



Colorado District Attorneys' Juvenile and Adult Diversion Programs 2018

Compiled by the Colorado District Attorneys' Council (cdacweb.com/)

| Jurisdiction | Juvenile Diversion Programs | Adult Diversion Programs | Comments |
|-----------------|--|---|--|
| 1 st | YES – Primarily post-filing but also some pre-filing cases. In 2017, 285 juveniles served, 70% success rate on post-filing diversions and 72% success rate on pre-filing diversions. Multiple programs including juvenile sex offender program. No grant funding sought. | YES – This is a post-filing model. In 2017, 622 felony cases diverted and 448 misdemeanor cases diverted. Over a 7 year period, program averages 70% success rate and less than 11% recidivism after 4 years. No grant funding sought. | 2 counties |
| 2 nd | Yes - Funded by DCJ Grant. Referrals made post filing. Approx. 90 cases referred per year. Significant resources and programs utilized. Looking into move toward pre-file diversion. | NO – Starting pilot program in April 2018. Will target 50 participants based upon low level offenses. Currently applying for funds under HB 13-1156. *Also running a mental health co-responder program with 6 co-responders and seeking more funding – diversion on the street (LEAD). | 1 city/county Denver has many robust programs and strong community support. |
| 3 rd | NO – New DA is hoping to get program in the future. | NO – New DA is hoping to get program in the future. | 2 counties District had one under prior DA briefly that was cut do to inability to maintain funding. The 3 rd JD has a long history of severe funding/resource and personnel issues. New DA has achieved a new funding resource that may help soon. |
| 4 th | YES –Pre and post filing models. Will accept all charges that are non-violent/non-sex offense with the exception of 3 rd degree assault. 400-600 cases diverted a year. | YES – Post-filing. Cases are pre-screened. Defendant will be offered dismissal of case on conditions set by diversion officer and completion of agreed upon terms. Common eligible offenses are F3, 4, 5 and 6. | 2 counties 4 th has Prostitution diversion program. Prescription fraud cases diverted on an individual basis for 1 st time offenders. 1 year contract with conditions/case dismissed. 4 th JD also has a mediation program that can be pre or post filing. |



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| 5 th | YES – DCJ grant funded and predominantly pre-file model that utilizes a diversion coordinator. Can be referred by law enforcement without coming to DA. Contracts with youth and parents vary in time period and parameters based upon case by case circumstances. RJ services and victim impact panels are used. Mental health screening is part of intake. | NO | 4 counties |
| 6 th | YES – Partnership with La Plata Youth Services (LPYS). Law enforcement and schools can refer cases directly without the DA. DA refers both pre-filing and post-filing. Several program to include RJ< substance abuse education and sexting education. | YES – Fully funded by HB 13-1156 money. 30 hr per week diversion coordinator who works with 2 contract facilitators in the diversion and RJ programming. Used in DUR's/low to mid-level traffic/low level drug cases. Between 2015-17 671 cases referred to diversion, 529 enrolled and 402 graduated. 76% graduation rate and 91% non-recidivism after 3 years. | 3 counties In regard to the juvenile programs, LPYS does not handle sex offense cases. On case by case basis DA creates diversion type approach for low risk/low needs/low level sex offenses. Done via probation dept. and local SOMB approved providers – result informal adjustment for 6-12 months and possible no file or dismissals on filed cases. |
| 7 th | YES – Operates in all 7 courts and 6 counties. Each program is different based upon resources and availability of community partners. | YES – Recently started in Delta County with local funding only. County has indicated they cannot sustain the program so DA will seek grant funding this year. | 6 counties Dec 2017, in cooperation with Montrose PD, Delta SO, created a mental health co-responder program. Objective is to avoid criminal charges where appropriate. No grant funding sought – in order to avoid restrictions. |



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| 8 th | YES – Robust program and started in 2004. Pre-file diversion of 6,357 youth since 2004. Significant programming with local entities including RJ, substance abuse programming, counseling, grade monitoring etc... In 2017, 419/1,056 juvenile case were pre-file diverted. | NO – Did not apply for state funding due to restrictions and limitations under the program as well as the reporting requirements. Have had discussions about potential for low level DV case diversion – not allowed under adult grant program. | 2 counties In 2007, 8 th JD also started low level juvenile non-aggravated sex offense diversion program. Since 2007, 155 juveniles have gone through the program. |
| 9 th | YES – Works through local non-profit and currently establishing RJ component. | YES – Funded by HB 13-1156 and seeking to re-new grant funding (\$41,000) this year. 75-125 cases referred. | 3 counties 1 P/T diversion coordinator. |
| 10 th | YES – DCJ funded. Pre and post filing models, first time offenders for all offenses except DV, Sex assaults, violent assaults and serious drug cases. Some of funding used to pay for drug and alcohol treatment and anger management classes. Typically 3 month program. | YES – Pre and post filing models. Misdemeanor and felony cases considered except for DV, sex assault, violent assault and serious drug cases. Typically 3month program on misdemeanors and 6 months on felonies. Upon successful completion either a no file decision or a dismissal. | 1 county |
| 11 th | YES – Freemont County via DCJ grant. Use of teen contracts/teen courts. In Freemont County – in 2017 66 juvenile petitions were filed and 37 were referred to diversion. Restorative justice program in Salida (Chaffee County) is used by all four counties. Also utilize informal adjustments and deferred judgements in other three counties. | NO – No local funding/support. Uses traditional plea offer approaches including deferred judgments where appropriate. Would like to have a program but does not feel it can be achieved over the four counties with current funding available (\$400,000 – statewide). | 4 counties 11 th JD has significant staffing and resource issues and DA cannot see a current path even with grant money to cover reaming costs and personnel required to provide the administration, supervision and data collection. |
| 12 th | YES – Part of pilot program/DCJ grant funded. Pre-file approach. Combined with RJ program in community. 1 coordinator who refers cases. | NO – DA will be applying for grant this year. | 6 counties Drastic reduction in juvenile filings. |



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| 13 th | NO – DA does not feel she has enough cases (approx. 110-120 per year) across the 7 counties to effectively justify a formal program. Instead, DA heavily utilizes deferred judgments on vast majority of juvenile cases. | NO – DA does have adult drug court in Logan County and operates an Adult Sobriety Court and post-conviction drug court in Morgan County. | 7 counties In regard to Adult diversion, the courts, probation, and DA agreed as to what all felt would work best for the district. Thus, the probation department got the funding for their extra supervision costs. |
| 14 th | YES – Formal pre and post filing program. DCJ funded. In 2017, 127 juvenile cases, 53 were filed and 64 were diverted. | NO – DA does have a post-conviction drug recovery court in both Routt and Moffat counties. | 3 counties |
| 15 th | NO – Caseload is too small. DA uses informal adjustments and probation supervision. | YES - Funded by HB13 -1156. P/T diversion coordinator position. | 4 counties Administering a juvenile program would require several P/T employees across multiple counties for a very small number of cases. |
| 16 th | NO – Ad hoc diversion efforts made if resources allow for supervision and monitoring. | YES - Funded by HB13-1156. Focused on first time offenders including some felony cases, but limited by statutory criteria. Approx. 70 defendants in the program and any given time. | 3 counties DA Bullock is on the funding board for HB13-1156. He strongly feels the fund needs \$1.2 million or more on an annual basis to get more programs. |
| 17 th | YES – Primarily pre-filing, sometimes post filing if deemed appropriate. 101 diversion contracts in 2017. 91 % success rate since 2015. One education counselor funded by DCJ but otherwise no grant funds used due to restrictions and requirements. | YES – Primarily pre-filing, sometimes post filing if deemed appropriate. 129 diversion contracts in 2017. 94 % success rate since 2015. No grant funds used due to restrictions and requirements. | 2 counties Both programs have been in existence for more than 40 years. |



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| 18 th | YES – On average, diverting 30% of cases (about 600) per year. This is an in-house program. 14 therapists, 1 victim advocate, 1 admin support, and a director. Utilize RJ principles, and individualized treatment plans. Also accept 50-60 sex offenses per year. Recidivism rate after one year is 9%. Program is funded 87% by the counties and 13% by grants. | YES – Just started and adult program and have had 43 referrals. Not using or seeking any state funds due to overly-restrictive conditions and limitations on using a defendant's statement of accountability. | 4 counties |
| 19 th | YES – Pre-file program/DCJ grant. 134 juveniles diverted in 2017 (@19% of total). | YES – Fully county funded program since 2012. On average, diverting 200 defendants per year, including some DV misdemeanors. | 1 county Has not sought HB13-1156 funding for adult program requirements. |
| 20 th | YES – 50% grant funded through local, state and federal dollars. Operates as Center for Prevention and Restorative Justice (CPRJ) | YES - 50% grant funded through local, state and federal dollars. Operates as Center for Prevention and Restorative Justice (CPRJ) | 1 county Joint adult/juvenile program that utilizes early intervention, validated assessment and individualized case planning. 8FTE |
| 21 st | YES – Pre-file program. Several funding sources and community partnerships. DCJ grant provides funds for mental health treatment and assessments but DA does not use DCJ funding for diversion coordinators as it would require a modification of very successful programs. Divert approximately 35% over last 3 years. | YES – Adult Diversion grant funds the program. This is post-filing program. Applying for \$125,000 this year. Diversion for low risk/low needs offenders. 600 plus misdemeanors and traffic cases annually and occasionally a handful of felonies if deemed appropriate on case by case basis. | 1 county |
| 22 nd | YES – Utilize both pre-file and most-file models. Most non-violent first time offenders get a diversion opportunity. | YES – DA sought and received “modest amount” of funding via grant to start a program. Have unsuccessfully sought other funding for staff and treatment. | 2 counties Have used adult funds to offer free drug/alcohol treatment. DA notes high rate of completion in adult diversion. |