%)	24	25	6	2	4	2

From these descriptive statistics, it did not seem that either race or gender was a significant factor in post-program recidivism. The youth age at closure did seem to have an impact so a correlation analysis was conducted. As shown in

Table 9, there was a significant correlation between the age at closure and subsequent offenses such that the younger the age at closure the less new offenses were recorded.

Table 9. Correlation of New Offenses by Demographics

<u>demographic factor</u>		<u>new offenses</u>
age at closure	<i>r</i>	.253(**)
	<i>p</i>	.000
gender	<i>r</i>	-.148
	<i>p</i>	.036
race	<i>r</i>	.018
	<i>p</i>	.794

** Correlation is significant at the $p < 0.01$ level (2-tailed).

A crosstab descriptive analysis also compared the type of original offense with the number of new offenses. The results are shown in Table 10.

Table 10. Original Offense Type and New Offenses

Original Offense Type	Number of New Offenses						
	0	1	2	3	4	5	6
educational neglect (n=94)	78 (83%)	8	5	2	0	0	1
incorrigibility (n=18)	6 (33.3%)	4	4	1	1	1	1
truancy (n=90)	55 (72.7%)	12	16	3	1	3	0
Total (n=202)	139 (61.1%)	24	25	6	2	4	2

While it appears that the recidivism rate for children referred for incorrigibility was significantly higher than that for those referred for educational neglect or truancy, the relatively small number of cases makes any conclusion about the relationship problematic.

The types of offenses committed after entry into the program were analyzed. The new offenses were categorized as assaults, drugs/alcohol,

property, public safety (disorderly, driving, trespass) and status (including tobacco). A descriptive analysis was then conducted to examine the incidence of gender and race in those new offenses. The results are shown in Table 11.

Table 11. New Offense Type by Gender and Race

	New Offenses by Type					
	assault	drugs	alcohol	property	public safety	status
Total (n=202)	17 (8.4%)	13 (6.4%)		25 (12.8%)	11 (5.4%)	35 (17.3%)
Gender						
male (n=113)	15 (13.3%)	9 (8.0%)		15 (13.3%)	8 (6.2%)	21 (18.6%)
female (n=89)	2 (2.2%)	4 (4.5%)		10 (11.2%)	3 (3.4%)	14 (15.7%)
Race						
caucasian (n=106)	7 (6.6%)	10 (9.4%)		9 (8.5%)	3 (2.8%)	23 (21.7%)
african american (n=76)	9 (11.8%)	2 (2.6%)		12 (15.8%)	7 (9.2%)	8 (10.5%)
all other (n=20)	1 (5.0%)	1 (5.0%)		4 (20.0%)	1 (5.0%)	4 (20.0%)

A similar analysis was conducted to compare the age at program completion with the types of new offenses committed. Because the number of new offense by younger participants was so low, the age categories from 6 through 11 were consolidated. Those results are shown in Table 12.

Table 12. New Offense Type by Age

Age	New Offenses by Type					
	assault	drugs	alcohol	property	public safety	status
6-11 (n=52)	0	0		1 (1.9%)	0	3 (5.8%)
12 (n=10)	1 (10.0%)	0		1 (10.0%)	0	0
13 (n=28)	3 (10.7%)	3 (10.7%)		5 (17.9%)	1 (3.6%)	9 (32.1%)
14 (n=45)	7 (15.6%)	5 (11.1%)		10 (22.2%)	1 (3.8%)	13 (28.9%)
15 (n=51)	5 (9.8%)	4 (7.8%)		6 (11.8%)	5 (9.8%)	6 (11.8%)
16 (n=15)	1 (6.7%)	1 (6.7%)		2 (13.3%)	2 (13.3%)	3 (20.0%)

Interview data collection and analysis

The four caseworkers who had worked at various times in the program were asked to make written responses to the following questions:

1. What aspects of the diversion program worked well for youth and families?
2. What about the diversion program did not work well?
3. What resources did you use?
4. What resources were missing?
5. Do the measures of success and moderate success adequately indicate success/improvement? If not, how would you change them? What would you change, add, subtract?
6. If you could change one thing about the program, what would it be?

The responses to those questions were summarized and categorized as follows:

1. What aspects of the diversion program worked well for youth and families?

- weekly checks at schools
- weekly contacts with client and family
- parent involvement in getting children to school
- community service work for missed school
- therapeutic family intervention for incorrigible youth
- referrals
- constant school contact
- the ability to revise contracts as needed

2. What about the diversion program did not work well?

- delayed filing of the truancy petitions
- lack of involvement by some school personnel
- suspension of youth for being tardy or absent
- lack of ability to obtain sanctions from the Court
- no “ultimate” sanction for noncompliance with the contract such as detention or probation
- family frustration with lack of “real consequences by the Court
- lack of enforcement options, especially in incorrigibility cases

3. What resources did you use?

- Ozone House
- Dispute Resolution Center
- HVCGC

- MIP weekend
- Midcourse Corrections
- In Home School program
- community service work
- gift cards
- anger management class
- night surveillance
- drug screens
- resource manual information
- family friends and relatives

4. What resources were missing?

- the option to come before the judge/referee for blatant noncompliance with the contract.
- “consequences”
- sanctions
- evening parenting classes

5. At that time, our measures of success were as follows:

a. Success: 90% school attendance

No new charges

b. Moderate Success: 80% school attendance

Minor charges only (retail fraud, ticket)

Do these measures adequately indicate success/improvement? If not, how would you change them? What would you change, add, subtract?

- measures do not reflect success as it relates to family relationships
- “moderate success” should say “minor charges received while on diversion”
- in some cases, 50% attendance could be a moderate success
- 90% attendance may be too high in a 3 - 6 month “window”

6. If you could change one thing about the program, what would it be?

- educate the schools on what the courts can and can not do to support their efforts with truant youth
- provide more information regarding when to file a petition
- form a better partnership between court, school and parents
- have a representative from the bench available to intervene
- provide Court consequences for the parents who have young children
- a therapeutic team approach to do quick responses
- family therapy

Analysis of these responses indicates that the caseworkers felt that the

“hands-on” concentrated emphasis is a strong point of the diversion program.

The weekly contacts with school and family are regarded as important assets of the program. The responses indicate that the caseworkers believe they are utilizing the broad range of resources available in the Court and the community. Two items perceived as weaknesses appeared in the responses. First the staff expressed the need for more education or coordination with school authorities, both as to the timing of referrals (petitions) and subsequent school discipline. Second, and most common among the responses, the staff expressed frustration about the lack of the ability to obtain Court sanctions as an enforcement technique during the program. They also expressed that the lack of Court “consequences” was frustrating to parents.

Limitations of the evaluation

There are time period limitations relating to subsequent offenses that are apparent in the evaluation. The recidivism statistics are necessarily limited for children who entered the program recently. It may be that recidivism rates will increase, or at least be moiré complete, as more recent participants age.

The qualitative portion of this evaluation was limited to staff input. Future evaluations of the program may wish to add surveys or interviews with the youth, their families, and/or school officials.

Interpretations and Conclusions

The original outcome measure envisioned by the program focused on the staff assessments of outcome. Staff indicated that they followed the standards set forth in the court policy so that a case would be deemed “successful” if the

child achieved 85% school attendance during three months prior to case closing and received no delinquency petitions. A case would be deemed “moderately successful” if the child achieved 70% school attendance during three months prior to case closing and received only a minor subsequent delinquency charge.

The quantitative data suggests that the program outcomes have been favorable measured by staff assessments. Of all of the children who entered the program, 40.1% of the cases were closed as “successful” and an additional 23.3% were closed as “moderately successful”. Thus almost 2/3 of the cases were considered to have been closed on a favorable basis. However, 32 of the cases were closed for other reasons, such as the child moving out of the jurisdiction. When only the 170 children who completed the program are considered, the success rates measure by staff assessments rise to 47.6% “successful” and 27.6% “moderately successful”. Considered in this way, favorable results were achieved for over three-fourths of the children who went through the program.

The staff assessments did not reveal any significant relationships between the race or gender of a child and the likelihood of completing the program successfully. Neither the descriptive analysis nor the correlation analysis revealed staff assessments of success that were significantly related to either gender or race. The data does show that younger children are more likely to successfully complete the program than older children. The age of the child varies inversely with the staff assessment of success.

This evaluation however goes beyond the original program measures of success. Clearly a primary purpose of any juvenile court diversion program is to forestall future delinquent conduct. The data regarding recidivism of program participants was analyzed in several different respects. First, the recidivism data supports the reliability of the staff outcome evaluations. Of the 128 participants deemed “successful” or “moderately successful”, over 75% (97) had no new offenses during the evaluation period.

Regardless of the staff evaluations, the recidivism rate for children who completed the program was relatively low. 119 (58.9%) of the children who entered the program had no new offenses within the evaluation period. Of the 180 children who completed the program (excluding “other” cases), 66.1% had no new offenses within the evaluation period.

Analysis of the children who did have new offenses did not reveal any disproportionality based on race or gender. Comparison of the new offense data based on the type of original misconduct (truancy, educational neglect or incorrigibility) likewise did not reveal any significant relationships. Similar to the staff evaluations however, descriptive and correlation analysis did reveal a significant difference based on the age of the children at program completion. In the 6 – 11 year old age group, the recidivism rate, meaning at least one new offense during the evaluation period, was 5.8% (3/52). In the 12 – 16 year old age group, the recidivism rate was 40.3% (60/149). It appears from this data that the earlier the diversion program is put into place, the more likely it is to have favorable results.

The new offenses were then examined in more detail and an analysis was made based on the types of new offenses committed. Comparison of the types of new offenses by gender indicated that males (13.3%) were twice as likely to commit new assault offenses as females (2.2%). There were no other significant differences by gender. Comparison of types of new offenses by race indicated some differences. African American children were more likely to commit new property offenses than Caucasian children (15.8% - 8.5%). However, Caucasian children were far more likely to commit new status offenses (21.7% - 10.5%) and new drug or alcohol offenses (9.4% - 2.6%) than African American children.

Qualitative data from the staff added some specific input for the evaluation. Generally, those staff responses expressed positive impressions of program success. Those impressions are consistent with the quantitative data in which the staff assessed most of the youth as having at least moderately successfully completed the program. The staff expressed some specific shortcomings in the program that are not addressed in the quantitative data. There were some suggestions for “tweaking” the measure of success used in the outcome assessments. They also expressed a need for additional education of and coordination with school authorities. Truancy petitions originate with school authorities and the staff felt that delays in submitting truancy petitions made school attendance success more difficult to achieve. The staff also expressed concerns about what appears to be a lack of coordination between Court and school authorities during the program, especially regarding school suspensions or other discipline during the program.

The staff expression of a need for Court sanctions or “consequences” is a more basic issue. The perceived need for a “stick” is understandable from the perspective of the probation caseworkers assigned to the program. Frustration when children do not live up to program or staff expectations understandably leads to the desire to have some higher authority intervene to provide a “punishment” or “deterrence” incentive for compliance. On the other hand, the core principle of the program is to divert students from official Court intervention or sanctions. Unlike delinquency diversion programs, a status offense is not appropriately punishable by detention or residential placement. This is a conflict that is endemic to the program and may not be resolvable within its parameters.

Recommendations

1. The status offense diversion program has met its established measures of success and if those continue to be Court goals, the program should continue.
2. Given the age-differential in outcome statistics, the Court should consider revisions to the program, and/or specific staff training, designed to specifically address the needs of older children who are referred to the program.
3. Consideration should be given to program revisions designed to further educate and inform school authorities of the goals and functions of the program.

4. The staff outcome evaluation standards should be revised to correspond with staff observations, especially concerning levels of school attendance in truancy matters.
5. Consideration should be given to the development of additional incentives for program successes.
6. There should be discussion and consideration of sanctions for lack of youth success short of official Court intervention.
7. Follow-up statistics should continue to be collected and a further evaluation should be conducted in two years when the initial participants will have been out of the program for five years.

List of Appendices

Appendix A. "Truancy/Educational-Neglect Prevention/Reduction Program"

Appendix B. "Status Offense Diversion Program"

Appendix C. "Casework Closing Summary - Status Offense Unit"

References and Notes

¹ 42 U.S.C 5601, et seq.

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⁷ Washtenaw County Trial Court Family Division Juvenile Court Reorganization Report December 1, 2001, pp. 30-31; available online at <http://washtenawtrialcourt.org/juvenile/ReorgReport.pdf>

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