



A SNAPSHOT OF COLORADO DISTRICT ATTORNEY DIVERSION PROGRAMS

CDAC PANEL

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PRESENTED TO THE COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE, MARCH 9, 2018

ESSENTIAL FACTS TO KNOW

- 2006 – Population of Colorado was 4.7 million people
 - 16,010 juvenile cases filed (13,705 felonies/2,265 Misdemeanors)
- 2017 – Population of Colorado was 5.6 million people
 - 9,494 juvenile cases filed (7,634 felonies/1,884 misdemeanors)

In 10 years - 40% decrease in juvenile filings while population rose by 17%

ADULT CRIMINAL FILINGS 2006-2017 WITH 17% POPULATION GROWTH

- 2006:
 - Adult felony filings – 43,624
 - Adult misdemeanor filings – 54,616
 - Traffic – 67,552
- 2017
 - Adult felony filings – 51,832 (+16%)
 - Adult misdemeanor filings – 56,343 (+3.5%)
 - Traffic – 86,489 (+22%)

FUNDAMENTAL REQUIREMENTS FOR ANY DIVERSION PROGRAM

- Accountability for actions and consequences of actions.
- Empathy and sincere remorse for any victim impacted.
- Responsibility and restitution for any damage done.
- Meaningful supervision and guidance of participants through completion.
- Availability of local resources to modify behavior, assist with addictions, mental health issues, or tools to overcome other impediments to success both during and after the program.

DIVERSION PROGRAMS AROUND THE STATE

JUVENILE DIVERSION PROGRAMS

- 18 of 22 District Attorneys offices have formal juvenile diversion programs in Colorado.

ADULT DIVERSION PROGRAMS

- 14 of 22 District Attorneys offices have formal adult diversion programs in Colorado.

JUVENILE DIVERSION FUNDING INFORMATION FROM MEG WILLIAMS/DCJ MANAGER OF ADULT AND JUVENILE JUSTICE ASSISTANCE

- Fiscal year 2018/19 funding process was just completed.
 - There are no unspent grant funds available
 - 18 juvenile Diversion Awards granted
 - \$1,184,631 total
 - 7 awards to District Attorneys, 7 to Community Based Organizations, 1 municipality and 3 county awards.
 - Also, \$340,000 in Marijuana Tax funds. 7 awards – 2 to District Attorneys, 4 to Community Based Organizations and 1 to a county.

ADULT DIVERSION FUND BACKGROUND

HB 13-1156

- \$400,000 per year for DAs to implement diversion programs.
- FY 14 – Four offices applied to fund programs.
- FY 17 – Six offices applied to fund programs.
- FY 18 - Six programs applied or re-applied to fund programs.
- 80% of all grant funds were spent for FY 2017
- Based upon FY 18 data to date, the grant fund will be “nearly” fully spent this year.

ADULT DIVERSION SUCCESSES

- During FY 17 the grant funded Adult Diversion programs expanded the population they serve by 46%.
- These offices reported a 79.2% completion/success rate.
- Evaluation of one year recidivism rates for participants in FY15 and FY 16 show that less than 10% of those who completed a diversion agreement committed a new misdemeanor or felony.

CHALLENGES UNDER HB 13-1156 FUNDING

- Several large offices (1st, 2nd, 4th, 17th, 18th) have large long-standing highly effective and robust programs that are far more flexible than the grant requirements allow.
- Some multi-county rural DAs without formal programs do not think there is enough money or community resources for what they would really need to get a program going in 4-6 counties.
- DA Jim Bullock (16th JD), a funding committee member, believes the fund needs to be more than \$1 million per year to have more substantial impact and viability.

FACTS TO LEAVE THE MEETING WITH TODAY

- All DAs in the state actively pursue alternatives to juvenile adjudications and/or adult criminal convictions for the vast majority of first time low level offenders.
- Many long standing locally funded programs still serve as gold standard models for keeping both youth and adults out of the system or to avoid adjudication or conviction.
- Even those offices without formal programs use their discretion on a regular basis in deciding to “no file”, offer deferred judgments, or other types of informal adjustments that do not appear in any report or data collection.

COLORADO DISTRICT ATTORNEYS COUNCIL

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