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Practice Profile

Juvenile Diversion Programs

Evidence Ratings for Outcomes:



Crime & Delinquency - Multiple crime/offense types

Practice Description

Practice Goals

Juvenile diversion is an intervention strategy that redirects youths away from formal processing in the juvenile justice system, while still holding them accountable for their actions. Diversion programs may vary from low-intensity warn-and-release programs to more-intensive treatment or therapeutic programming, all in lieu of formal court processing. Diversion programs are also designed to be less costly than formal court proceedings because they reduce the burden on the court system, reduce the caseload of juvenile probation officers, and free up limited resources and services for high-risk juvenile offenders. The goal of diversion programs is to reduce recidivism or the occurrence of problem behaviors without having to formally process youth in the justice system.

Target Population

Diversion programs may target a variety of young offenders. Generally, diversion programs attempt to remove low-risk youths, such as status offenders or first-time offenders, from traditional system processing. However, some diversion programs may target high-risk juvenile offenders, or youths with specific psychosocial needs (such as mentally ill offenders or those with substance abuse issues).

Practice Theory

Diversion is primarily grounded in two different theories. Labeling theory emphasizes the stigma and negative consequences that youths may experience if they are labeled delinquent at a young age (Becker 1963). Differential association theory argues that youths can learn antisocial attitudes and behaviors by associating with peers who exhibit such behavior (Cressey 1952). Diversion attempts to minimize the effects of labeling associated with offending and limit the opportunities youths have to associate with antisocial peers by reducing their contact and exposure to the juvenile justice system.

Recently, research on the negative impacts of formal system processing and empirical work on the risk/need/responsivity model also provide support for the use of diversion. Research has emerged indicating that the likelihood of reoffending actually increases as youths are further processed into the juvenile justice system, which supports the idea of diverting youths away from the system (Petrosino, Turpin-Petrosino, and Guckenburg 2010). Likewise, the risk/need/responsivity model—which, in part, emphasizes that

Practice Snapshot

Age: 12 - 18

Gender: Both

Race/Ethnicity: Black, Other, White

Targeted Population: First Time Offenders, Serious/Violent Offender, Young Offenders

Settings: Courts, Other Community Setting

Practice Type: Diversion, Drug Court, Family Therapy, Individual Therapy, Restorative Justice, Teen/Youth Court, Wraparound/Case Management

Unit of Analysis: Persons

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intensive services should be reserved for high-risk juveniles—also supports the use of diversion so that limited resources can be directed to more appropriate juvenile offenders (Andrews and Bonta 2010).

Practice Components

There are generally two different types of diversion programs: caution/ warning programs and formal programs. Caution or warning programs are the least invasive. In these programs, youths are diverted out of the system with no further action, aside from a warning or formal caution, usually from the police. Alternatively, formal diversion programs usually involve some conditions youths must fulfill, including an admission of guilt and an agreement to participate in a diversion intervention. Successful completion of diversion programming will generally result in no further judicial processing (Wilson and Hoge 2012).

There are many different examples of diversion interventions, such as restorative justice programs (including victim–offender mediation or family group conferencing), community service, treatment or skills-building programs (including cognitive–behavioral therapy or employment training), family treatment, drug courts, and youth courts.

Diversion can occur at several different contact points in the juvenile justice system, but generally youths are diverted pre- or post-charging but before the initiation of formal court procedures. Precharge diversion is generally used with lower-risk youths following their contact with the police. With precharge diversion, youths are diverted from the system with no further processing by law enforcement or court services. Postcharge diversion occurs when youths have been charged with an offense by the police or prosecution. Youths must accept responsibility for their actions and agree to participate in recommended programming. If they do, there is no further judicial processing and successful completion of diversion programming may result in dismissal of charges (Wilson and Hoge 2012).

Meta-Analysis Outcomes



Crime & Delinquency - Multiple crime/offense types

Overall, the results from the two meta-analyses were mixed. Schwalbe and colleagues (2012) examined the results from 28 studies of juvenile diversion programs and found there was no significant effect on recidivism (OR=0.83), suggesting diversion was no better than traditional justice processing. Conversely, Wilson and Hoge (2012) looked at the results from 45 studies and found that the average recidivism rate of diverted youth was significantly lower than that of the comparison youth who went through the traditional justice system (OR=0.57), suggesting diversion worked better than formal system processing. This conclusion is consistent with other meta-analyses (Petrosino, Turpin–Petrosino, and Sarah Guckenbug 2010) indicating that simple contact with the juvenile system can increase the likelihood of reoffending. However, it differs from the 2012 meta-analysis by Schwalbe and colleagues that showed overall diversion programs had no significant effects on youth. The inconsistent results between the meta-analysis by Schwalbe and colleagues and the 2012 meta-analysis by Wilson and Hoge could be due, in part, to the difference in the inclusion criteria used for each review, and to the difference in the number of studies and subjects included in the analyses (the meta-analysis by Wilson and Hoge included more programs and had a larger sample size than the meta-analysis by Schwalbe and colleagues).

Meta-Analysis Methodology

Meta-Analysis Snapshot			
	Literature Coverage Dates	Number of Studies	Number of Study Participants
Meta-Analysis 1	1982 - 2010	28	19301
Meta-Analysis 2	1972 - 2010	45	78640

Meta-Analysis 1

Schwalbe and colleagues (2012) evaluated the effectiveness of diversion programs for youthful offenders by identifying studies through an electronic search of *PsycINFO*, *Web of Science*, and the National Criminal Justice Reference Service database, as well as the Web sites of private research and public policy organizations. Key words such as *diversion*, *diverted*, *youth court*, *restorative justice*, *victim–offender mediation*, *drug court*, *mental health court*, and *first-time offender* were used to locate studies. Studies were included in the analysis if they met the following inclusion criteria: 1) experimental or quasi-experimental design comparing at least one active treatment condition against a minimal intervention (e.g., warn and release) or standard justice processing condition; 2) published between 1980 and 2011; 3) served youths under 18 who were referred to diversion by law enforcement or the juvenile

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justice system before adjudication. Studies were excluded if the comparison group consisted only of treatment refusers because of inherent selection-bias limitations.

Twenty-eight studies were included in the analysis. The 28 studies included more than 19,000 youths and yielded 57 comparisons (some studies reported multiple comparisons because they included two types of comparisons groups [e.g., standard court and minimal intervention] or they included multiple experimental conditions). The ages of the study samples ranged from 12.6 to 15.9 years old. Almost 88 percent of the samples were male, and 91.5 percent were white (the other 8.5 percent of races/ethnicities were not provided). Fourteen studies used random assignment, and the other 14 were quasi-experimental designs. The majority of the studies were published in the 2000s, with only two published in the 1990s and eight published in the 1980s. Sixteen studies restricted eligibility into the program to minor or first-time offenders, while in three of the studies eligibility was restricted to high-risk, chronic, or serious offenders. Two studies allowed the police or county attorneys to establish eligibility, and in one study having a substance use problem was the sole eligibility criteria. The other six studies did not report their eligibility criteria. Youths in the diversion studies received services such as case management, individual treatment with or without case management, and family treatment with or without case management, or they participated in diversion programs such as youth court and restorative justice.

Odds ratios comparing experimental and nonexperimental conditions were calculated from event rates for discrete outcomes (e.g., rearrests) and transformed to a linear scale for analysis. Random effects models were employed to calculate inverse-variance weighted effect sizes, correct standard errors for sampling error variance, and to calculate credibility intervals.

Meta-Analysis 2

Wilson and Hoge (2012) compared the impact of participation in diversion with traditional processing on reoffending rates of youths. A comprehensive search of various databases and journals (such as *PsycINFO*, *Web of Science*, *Criminal Justice Abstracts*, and *Dissertation Abstracts*) was conducted. To be included in the review, studies had to examine the recidivism rate of youth offenders referred to a diversion program compared with those youths who went through traditional processing in the juvenile justice system. Diversion was defined broadly as any program that allows the youth to avoid 1) official processing through a screening process before the laying of a charge; 2) full prosecution after the laying of a charge; or 3) a traditional sentence (e.g., imprisonment) after conviction. The types of diversion programs included victim-offender mediation, community service work, restitution, or treatment/education programs. A study was excluded if any of the programs were a condition of a traditional disposition, such as probation. Studies on teen courts and drug treatment courts were also excluded, as were studies that evaluated a diversion program that accepted referrals from educational institutions for noncriminal behavior, such as repeatedly missing class.

Forty-five studies (reporting on 73 diversion programs) met the criteria for inclusion. The studies assessed 14,573 diverted youths and 18,840 youths processed by the traditional juvenile justice system. Nineteen studies were published in a peer-reviewed journal, and the other 26 studies were found in other forms of dissemination, such as book chapters, dissertations, and government reports. The majority of the studies (34) came from the United States, while 6 studies came from Australia, 3 from Canada, and 2 from other countries. The average age of the diversion samples for all the programs was 14.72 years (ranging from 12 to 18 years). The samples were more likely to be male and white (no other information about gender or race/ethnicity was provided).

Study quality was coded as *successful*, *somewhat successful*, and *nonsuccessful*. An example of a successful study is a well-executed random assignment design. An example of a somewhat successful design is a matched design with no verification of group equivalency or the use of a convenience sample with the controlling of demographic and risk-related variables. An example of a nonsuccessful study is if there were clear differences in risk levels between the treatment and comparison groups and little to no attempt to control for these differences. The vast majority of studies were coded as either somewhat successful or nonsuccessful, with only a small number (six) coded as successful.

Effect sizes (e.g., odds ratios) were calculated to measure program effectiveness. Effect sizes were also weighted by the inverse of the variance, allowing studies with larger sample sizes to contribute more to the overall effect size than studies with smaller sample sizes. The results were presented for both fixed and random effects models, but the random effects model was the focus of this review.

Cost

There is no cost information available for this practice.

Evidence-Base (Meta-Analyses Reviewed)

These sources were used in the development of the practice profile:

Meta-Analysis 1

Schwalbe, Craig S., Robin E. Gearing, Michael J. MacKenzie, Kathryn B. Brewer, and Rawan W. Ibrahim. 2012. "A Meta-Analysis of Experimental Studies of Diversion Programs for Juvenile Offenders." *Clinical Psychology Review* 32:26–33.

Meta-Analysis 2

Wilson, Holly A., and Robert D. Hoge. 2012. "The Effect of Youth Diversion Programs on Recidivism: A Meta-Analytic Review." *Criminal Justice and Behavior* (published online Oct. 15, 2013).

Additional References

These sources were used in the development of the practice profile:

Andrews, Donald A., and James Bonta. 2010. *The Psychology of Criminal Conduct (Fifth Edition)*. New Providence, N.J.: Anderson.

Becker, Howard Saul. 1963. *Outsiders: Studies in the Sociology of Deviance*. New York, N.Y.: Free Press.

Cressey, Donald R. 1952. "The Application and Verification of the Differential Association Theory." *Journal of Criminal Law and Criminology* 43(1):43–52.

Petrosino, Anthony, Carolyn Turpin–Petrosino, and Sarah Guckenburg. 2010. "Formal System Processing of Juveniles: Effects on Delinquency." *Campbell Systematic Reviews* 1.

Related Programs

Following are CrimeSolutions.gov-rated programs that are related to this practice:

[AMIkids Community-Based Day Treatment Services](#)

A day treatment program that provides community-based interventions while allowing youth to reside at home as they attend daily services. The program is rated Promising. The treatment sample was significantly less likely to be adjudicated or convicted for an offense within 12 months of release.

[Canberra Reintegrative Shaming Experiments](#)

A restorative justice program that incorporates the Wagga Wagga conference model as a diversion from conventional court processing. The experiments were designed to measure the impact of restorative justice diversionary practices on repeat offending, victims and offenders' perceptions of justice, and overall satisfaction following the conference.

[Independence Youth Court](#)

A diversion program for young offenders. The primary goal of the program is to reduce the occurrence of juvenile crime by diverting youth from the traditional juvenile justice system and providing an alternative to formal processing.

[Adolescent Diversion Project \(Michigan State University\)](#)

A strengths-based, advocacy oriented program that diverts arrested youth from formal processing in the juvenile justice system and

provides them community-based services. This program is rated Effective. The program was associated with a significant reduction in the rates of official delinquency of participating juveniles as compared to juveniles formally processed in the system. However, the program did not significantly affect youths' self-reported delinquency.

[Minneapolis Center for Victim-Offender Mediation](#)

A restorative justice program that provides juvenile offenders and their victims the opportunity to meet face-to-face in the presence of a mediator to discuss the offense and establish a plan for the future.

[Maine Juvenile Drug Treatment Courts](#)

Court supervised, post-plea (but pre-final disposition) drug diversion programs that provide comprehensive community-based treatment services to juvenile offenders and their families.

[Front-End Diversion Initiative](#)

A preadjudication diversion program designed to divert juveniles with mental health needs away from the juvenile justice system through specialized supervision and case management.

[Adolescent Diversion Program \(New York State\)](#)

A diversion program for 16- and 17-year-old defendants in the New York state adult criminal justice system. The program is rated Promising. Similar rates of recidivism were found for ADP participants and comparison group members, suggesting that diverting older adolescents would not increase recidivism and risk to the public.

[Utah Juvenile Drug Courts](#)

Offers substance abuse treatment and programming for juveniles in an effort to reduce participants' alcohol, drug and delinquency offenses. The program is rated Promising. The program was shown to significantly reduce delinquency and criminal offenses, but not alcohol and other drug offenses.