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Juvenile Diversion

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What is Juvenile Diversion?

Juvenile diversion programs have been created to divert youth from their early encounters with the juvenile court system. These programs involve a suspension of formal criminal or juvenile justice proceedings against an alleged offender, and the referral of that adolescent to a treatment or care program. Diversion programs usually are intended for first-time offenders, but may be extended to youth with past offenses based on the discretion of the stakeholders described below.

Some communities in Nebraska have juvenile diversion programs for youth who have been through formal juvenile court prosecution; however, the Nebraska Commission on Law Enforcement and Criminal Justice recommends juvenile *pretrial* diversion programs, in which youth are diverted before any contact with the juvenile court. Youth are referred to a pretrial diversion program by their county attorney who determines the eligibility of the alleged offender. Youth participate in these programs voluntarily before prosecution.

Why Would My Community be Interested in Juvenile Diversion?

1. Diversion programs reduce the stigma associated with a court conviction, thereby reducing the chances for future criminal involvement and allowing youth to actively choose alternatives to criminal activity.
2. Diversion programs aim to reduce recidivism by improving the youth's social adjustment – for example, by strengthening family relationships, enhancing self-esteem, or improving decision-making skills.
3. Diversion programs reduce the costs of county court and improve the juvenile justice system's efficiency. Specifically, a sizeable percentage of local law enforcement financial costs come from juvenile crime:
 - o not just arrests, but the costs involved in taking juveniles to court;
 - o not just taking juveniles to court, but the costs of recidivism (repeated crime);
 - o not just the costs of trying juveniles for second or third offenses, but the costs of trials which result in incarceration in the Kearney and Geneva Youth Rehabilitation Treatment

Centers.

Juvenile diversion programs include youth who have been arrested, or in some cases youth who have been referred to the program by parents, teachers, or police because they appear to be "at-risk" for criminal involvement. These programs give youth an opportunity for youth to work through problems outside the juvenile court system.

In 1997 there were 46 juvenile pre-trial diversion programs in Nebraska serving youth in 44 counties.

Who Are the Stakeholders in Juvenile Diversion Programs?

Youth who have come into contact with law enforcement (or who seem to be "at-risk" for involvement with juvenile court) and have chosen to participate in diversion programs rather than go through formal court processing.

Parents or guardians, whose participation is critical to diversion programs' success. These programs not only aim to improve family communication, but they provide parents with the skills and support to be more effective in providing guidelines and support to their child. Parental participation is required in some programs; it is not required in others.

The **county attorney**, who decides whether to divert youth from the juvenile court system.

The **diversion coordinator**, who manages the juvenile diversion program. Other stakeholders may include: siblings and extended family members; school teachers; county commissioners; and attorneys representing the youth involved.

Who Benefits From Juvenile Diversion?

Research on juvenile diversion programs operated through Nebraska Cooperative Extension shows that these programs pay off – for law enforcement officials, the court system, youth and their families, and communities involved.

The study concluded:

1. The juvenile diversion programs studied provided opportunities for families to build stronger parent/child relationships. Parents reported that participation in the programs gave them the opportunity to develop communication with their child and to work on projects and tasks with the child. Both youth and parents reported increased understanding and reconciliation.
2. Parent involvement in the programs played a critical role in producing positive behavior and relationship changes among participants.
3. A successful juvenile diversion program is dependent on consistent collaboration among those responsible for the planning, administration, and implementation of the program. The best indicator of a consistent juvenile diversion program is the level of collaboration among stakeholders.
4. Juvenile diversion programs must include a strong working relationship with the county attorney. Of all the stakeholders involved, the county attorney has the most influence because he or she supports the program by placing youth in the program.
5. According to the juvenile justice officials who participated in the study, juvenile diversion programs were a more effective method for handling first-time offenders because the programs reduced the costs and workloads faced by their local juvenile court.

How Can I Get More Information?

Contact your local Extension office, or visit the Nebraska Juvenile Diversion Website.

Nebraska Commission on Law Enforcement and Criminal Justice
Juvenile Justice Specialist
(402) 471-2194
crime07@vmhost.cdp.state.ne.us

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