



PRINCIPLES AND STRATEGIES FOR COMMUNITY-LED DIVERSION IN JUVENILE JUSTICE

EXECUTIVE SUMMARY

APPLIED RESEARCH CENTER FOR CIVILITY | AUGUST 2023

UC San Diego







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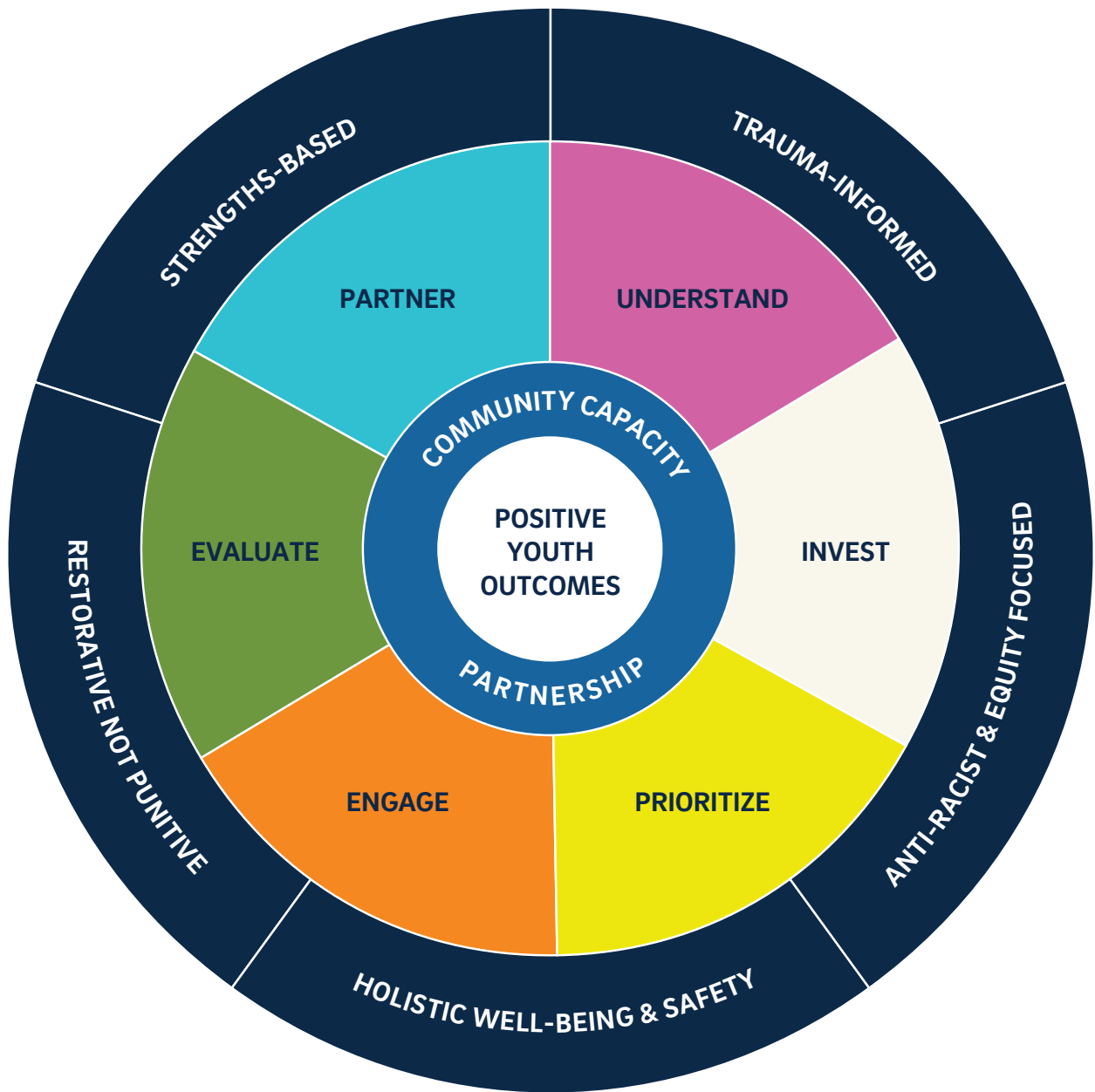
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DIVERSION IS A POWERFUL, EFFECTIVE, AND UNDER-USED TOOL FOR REDUCING YOUTH INVOLVEMENT WITH THE LEGAL SYSTEM.

Juvenile justice initiatives that incorporate diversion can reduce incarceration and lower recidivism rates while also supporting and encouraging a broad range of other positive outcomes for youth and their families. However, the efficacy and sustainability of diversion programs are tied to partnerships between legal systems and the communities they impact. Communities receive and care for diverted youth. They hold youth accountable, ensure their needs are met, and help them fulfill any diversion requirements.

Community-led diversion gives communities a leadership role in deciding how youth are supported and in measuring and ensuring success. It is a means of keeping youth in trusting, caring relationships through decisions, programs, or services that steer youth away from formal processing at different points in the juvenile legal system, whether prior to arrest or after a referral to juvenile court has been made. It requires distributing resources and power differently. Community-led diversion initiatives center the many things that make neighborhoods safe by reallocating funds from incarceration, arrests, and detention into community-based programming and investing in community well-being, safety, and capacity. This involves changing processes, providing education and training, and clarifying shared goals and values.

Approaches that incorporate community leadership have been shown to reduce recidivism rates, improve the futures of system-involved youth, reduce racial disparities, and be more cost effective than punitive approaches like incarceration. Ultimately, a community-led approach can prevent youth from system involvement in the first place, but even for those youth that have already encountered the juvenile legal system, their outcomes are significantly improved when they are connected to well-resourced communities.

The following principles and strategies provide a framework for developing community-led diversion programs. They are couched in a set of guiding values that research suggests are critical for successful diversion initiatives. Our hope is that by identifying successful community-centric strategies across the diversion process, we can better understand what community leadership can and should look like and what is needed from systems partners.

All communities should be strong, capable, well-resourced, and caring places for youth to grow and learn. Wherever you look, people are already doing the work to support youth under more-or-less favorable conditions. In every case, communities can and should be upheld further. The greater the capacity communities have to support youth, the less need there will be for legal system intervention and the deeper the trust will be between systems and communities. It is on this basis of trust that we can take the next steps toward ending system involvement for all our youth.

GUIDING VALUES

Clearly articulated values should guide the development, adaptation, and implementation of youth diversion programs. While acknowledging that values will vary across communities, there are five values that are consistent across juvenile justice research and practice, and these values are critical for successful community-led diversion.

STRENGTHS-BASED

Strengths-based approaches focus on an individual or community's strengths rather than on their challenges or deficits. Community-led diversion should focus on the skills, knowledge, and interests of youth, families, and communities.

TRAUMA-INFORMED

Trauma-informed approaches understand the impact of trauma and how it manifests. Community-led diversion should prioritize safe environments, transparency, peer support, power sharing, and cultural relevance to minimize the impacts of trauma that youth may have experienced.

ANTI-RACIST AND EQUITY-FOCUSED

Persistent inequalities in the juvenile legal system mean that community-led diversion needs to be designed with an explicit goal to end racial, ethnic, and other group-based disparities in the juvenile legal system. Attending to the various intersecting systems of oppression based on race, gender, sexual orientation, gender identity, class, disability, and citizenship status is critical for developing community-led youth diversion efforts that are equitable and just.

HOLISTIC WELL-BEING AND SAFETY

Community well-being reflects a combination of economic, social, political, environmental, and cultural factors and conditions that enable individuals and communities to flourish. Community-led diversion should incorporate these factors into diversion programming.

RESTORATIVE NOT PUNITIVE

At its core, restorative justice is a process whereby the parties involved, including the responsible person and all those impacted by the harm, work together to resolve an offense while focusing on how their decisions will impact their future. Through repairing harm, youth can take responsibility and meet the needs of the people and communities harmed while avoiding punitive processes that can have lasting negative effects.

PRINCIPLES AND STRATEGIES FOR COMMUNITY-LED DIVERSION

Young people are members of communities, and their likelihood of system involvement is bound up with them. Communities consist of the people and places youth are most strongly connected to, and they have the most influence on young people's life chances. Family, peer, school, and community relationships will typically impact choices and behavior more than juvenile legal systems or agencies that deal with issues such as mental health. Serious community engagement can lead to the establishment of genuine trust and partnerships with justice systems. This helps youth, their families, and community members to be seen and heard, and to believe that they are working toward common goals with all of the people and organizations involved in diverting youth away from the juvenile legal system.

In what follows, we outline six fundamental principles and strategies for successfully establishing and running a community-led diversion program: 1) develop partnerships between communities and systems actors and negotiate how power and responsibilities can be shared; 2) understand the community context and build the program for that specific context; 3) invest in communities and build community capacity to establish and sustain community-led diversion programs; 4) prioritize youth development and leadership; 5) engage families in the diversion process; and 6) evaluate diversion programs by tracking, analyzing, and reporting on program-related data.



DEVELOP PARTNERSHIPS AND NEGOTIATE POWER AND RESPONSIBILITIES

The work of youth diversion is highly collaborative and involves working between multiple systems. Youth diversion includes those working in the juvenile legal system, mental health and substance use, education, job training, and other community-based services like mentoring and skill building. Many programs also include a social work or case management approach for working with youth. Because of the collaborative nature of this work, community buy-in, involvement, and oversight are essential for the success of any diversion program.

Understand Systems of Power

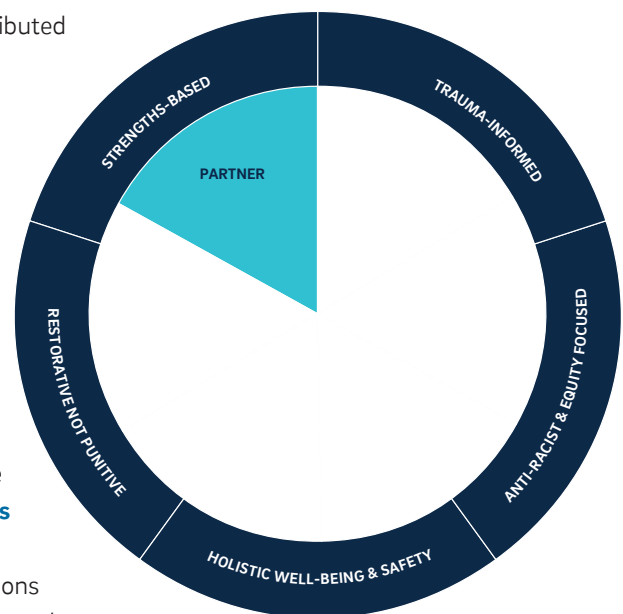
- Incorporate an understanding of how power is distributed and functions in youth diversion into policies and practices
- Allow community partners to take ownership of programming

Build Collaborative Relationships

- Build and maintain open, transparent, and collaborative relationships
- Involve intermediary organizations in engagement with community-based organizations, community members, and juvenile justice systems to work collaboratively
- Understand that collaboration is a constant practice

Decision Making Strategies and Allocating Responsibilities

- Ensure equitable representation in decision making
- Support communities to monitor and oversee decisions
- Develop an advisory board made up of community members
- Identify or develop a central coordinating site



Power differentials shape collaborations, often in ways that limit community say in how juvenile justice gets enacted. The success of community-led diversion depends on understanding how power is distributed between stakeholders, building trusting and collaborative relationships, and ensuring equitable decision making, and sharing responsibilities. Partnerships between community members and organizations, systems actors, youth, and other stakeholders are essential for creating sustainable, effective, and efficient diversion efforts that put the needs of youth and their communities first.

UNDERSTAND, ADAPT TO, AND DRAW UPON THE COMMUNITY CONTEXT

Communities vary based on their laws, policing practices, community needs, and community-based services. Approaches to community-led diversion will not look the same in all contexts, and sustainable reforms must be rooted in communities to ensure that programs survive political shifts that threaten their capacity to support youth. Diversion programming and processes should therefore be shaped with local communities in mind and be built to adapt to the changing needs of individual youth, their families, and their community.

Utilize Community Strengths

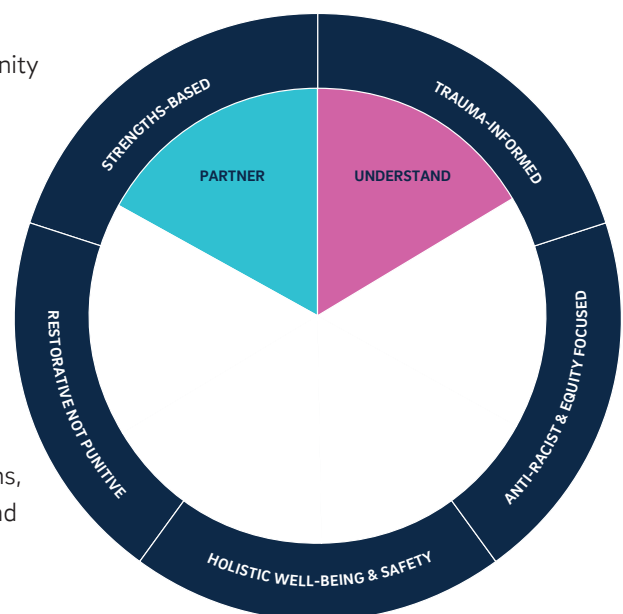
- Highlight and resource community strengths
- Recognize existing and potential sources of community support
- Develop locally specific and culturally relevant initiatives

Incorporate Local Policies and Relevant Statistics

- Gather local data and information
- Address the specific needs and goals of the community
- Adapt evidence-based practices to local realities

Identify Community Partners, Relationships, and Institutional Gaps

- Identify pre-existing community-based organizations, community leaders, and other community assets and resources
- Recognize gaps and unmet needs



Diversion programs must be developed with the communities needs and strengths at the forefront. Shaping diversion initiatives to the community includes recognizing and utilizing community resources, identifying gaps and unmet needs, and adapting evidence-based practices to local realities.

INVEST IN COMMUNITIES AND BUILD CAPACITY

For communities to take leadership roles in the juvenile justice system, they require substantial direct investment that will allow them to develop the required infrastructure and capacity. Government agencies and organizations that can provide resources need to prioritize initiatives that promote community capacity. In addition to services for diverted youth, resources should be directed at social determinants of health such as employment initiatives, education, affordable housing, livable wages, and food security. Appropriated monies can help jurisdictions tailor programs to communities' needs. Investing in community well-being, safety, and capacity reduces the risk factors that lead to youth involvement in the justice system. In this way, supporting community-led diversion can ultimately prevent system involvement in the first place.

Invest Broadly in Community Development

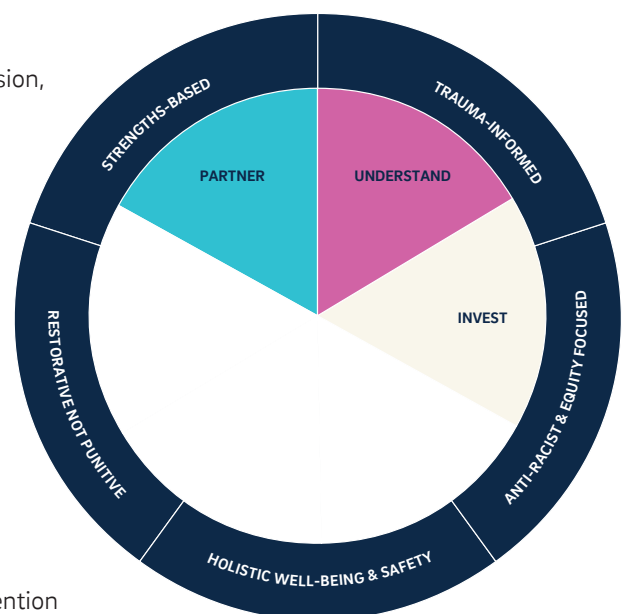
- Reallocate funds from incarceration, arrest, supervision, and detention into community-based programming
- Provide young people the support they need to be productive and thriving members of society
- Emphasize the potential to invest in community wellbeing, public safety, and crime reduction through diversion programs
- Remove barriers to and expand usage of existing services and infrastructure

Develop Community-Based Alternatives to the Juvenile Justice System

- Develop community-based alternatives to out-of-home placement
- Position services close to home
- Hire, train, and support community coaches, intervention workers, and local peacebuilders

Support Community-Based Organizations

- Develop a network of community-based organizations
- Build community capacity through community education and training
- Directly fund community-based organizations



Direct investment in community development can have a lasting impact on youth and general community wellbeing. By investing in capacity-building, infrastructure, and youth development in communities, young people's needs are better supported and communities can take leadership in addressing youth needs.

PRIORITIZE YOUTH DEVELOPMENT AND LEADERSHIP

Positive youth development programs offer the opportunity for supportive growth and development for youth. These programs involve relationships with caring adults, positive peer relationships, and self-esteem building efforts. They also provide the opportunity for youth to learn and cultivate new skills or foster potential talents. Programs that support young people in establishing healthy and productive relationships are likely to be more effective. This may include sports, arts, environmental projects, STEM education, and youth leadership. Such programs not only support the youth, but have also been associated with reductions in recidivism.

Skill-Building Programs

- Help youth learn to be independent
- Provide youth vocational training and job placement

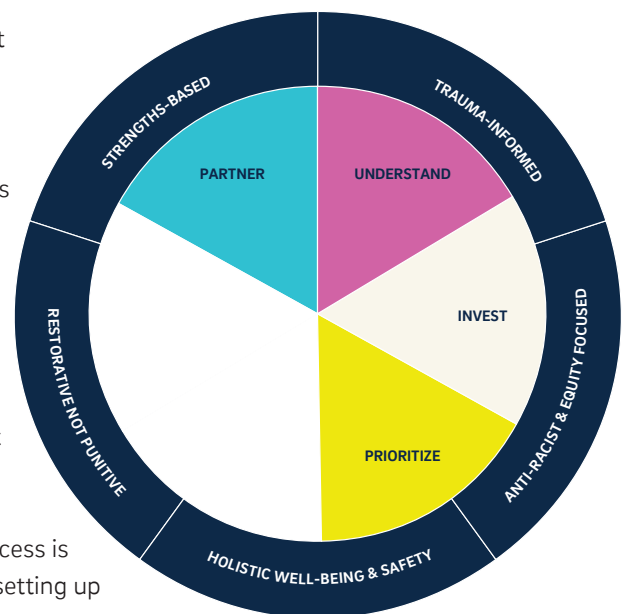
Mentorship

- Provide mentoring relationships to young adults

Elevate Youth to Leadership Roles

- Involve youth as leaders in community organizations and neighborhood improvement projects
- Involve youth in decision-making processes related to juvenile justice and diversion initiatives

Youth leadership and development must be central components of diversion programs. Diversion efforts can most successfully do this by providing youth with programming that encourages skill-building and independence, often with the support of mentoring relationships. Finally, elevating youth to leadership roles and involving them in the decision-making process is critical for creating effective diversion initiatives as well as for setting up youth to be leaders in their community.



ENGAGE FAMILIES OF SYSTEM-INVOLVED YOUTH

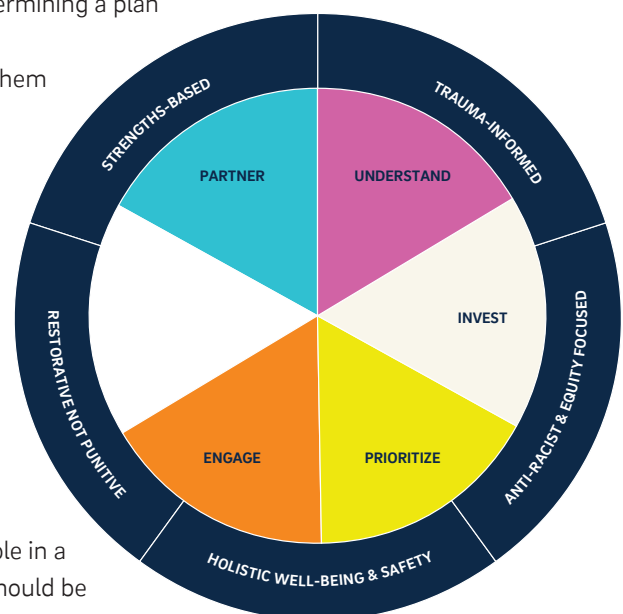
Institutional settings, whether state institutions or other forms of out-of-home placement, interrupt the relationship between youth and their families (understood as any people youth consider part of their family regardless of biological or legal relation). Family members and other supportive adults exert a strong influence on a young person’s behavior. Research suggests that involving family in the diversion process leads to better youth outcomes.

Include Families in Every Step of the Process

- Utilize a broad definition of family
- Encourage youth-family connections
- Empower families to participate in goal setting, determining a plan of action, and creating individual plans for youth
- Treat families as experts and meaningfully include them in decision making

Support and Invest in Families

- Provide support and services to caregivers and families as part of the diversion process
- Ensure affordable and quality housing, living wages, and food security through community and government agencies
- Work with community-based organizations that work directly with families
- Create dedicated full-time staff positions that engage directly with families



Families typically know youth the best and can play a critical role in a young person’s success in diversion. For this reason, families should be included in goal setting and decision making throughout the entire process.

Diversion initiatives should also provide support and services, such as counseling, skill-building, and employment resources, to families themselves so that they are better suited to support their young person.

TRACK, ANALYZE, AND REPORT DATA

Community-led diversion initiatives should track, analyze, and report data related to the process and impact of their programming. Data collection and analysis provide feedback that can help improve programs and can also be crucial for securing funding and other resources from organizations that require evidence of organizational capacity and effectiveness supporting youth.

Engage in Participatory Research with Community

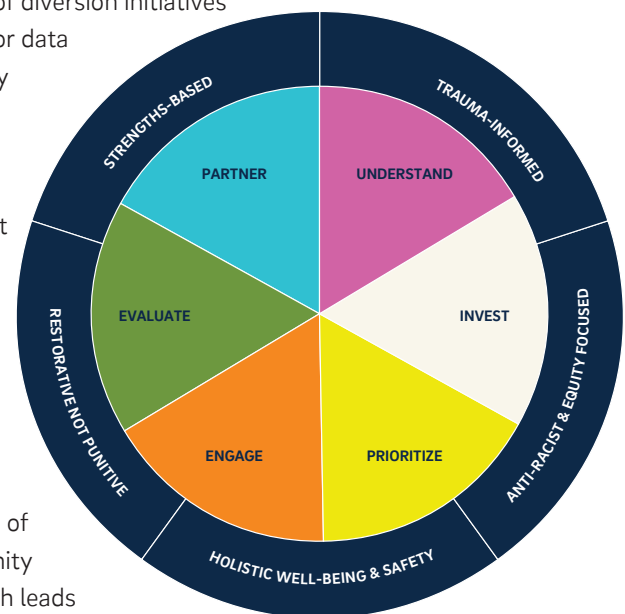
- Involve community members and youth as much as possible in data collection and analysis

Conduct Process and Outcome Evaluations

- Conduct regular process and outcome evaluations of diversion initiatives
- Develop program logic models, establish protocol for data collection and reporting, and set goals related to key indicators
- Look beyond traditional measures of diversion

Collect Data on Indicators of Inequality

- Commit to collecting and using data that are explicit about race, ethnicity, gender, and other indicators of inequality
- Attend to racial and ethnic equity through robust data and evaluation practices



Ideally, research should be built into diversion initiatives through dedicated staff and processes for conducting process and impact evaluations, as well as collecting data on indicators of inequality. Data collection and analysis should involve community members and youth as much as possible. Participatory research leads to better data since it incorporates local knowledge into the research process, thus validating information gathered about community needs and experiences. Furthermore, it helps build community capacity, data ownership, and leadership in the process.

CONCLUSION

Our framework for community-led diversion is based on the idea that community capacity and strong partnerships build trust in community leadership that leads to positive youth outcomes.

Community-led diversion allows youth, their families, and community members to feel seen and heard and to believe that they are working toward common goals with all of the people and organizations involved in diverting youth and keeping them out of the justice system.

Community-led diversion is not only an approach to supporting youth, it is a means to strengthen communities as a whole to improve safety and wellbeing. In other words, community-led diversion is a means of broader social transformation that can allow us to move beyond the need for juvenile diversion.





