

Juvenile Diversion in Colorado

Annual Report

Fiscal Year 2022-23

PREPARED FOR:

Office of Adult and Juvenile Justice Assistance
Division of Criminal Justice
Department of Public Safety

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INTRODUCTION

Juvenile Diversion programs, authorized through state statute (C.R.S. 19-2.5-401) with funds administered by the Division of Criminal Justice (DCJ), are intended to intervene with youth early to minimize involvement with the formal juvenile justice system. Youth who are accused of a delinquent offense can be diverted prior to the court filing, after court filing, or after adjudication. As with other components of the juvenile justice system in Colorado, Diversion is experiencing a period of change as the legislature seeks to reform the system to improve juvenile outcomes and public safety.

Fiscal year 2022-23 (FY22-23) was the first year that all programs used the Colorado District Attorney's Council (CDAC) Diversion Module data system for data tracking.

Significant modifications to the Module rolled out in May 2023, so updates to race/ethnicity data collection and the reporting of services provided were delayed until then for FY22-23. Some programs chose to update this data for the entire fiscal year while others did not.

Some programs submitted additional data using an excel spreadsheet for youth not first referred to the District Attorney (DA) on district level charges. This year there were 239 cases submitted via spreadsheets.

A total of 3,062 cases were served by Juvenile Diversion programs that received funds administered through DCJ. These cases were comprised of 2,980 unique youth, as some youth have more than one case in Diversion. Both the case numbers and number of individual youth served could be inflated due to a data reporting challenge. Users are not required to enter the date when the case closes because the Diversion Module defaults to the date that the case closure is entered. If users enter a case closure on a date other than the day the case actually closed, they can edit the date to reflect the actual date of case closure. If this step is not taken, the date of case closure is inaccurate. This report includes all cases that were open at the beginning of FY22-23 (July 1, 2022) as well as any cases admitted to Diversion during the fiscal year. A significant quality improvement effort was undertaken to close out any cases that had been inadvertently left open. If users did not update the actual dates of closure for these "housekeeping" cases, they appeared to have been open during FY22-23 and, therefore, included in this report, even if their case had an "actual" closure prior to the fiscal year. It is estimated this may have affected 2% of the overall cases but has a differential effect by program depending on their data entry protocols.

The number of cases was up from 2,298 in FY 21-22 and 1,767 youth reported in FY 20-21. Nearly all programs reported serving more youth this fiscal year, some more than doubling their youth served.

There are other Juvenile Diversion programs that operate outside of this funding. There were 374 cases entered into the Diversion Module that participated in Diversion but were not state funded. This report focuses specifically on youth who participated in programs that utilized the funding administered by DCJ.

There is at least one funded program within every judicial district. Three judicial districts (the 1st, the 7th and the 8th) have multiple funded programs to meet the needs of their communities. Programs across the state vary substantially in size and scope. The 4th JD's program in the District Attorney's office served the greatest number of cases (438) and the 13th JD's program reported data for 25 cases, the state's smallest program in FY 22-23.

DEMOGRAPHICS

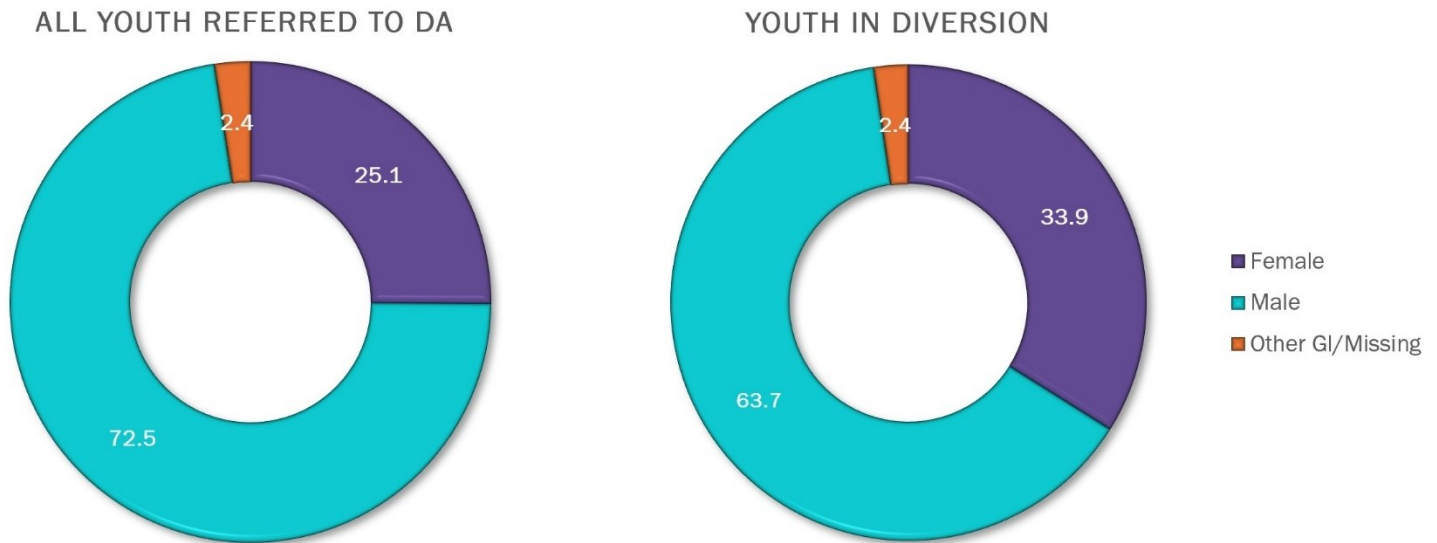
This section compares cases for youth who participated in state funded Diversion programs and all youth referred to the DA for district level charges in FY22-23.

AGE, GENDER IDENTITY, RACE/ETHNICITY

Gender Identity is reported only in the Diversion Module (not in the Action database) and was only added with the modifications implemented late in the fiscal year, so may be an underrepresentation of genders other than male and female. Figures 1 and 2 depict the distributions of gender and race/ethnicity statewide for Diversion cases compared to all cases referred DA. Proportionally, more female youth participated in Diversion than the overall proportion of females referred to the DA (34% vs. 25%).

Note that in the figures and tables throughout this report where “all youth referred to the DA” are referenced, the data include those youth who were first referred to the DA and then to Diversion programs.

FIGURE 1: PERCENT OF YOUTH SERVED BY GENDER



The race and ethnicity categories in Figure 2, along with Table 1 that follows, are based on those currently recommended by the U.S. Census Department.

FIGURE 2: RACE AND ETHNICITY¹

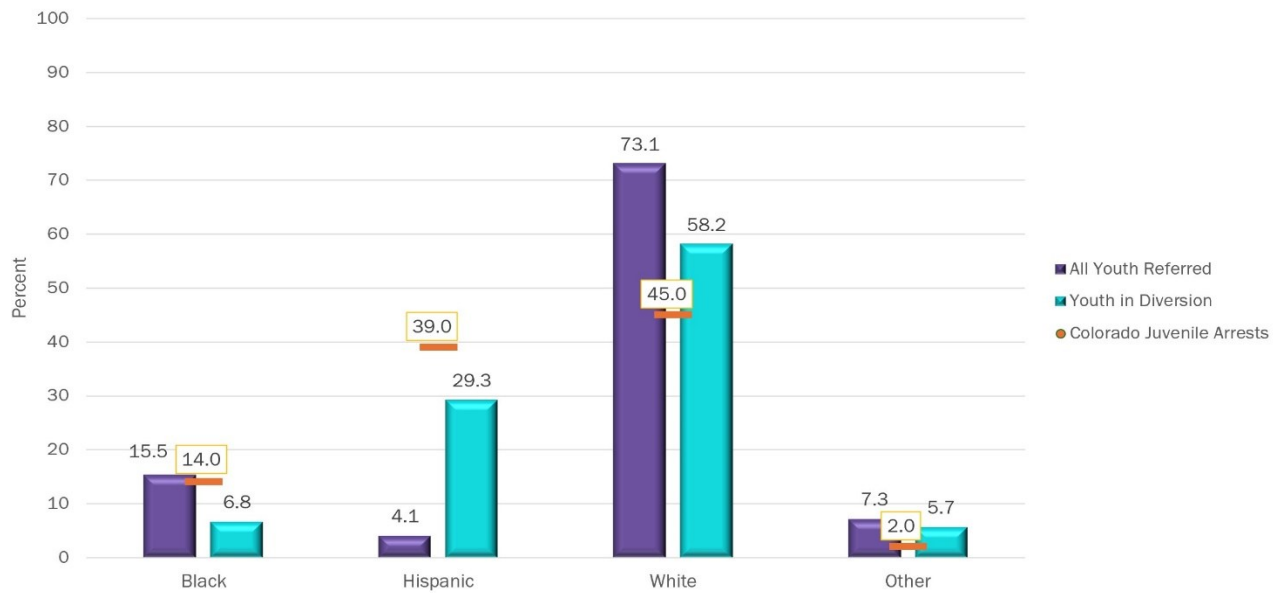


Table 1 includes the percent of cases each program served in Diversion during FY22-23. An individual youth could be represented more than once if they participated in Diversion more than once during the fiscal year. The percent of white youth referred to the DA is likely inflated, and the percent of Hispanic youth is likely deflated due to reporting by law enforcement agencies who default to race rather than considering ethnicity as well. Diversion programs were instructed to update race and ethnicity based on youth self-identification.

¹ Juvenile arrest data from the Office of Research and Statistics (ORS) in collaboration with the Division of Criminal Justice (DCJ) race/ethnicity dashboard for FY 21-22.

TABLE 1: MEAN AGE, GENDER IDENTITY, AND RACE DISTRIBUTION BY PROGRAM

Program	Total Cases	Mean Age	Percent (%)						
			Male	Female	Other GI	Black	Hispanic	White	Other/ Missing ²
JD 1 JAC	58	14.83	74.2	24.1	1.7	6.9	5.2	84.5	3.4
JD 1 DA	109	15.53	67.0	31.2	1.8	4.6	32.1	60.6	2.7
JD 2	99	15.77	63.6	35.4	1.0	35.4	37.3	25.3	2.0
JD 3	36	16.09	77.8	19.4	2.8	0.0	25.0	58.4	16.6
JD 4	438	15.05	57.2	33.1	9.7	16.4	16.2	53.0	14.4
JD 5	114	15.44	69.3	29.8	0.9	2.6	35.1	52.6	9.7
JD 6	86	15.49	67.4	29.1	3.5	2.3	14.0	76.7	7.0
JD 7 Delta	64	14.83	62.5	37.5	0.0	0.0	25.0	73.4	1.6
JD 7 Gunnison	29	15.59	79.3	20.7	0.0	0.0	24.1	75.9	0.0
JD 7 Hilltop	39	15.12	74.4	25.6	0.0	0.0	51.3	48.7	0.0
JD 8 CFO	112	15.37	56.2	42.0	1.8	5.4	22.3	68.7	3.6
JD 8 RJS	88	15.27	61.4	37.5	1.1	2.3	34.1	61.4	2.2
JD 9	74	15.94	70.3	29.7	0.0	2.7	23.0	74.3	0.0
JD 10	28	14.89	71.4	25.0	3.6	7.1	42.9	50.0	0.0
JD 11	59	15.72	66.1	32.2	1.7	3.4	11.9	81.3	3.4
JD 12	78	15.48	53.8	43.6	2.6	2.6	71.7	21.8	3.9
JD 13	25	16.26	72.0	28.0	0.0	4.0	40.0	56.0	0.0
JD 14	51	15.11	56.9	33.3	9.8	0.0	11.8	74.5	13.7
JD 15	27	15.58	77.8	22.2	0.0	0.0	22.2	59.3	18.5
JD 16	40	15.93	72.5	27.5	0.0	5.0	37.5	50.0	7.5
JD 17	159	15.92	73.0	26.4	0.6	6.3	22.0	67.9	3.8
JD 18	376	16.12	65.7	32.2	2.1	9.3	23.1	64.4	3.2
JD 19	219	14.79	59.4	40.6	0.0	3.7	55.2	39.2	1.9
JD 20	222	15.96	64.9	35.1	0.0	2.7	37.8	57.2	2.3
JD 21	371	14.91	60.1	39.9	0.0	2.2	34.5	61.2	2.1
JD 22	61	15.30	62.3	37.7	0.0	0.0	13.1	52.5	34.4 ³
Statewide	3,062	15.42	63.8	33.9	2.3	6.8	29.3	58.2	5.7

RACE ETHNICITY

Race and Ethnicity are reported separately in the newest version of the CDAC Diversion Module. Furthermore, multiple race choices can be selected for each youth based on self-report. Table 2 below represents the percent of youth by their reported race selection(s). Youth may have identified multiple race/ethnicity choices; therefore, the numbers are not mutually exclusive. The multi-race category reflects the percent of youth who selected more than one category.

² Other includes Asian, Pacific Islander, Native American, Alaskan Native, and Multi-Racial.

³ The 22nd JD is known to have a large Native American population explaining the large percentage of “Other” Race/Ethnicity.

TABLE 2: ALL RACE/ETHNICITY CATEGORIES BY PROGRAM

Percent (%)									
Program	Hispanic	Asian / Pacific Islander	Black / African American	Native American or Alaskan Native	White / Caucasian	Race Same as Ethnicity	Multi- Racial	Not Listed	Unknown
JD 1 JAC	5.2	1.7	6.9	5.2	87.9	0.0	1.7	0.0	0.0
JD 1 DA	30.3	0.9	5.5	1.8	66.1	19.3	12.8	2.8	1.8
JD 2	36.4	2.0	36.4	1.0	60.6	0.0	2.0	0.0	0.0
JD 3	22.2	0.0	0.0	0.0	72.2	0.0	5.6	11.1	8.3
JD 4	16.2	4.6	16.9	0.7	59.8	6.6	10.9	11.2	8.7
JD 5	33.3	0.0	1.8	0.0	57.9	8.8	1.8	9.6	1.8
JD 6	14.0	1.2	2.3	10.5	83.7	10.5	10.5	0.0	2.3
JD 7 Delta	25.0	0.0	1.6	1.6	90.6	4.7	4.7	1.6	4.7
JD 7 Gunnison	24.1	0.0	0.0	0.0	93.1	17.2	10.3	0.0	0.0
JD 7 Hilltop	51.3	0.0	0.0	5.1	61.5	38.5	7.7	0.0	2.6
JD 8 CFO	22.3	0.0	5.4	0.9	65.2	4.5	2.7	0.9	1.8
JD 8 RJS	34.1	0.0	9.1	1.1	69.3	6.8	5.7	0.0	13.6
JD 9	23.0	1.4	2.7	0.0	93.2	21.6	21.6	1.4	1.4
JD 10	42.9	0.0	7.1	0.0	78.6	10.7	0.0	0.0	3.6
JD 11	11.9	0.0	5.1	0.0	88.1	5.1	3.4	1.7	3.4
JD 12	71.8	0.0	2.6	2.6	88.5	6.4	6.4	1.3	2.6
JD 13	40.0	0.0	4.0	0.0	52.0	44.0	0.0	0.0	0.0
JD 14	11.8	0.0	0.0	0.0	52.9	3.9	0.0	0.0	13.7
JD 15	22.2	0.0	0.0	0.0	77.8	7.4	3.7	7.4	11.1
JD 16	37.5	0.0	5.0	0.0	85.0	0.0	7.5	15.0	0.0
JD 17	20.8	1.3	6.3	0.6	69.8	13.8	10.1	2.5	8.8
JD 18	23.1	2.9	12.2	0.3	87.2	1.6	6.9	2.4	0.3
JD 19	54.8	1.8	5.0	0.9	53.0	2.7	2.7	0.0	33.3
JD 20	36.9	2.7	3.6	0.9	82.0	7.7	6.8	3.2	0.5
JD 21	34.0	1.6	3.0	1.6	90.0	8.1	13.7	6.2	2.4
JD 22	13.1	0.0	3.3	34.4	52.5	9.8	6.6	0.0	3.3
Statewide	28.9	1.8	7.8	1.9	73.9	7.6	7.8	4.0	5.9

SEXUAL ORIENTATION

Reporting of sexual orientation is required by statute (C.R.S. 19-2.5-401). Sexual orientation is not part of the demographic information populated from the DA's larger database (Action) so must be updated by the programs manually. In 41% of cases, there was no response to this question; therefore, this data must be interpreted with caution. Figure 3 provides a statewide snapshot of the responses that were provided for youth in Diversion and does not include missing responses. For nearly 2/3 of cases there was no answer for the youth's sexual orientation, 1/3 of cases identified as heterosexual, very small percentages of cases identified as bisexual (1.2%), identified sexual orientation was not listed (0.9%), asexual (0.3%), questioning (0.2%), and Lesbian (0.1%). Table 3 provides sexual orientation data by program, which includes the percent for which there was no response to the question.

FIGURE 3: SEXUAL ORIENTATION FOR YOUTH IN DIVERSION STATEWIDE

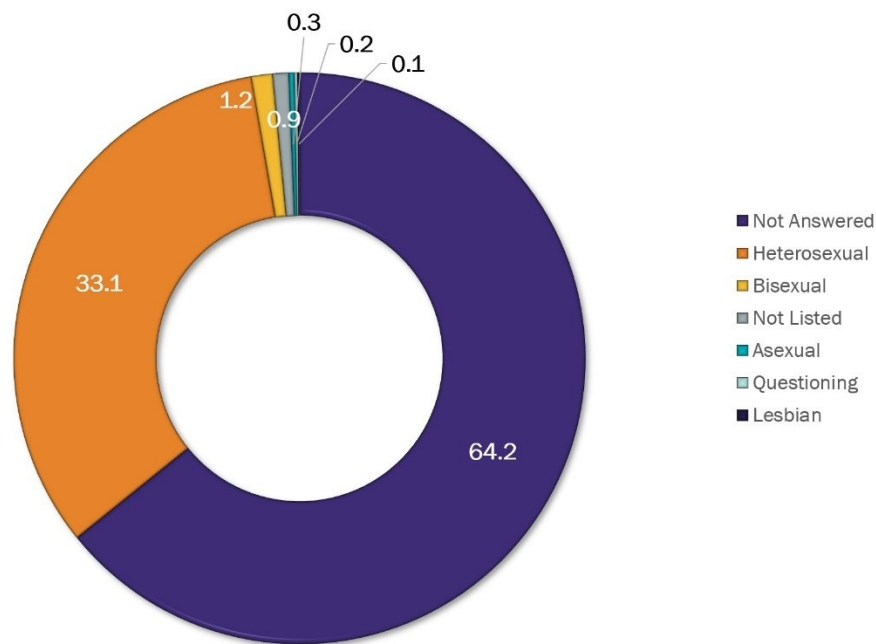


TABLE 3: SEXUAL ORIENTATION BY PROGRAM

Program	Percent (%)								
	Asexual	Bisexual	Gay	Heterosexual	Lesbian	Not Answered	Not Listed	Questioning	Missing
JD 1 JAC	0.0	0.0	0.0	0.0	0.0	86.2	0.0	0.0	13.8
JD 1 DA	0.0	1.8	0.0	34.9	0.0	10.1	1.8	0.0	51.4
JD 2	1.0	0.0	0.0	60.6	0.0	7.1	0.0	0.0	31.3
JD 3	5.6	0.0	0.0	2.8	0.0	0.0	2.8	0.0	88.8
JD 4	0.0	0.2	0.0	0.0	0.0	4.6	0.0	0.0	95.2
JD 5	0.0	0.9	0.0	21.1	0.0	0.0	0.0	0.0	78.0
JD 6	0.0	0.0	0.0	0.0	0.0	95.3	0.0	0.0	4.7
JD 7 Delta	0.0	4.7	0.0	20.3	0.0	39.0	12.5	0.0	23.5
JD 7 Gunnison	0.0	0.0	0.0	72.4	0.0	0.0	0.0	0.0	27.6
JD 7 Hilltop	2.6	0.0	0.0	58.9	0.0	30.8	0.0	0.0	7.7
JD 8 CFO	0.0	0.0	0.0	0.0	0.0	22.3	0.0	0.0	77.7
JD 8 RJS	0.0	0.0	0.0	0.0	0.0	79.5	0.0	0.0	20.5
JD 9	0.0	1.4	0.0	27.0	0.0	54.0	0.0	1.4	16.2
JD 10	0.0	0.0	0.0	0.0	0.0	67.9	0.0	0.0	32.1
JD 11	0.0	0.0	0.0	6.8	0.0	57.6	0.0	0.0	35.6
JD 12	0.0	0.0	0.0	0.0	0.0	7.7	0.0	0.0	92.3
JD 13	0.0	4.0	0.0	80.0	0.0	4.0	0.0	0.0	12.0
JD 14	0.0	5.9	0.0	13.7	0.0	11.8	0.0	0.0	68.6
JD 15	0.0	0.0	0.0	0.0	0.0	59.3	7.4	0.0	33.3
JD 16	0.0	0.0	0.0	0.0	0.0	52.5	0.0	0.0	47.5
JD 17	0.6	0.0	0.0	14.5	0.0	41.4	1.9	1.3	40.3
JD 18	0.0	0.0	0.0	0.0	0.0	76.9	0.0	0.0	23.1
JD 19	0.0	0.0	0.0	0.0	0.0	66.2	0.0	0.0	33.8
JD 20	0.0	0.5	0.0	18.9	0.0	47.3	0.0	0.0	33.3
JD 21	0.0	2.2	0.0	71.1	0.5	24.3	0.3	0.0	1.6
JD 22	0.0	0.0	0.0	60.7	0.0	31.1	0.0	0.0	8.2
Statewide	0.2	0.7	0.0	19.5	0.1	37.8	0.6	0.1	41.0

Programs were able to choose a response of “Not Answered”, after which a follow-up response could be added for the reason the question was not answered. In Table 4 (Reasons for No Response), the “Not Answered” responses are combined with the cases of missing/empty Sexual Orientation/Gender Identity fields.

TABLE 4: REASONS FOR UNANSWERED SEXUAL ORIENTATION/GENDER IDENTITY

Program	Total Cases W/O Response	Percent (%)					
		No Reason Given	DA/Program Opted Out	Not Asked	Defense Attorney Refused	Juvenile Refused	Parent Refused
JD 1 JAC	58	13.8	0.0	84.5	0.0	0.0	1.7
JD 1 DA	67	98.5	0.0	0.0	0.0	0.0	1.5
JD 2	38	94.7	0.0	5.3	0.0	0.0	0.0
JD 3	32	100.0	0.0	0.0	0.0	0.0	0.0
JD 4	437	95.7	4.3	0.0	0.0	0.0	0.0
JD 5	89	100.0	0.0	0.0	0.0	0.0	0.0
JD 6	86	4.7	0.0	95.3	0.0	0.0	0.0
JD 7 Delta	39	46.1	15.4	30.8	0.0	2.6	5.1
JD 7 Gunnison	8	100.0	0.0	0.0	0.0	0.0	0.0
JD 7 Hilltop	15	80.0	0.0	13.3	0.0	6.7	0.0
JD 8 CFO	112	77.6	17.0	5.4	0.0	0.0	0.0
JD 8 RJS	88	20.5	12.5	67.0	0.0	0.0	0.0
JD 9	52	23.1	0.0	76.9	0.0	0.0	0.0
JD 10	28	32.1	67.9	0.0	0.0	0.0	0.0
JD 11	55	38.2	0.0	61.8	0.0	0.0	0.0
JD 12	78	92.3	6.4	1.3	0.0	0.0	0.0
JD 13	4	100.0	0.0	0.0	0.0	0.0	0.0
JD 14	41	90.3	0.0	7.3	0.0	0.0	2.4
JD 15	25	48.0	0.0	52.0	0.0	0.0	0.0
JD 16	40	47.5	0.0	52.5	0.0	0.0	0.0
JD 17	130	98.5	0.0	0.0	0.0	1.5	0.0
JD 18	376	24.5	0.0	75.5	0.0	0.0	0.0
JD 19	219	33.8	63.9	1.8	0.5	0.0	0.0
JD 20	179	41.9	57.0	1.1	0.0	0.0	0.0
JD 21	96	8.3	0.0	84.4	0.0	7.3	0.0
JD 22	24	100.0	0.0	0.0	0.0	0.0	0.0
Statewide	2.416	57.2	13.3	28.8	0.0	0.5	0.2

ARNA INFORMATION

Senate Bill (S.B.) 19-108 requires the District Attorneys or their designees to conduct a risk assessment for most youth referred to them and utilize the results of the screening to inform decisions relating to eligibility for Diversion, supervision, and programming. The Arizona Risk and Needs Assessment (ARNA) was selected and implemented across the state in FY22-23. Local jurisdictions faced substantial hurdles in the implementation and administration of this requirement. This led to a high proportion of youth without ARNA scores (23%). The number of cases missing an ARNA decreased substantially over the course of the fiscal year as more programs were trained on the administration of the tool and were able to establish protocols for conducting the assessment and reporting the data. It is expected that this data will be much more complete in upcoming years.

The ARNA is scored on a 0-to-11-point scale. To be considered low risk, a youth must score in the 0 to 3 range, medium risk encompasses scores from 4 to 5, and high risk is a score of 6 or greater. Figure 4 depicts the proportion of cases (with ARNA scores reported) with low, medium, and high ARNA Levels for all youth referred to DA offices compared to the scores for youth in Diversion programs. A higher proportion of youth participating in Diversion scored low risk, and a lower proportion scored medium and high risk on the ARNA than the overall population of youth referred to the DA. It is important to note that ARNA risk levels are unique as it is designed to be an introductory screening tool and not equated to other juvenile justice assessment tools. Of additional note, ARNA scores for non-Diversion youth were missing for 44.9% of cases so must be interpreted with some caution.

FIGURE 4: STATEWIDE ARNA RISK LEVELS FOR ALL DA REFERRALS AND DIVERSION YOUTH



The following table provides ARNA levels for Diversion within each program alongside the levels for all youth referred to the DA on district level charges for whom an ARNA score was reported. ARNA levels for all youth referred to the DA are reported by Judicial District rather than by program.

TABLE 5: ARNA RISK LEVELS BY PROGRAM AND JUDICIAL DISTRICT

DIVERSION					ALL REFERRED TO DA			
Program	N=Total ARNAs	Percent (%)			N=Total ARNAs	Percent (%)		
		Low	Medium	High		Low	Medium	High
JD 1 JAC	50	88.0	10.0	2.0	266	53.4	25.2	21.4
JD 1 DA	106	73.6	22.6	3.8				
JD 2	28	67.8	28.6	3.6	105	32.4	42.8	24.8
JD 3	3	33.3	66.7	0.0	3	33.3	66.7	0.0
JD 4	393	87.1	10.4	2.5	650	69.1	18.0	12.9
JD 5	103	87.4	9.7	2.9	113	84.9	12.4	2.7
JD 6	2	50.0	50.0	0.0	39	46.2	51.2	2.6
JD 7 Delta	30	73.3	16.7	10.0	127	65.3	21.3	13.4
JD 7 Gunnison	24	91.6	4.2	4.2				
JD 7 Hilltop	36	75.0	22.2	2.8				
JD 8 CFO	80	56.3	28.7	15.0	300	43.3	25.0	31.7
JD 8 RJS	41	80.5	17.1	2.4				
JD 9	69	60.9	23.2	15.9	99	49.5	18.2	32.3
JD 10	25	80.0	12.0	8.0	153	35.3	31.4	33.3
JD 11	15	60.0	26.7	13.3	15	60.0	26.7	13.3
JD 12	31	58.0	22.6	19.4	6	50.0	33.3	16.7
JD 13	25	68.0	28.0	4.0	18 ⁴	77.8	22.2	0.0
JD 14	27	59.3	33.3	7.4	27	59.3	33.3	7.4
JD 15	18	72.2	22.2	5.6	19	73.6	21.1	5.3
JD 16	19	63.1	21.1	15.8	22	54.5	27.3	18.2
JD 17	88	56.8	25.0	18.2	250	56.4	22.4	21.2
JD 18	289	58.8	36.7	4.5	836	35.0	31.6	33.4
JD 19	218	86.3	12.8	0.9	606	48.5	21.0	30.5
JD 20	205	76.6	16.6	6.8	313	58.2	20.1	21.7
JD 21	363	62.8	24.8	12.4	529	46.9	22.5	30.6
JD 22	60	75.0	23.3	1.7	42	66.7	31.0	2.3
Statewide	2,348	72.8	20.5	6.7	4,538	50.9	24.3	24.8

Figure 5 depicts the reasons for no ARNA score that were reported statewide for youth in Diversion. Across all programs, a reason was not provided for 60% of missing ARNA scores. Where a reason was provided, about a quarter of the responses indicated that the DA or program opted out of data collection. Client or Parent Refusal (0.8%) and Communication Barriers (0.1%) were the least frequently reported reasons, while a Change of Venue, Legal Competence, and Defense Attorney Refusal were not selected at all in FY 22-23 among the Diversion population.

⁴ All ARNAs conducted in the 13th JD participated in Diversion programming. A total of 25 youth participated and 18 of them were referred to the DA. The remaining cases came from other referral sources.

FIGURE 5: REPORTED REASONS FOR NO ARNA SCORE FOR YOUTH IN DIVERSION

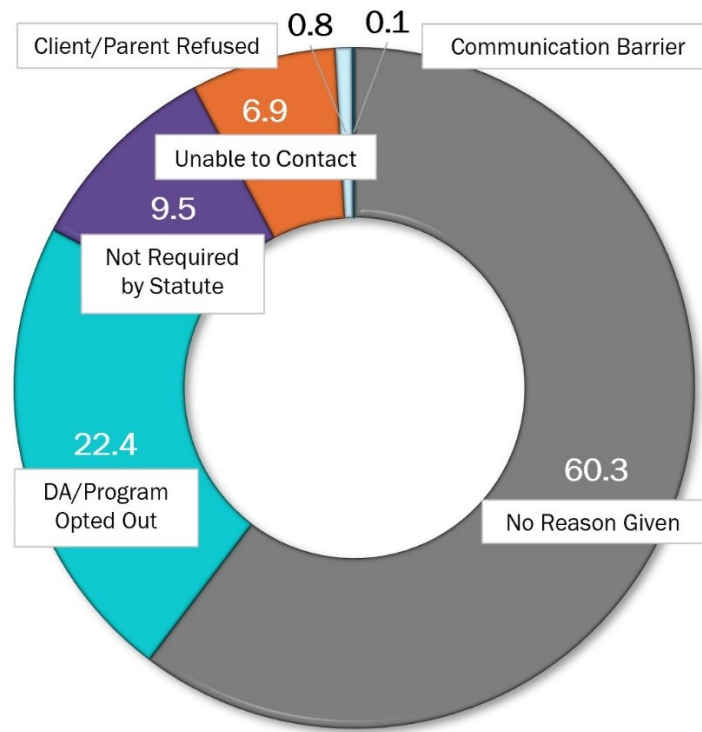


Table 6 provides program-level data on the reasons for no ARNA score for Diversion youth, by program.⁵

⁵ The percent of missing ARNA scores is likely inflated as programs delayed full implementation until they received training provided throughout 2022.

TABLE 6: REASONS FOR NO ARNA SCORE BY PROGRAM

Program	Percent (%)								
	No Reason Reported	Change of Venue	Client or Parent Refused	DA or Program Opt Out	Legal Comp	Not Required by Statute	Unable to Contact	Comm Barrier	Defense Attorney Refused
JD 1 JAC	0.0	0.0	0.0	87.5	0.0	12.5	0.0	0.0	0.0
JD 1 DA	33.3	0.0	0.0	66.7	0.0	0.0	0.0	0.0	0.0
JD 2	4.2	0.0	0.0	90.2	0.0	0.0	5.6	0.0	0.0
JD 3	66.7	0.0	3.0	0.0	0.0	30.3	0.0	0.0	0.0
JD 4	95.6	0.0	0.0	0.0	0.0	2.2	2.2	0.0	0.0
JD 5	100.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
JD 6	3.6	0.0	0.0	96.4	0.0	0.0	0.0	0.0	0.0
JD 7 De	50.1	0.0	2.9	0.0	0.0	47.0	0.0	0.0	0.0
JD 7 Gu	40.0	0.0	0.0	0.0	0.0	60.0	0.0	0.0	0.0
JD 7 HT	100.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
JD 8 CFO	100.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
JD 8 RJS	100.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
JD 9	20.0	0.0	0.0	0.0	0.0	80.0	0.0	0.0	0.0
JD 10	100.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
JD 11	27.3	0.0	0.0	6.8	0.0	0.0	65.9	0.0	0.0
JD 12	78.7	0.0	0.0	2.1	0.0	12.8	6.4	0.0	0.0
JD 13	-	-	-	-	-	-	-	-	-
JD 14	33.3	0.0	4.2	0.0	0.0	62.5	0.0	0.0	0.0
JD 15	33.3	0.0	0.0	0.0	0.0	55.6	11.1	0.0	0.0
JD 16	66.7	0.0	0.0	0.0	0.0	0.0	33.3	0.0	0.0
JD 17	91.6	0.0	4.2	1.4	0.0	0.0	1.4	1.4	0.0
JD 18	93.2	0.0	0.0	0.0	0.0	3.4	3.4	0.0	0.0
JD 19	0.0	0.0	0.0	0.0	0.0	100.0	0.0	0.0	0.0
JD 20	94.1	0.0	0.0	0.0	0.0	5.9	0.0	0.0	0.0
JD 21	62.5	0.0	0.0	12.5	0.0	25.0	0.0	0.0	0.0
JD 22	100.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Statewide	60.3	0.0	0.8	22.4	0.0	9.5	6.9	0.1	0.0

OTHER PROGRAM VARIABLES

The following section contains information about the charges that led to Diversion program referral, educational engagement, the services provided to youth while participating in Diversion, and involvement with child welfare. Information about the charges youth received was extracted from the DA's Action database. Diversion programs reported data on educational involvement when youth began participating in Diversion, during the previous twelve months, and when they completed Diversion (either successfully or unsuccessfully) through the Diversion Module or via spreadsheets for those youth not referred to the DA. Beginning late in FY22-23, programs were able for the first time to report services provided to youth participating in Diversion. While this dataset is somewhat incomplete this FY, it provides a glimpse of the service array and is expected to be much more complete next FY. Child welfare involvement is being reported for the first time this FY through a data sharing agreement with the State Division of Child Welfare.

OFFENSE AND CHARGE LEVEL INFORMATION

The charge level variable that includes whether the youth committed a felony, misdemeanor, or petty offense and the level of that charge (1, 2, 3, etc.) was one of the most completely reported in the data set, with less than 6% of youth missing values in this field. When a youth had more than one charge associated with their case the highest-level charge was selected for these analyses. Figure 6 below shows the percentage of youth, with data reported, that had each charge level as well as those whose charges involved drugs or were traffic offenses. Nearly half the youth had misdemeanor charges that precipitated their referral to Diversion while 19% had felonies. More than a quarter of youth had petty offenses. Very few youth had charges that involved drug felonies (5%) or traffic offenses (2%).

FIGURE 6: OFFENSES

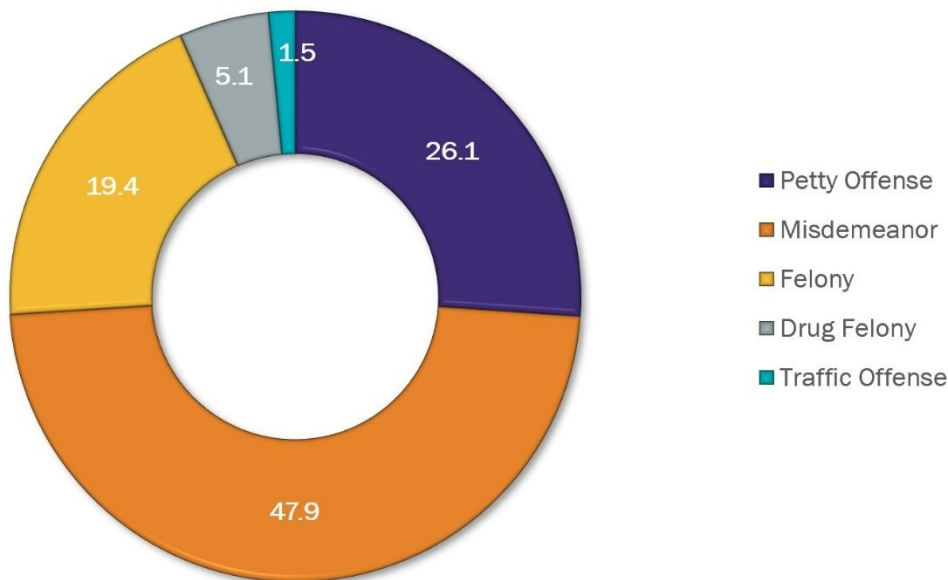


Table 7 depicts the offenses by program. Some programs have established criteria for the youth who can be offered Diversion based on their charges. These criteria are determined based on the needs and philosophy of the communities and not uniform across the state.

TABLE 7: OFFENSES BY PROGRAM

Program	Percent (%)				
	Petty Offense	Misdemeanor	Felony	Drug Felony	Traffic Offense
JD 1 JAC	60.3	39.7	0.0	0.0	0.0
JD 1 DA	9.3	42.6	32.4	15.7	0.0
JD 2	0.0	42.4	56.6	1.0	0.0
JD 3	21.4	35.7	3.6	0.0	39.3
JD 4	16.9	66.4	15.5	1.2	0.0
JD 5	24.8	50.4	18.3	3.7	2.8
JD 6	16.5	80.0	3.5	0.0	0.0
JD 7 Delta	41.7	31.7	13.3	13.3	0.0
JD 7 Gunnison	53.3	26.7	20.0	0.0	0.0
JD 7 Hilltop	12.1	54.5	27.3	6.1	0.0
JD 8 CFO	46.0	45.0	0.9	8.1	0.0
JD 8 RJS	44.3	54.6	0.0	1.1	0.0
JD 9	20.5	45.2	28.8	4.1	1.4
JD 10	25.0	50.0	17.9	7.1	0.0
JD 11	16.7	66.7	13.3	3.3	0.0
JD 12	38.5	36.9	10.8	0.0	13.8
JD 13	5.6	44.4	50.0	0.0	0.0
JD 14	55.5	27.8	16.7	0.0	0.0
JD 15	38.5	46.1	15.4	0.0	0.0
JD 16	10.3	43.6	12.8	0.0	33.3
JD 17	2.5	42.1	49.8	5.0	0.6
JD 18	21.4	37.9	21.7	19.0	0.0
JD 19	34.1	49.1	16.8	0.0	0.0
JD 20	38.8	43.4	13.2	3.2	1.4
JD 21	34.9	44.3	18.0	2.5	0.3
JD 22	48.4	24.1	24.1	0.0	3.4
Statewide	26.1	47.9	19.4	5.1	1.5

EDUCATIONAL ENGAGEMENT

Diversion programs were asked to report on youth's school status at intake, history during the past year, and status when the youth left Diversion services. Over 90% of youth had their school status at intake reported, approximately half of youth had school history reported, and 60% of youth who left Diversion services during FY22-23 had school status at discharge reported. Figure 7 illustrates the percent of youth for whom data was reported that had each of the school statuses, respectively.

The large majority of youth (87%), for whom there were data, were actively enrolled in school when they began Diversion services, approximately 8% were not enrolled, truant or had dropped out, been suspended or expelled, while the remaining youth had graduated or were pursuing or had obtained a GED (3%) or their educational status was unknown (1%).

School status upon completion of Diversion was based on 1,629 youth who completed Diversion during the FY22-23, which is approximately 53% of the Diversion participants. Again, a high percentage of youth (84%) were actively enrolled in school and an additional 7% of youth had either graduated, completed, or were pursuing a GED. Table 8 provides program-level data on school status at program completion.

FIGURE 7: SCHOOL STATUS AT INTAKE (LEFT) AND AT PROGRAM COMPLETION (RIGHT)

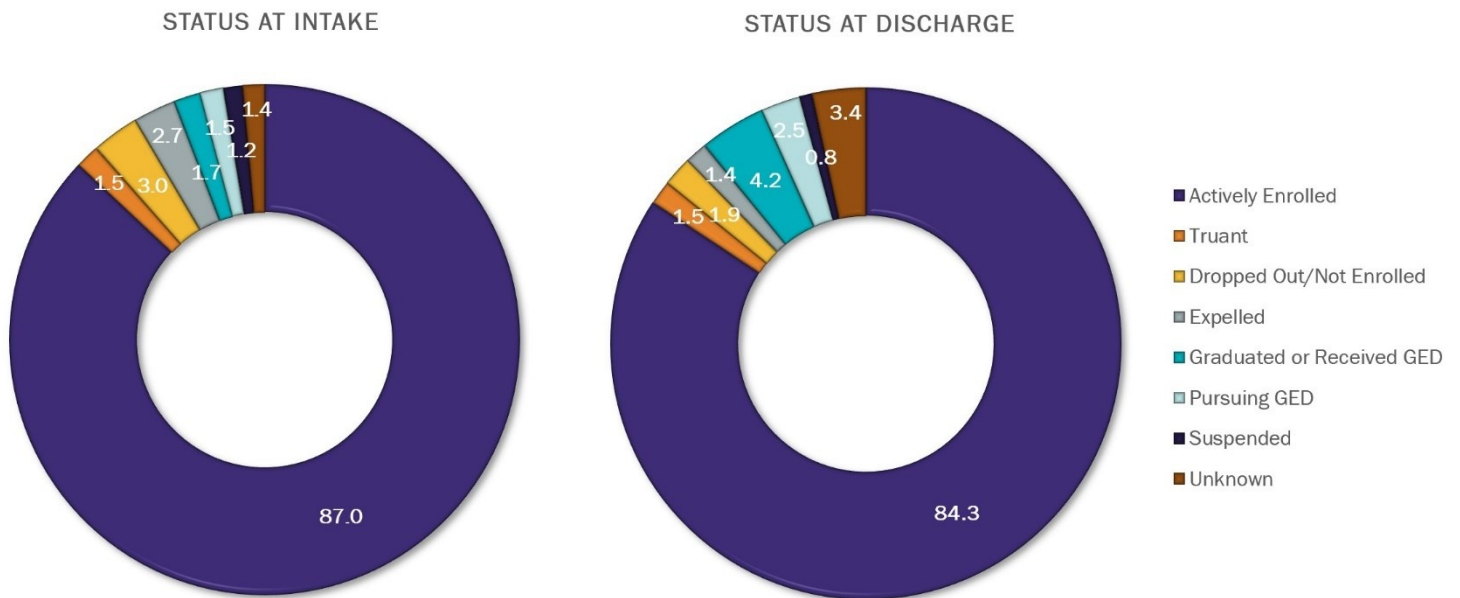


TABLE 8: SCHOOL STATUS AT COMPLETION OF DIVERSION BY PROGRAM

Program	Percent (%)								
	Total Completed Cases w/ School Hx	Actively Enrolled	Truant	Dropped Out/Not Enrolled	Expelled	Graduated or GED	Pursuing GED	Suspended	Unknown
JD 1 JAC	38	97.4	0.0	0.0	0.0	0.0	0.0	2.6	0.0
JD 1 DA	24	87.5	0.0	0.0	0.0	12.5	0.0	0.0	0.0
JD 2	43	60.4	0.0	16.3	0.0	14.0	7.0	0.0	2.3
JD 3	1	100.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
JD 4	114	83.3	0.9	0.9	0.9	4.4	0.0	0.0	9.6
JD 5	30	73.3	10.0	0.0	6.7	6.7	0.0	0.0	3.3
JD 6	1	100.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
JD 7 Delta	16	68.6	6.3	18.8	0.0	0.0	6.3	0.0	0.0
JD 7 Gunnison	17	94.1	0.0	0.0	0.0	5.9	0.0	0.0	0.0
JD 7 Hilltop	17	82.3	0.0	5.9	0.0	5.9	0.0	0.0	5.9
JD 8 CFO	40	97.5	0.0	0.0	0.0	0.0	0.0	0.0	2.5
JD 8 RJS	3	100.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
JD 9	36	86.0	2.8	2.8	0.0	5.6	2.8	0.0	0.0
JD 10	8	100.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
JD 11	29	75.9	0.0	0.0	0.0	0.0	0.0	0.0	24.1
JD 12	7	85.7	0.0	0.0	0.0	0.0	0.0	0.0	14.3
JD 13	9	66.7	0.0	0.0	0.0	11.1	22.2	0.0	0.0
JD 14	2	100.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
JD 15	7	71.4	14.3	14.3	0.0	0.0	0.0	0.0	0.0
JD 16	3	100.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
JD 17	32	81.3	3.1	0.0	0.0	3.1	9.4	0.0	3.1
JD 18	137	75.8	0.7	2.2	2.2	8.8	4.4	1.5	4.4
JD 19	99	98.0	0.0	0.0	0.0	0.0	0.0	0.0	2.0
JD 20	92	91.2	1.1	0.0	0.0	2.2	3.3	1.1	1.1
JD 21	169	82.7	3.0	1.2	4.7	3.0	3.0	2.4	0.0
JD 22	8	87.5	0.0	0.0	0.0	0.0	12.5	0.0	0.0
Statewide	982	84.3	1.5	1.9	1.4	4.2	2.5	0.8	3.4

School History captured data about school events including Active Enrollment, Truancy, Dropping Out, Graduation/GED Completion, Pursuing a GED, Suspensions, and Expulsions that the youth experienced within the last 12 months. Programs were only required to enter data on school history when youth completed services; therefore, only the 1,629 cases that discharged in FY22-23 were included in the School History analyses. Figure 8 represents the education-related events reported within the School History variable. Youth may have experienced multiple educational events; therefore, the events are not mutually exclusive. Due to the switch in the way school history is being reported, it is likely that the proportion of youth actively enrolled in school is an underrepresentation. Previously, only disruptive educational events were reported in this section of the Diversion Module. Programs will be reminded to

check this item for all youth who were enrolled in school during the last 12 months so that in future reports this is a more accurate reflection of school enrollment.

FIGURE 8: SCHOOL HISTORY FOR DIVERSION YOUTH STATEWIDE

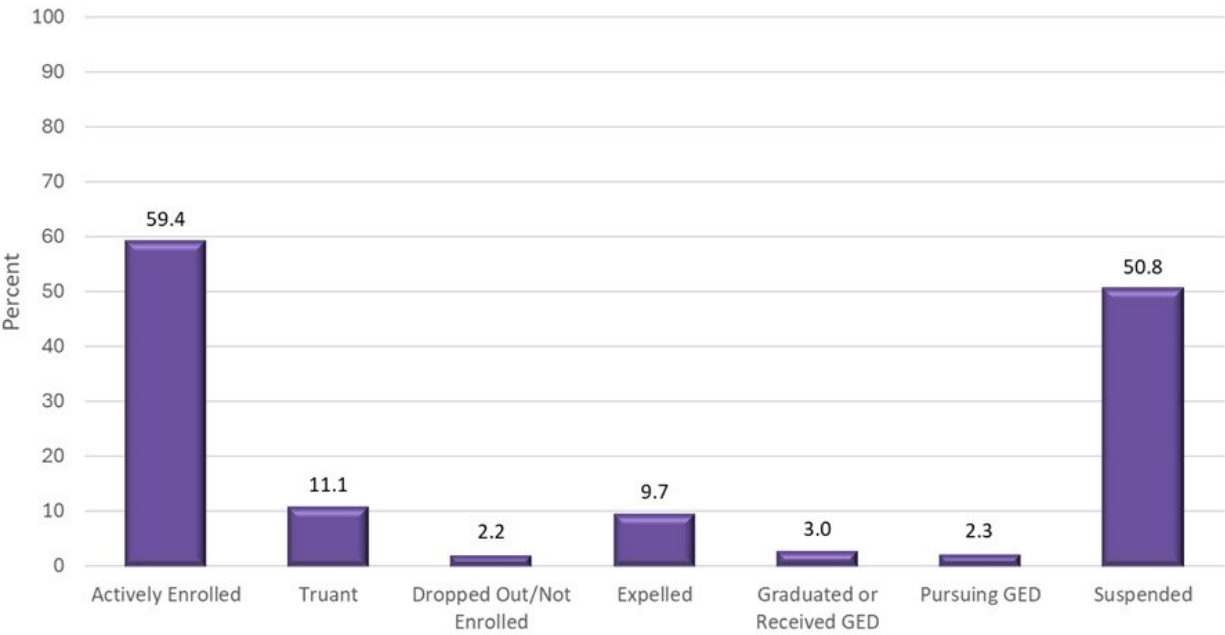


Table 9 provides program-level data on school history for youth in Diversion. Again, data were entered for any event that occurred over the past 12 months, so more than one event could be selected for each youth.

TABLE 9: SCHOOL HISTORY

Program	Percent (%)								
	Total Youth w/ HX Status	Actively Enrolled	Truant	Dropped Out/Not Enrolled	Expelled	Graduated or GED	Pursuing GED	Suspended	Unknown
JD 1 JAC	37	97.3	0.0	0.0	0.0	0.0	0.0	43.2	0.0
JD 1 DA	21	42.9	9.5	0.0	14.3	4.8	0.0	76.2	0.0
JD 2	30	3.3	3.3	0.0	6.7	0.0	0.0	30.0	56.7
JD 3	1	0.0	0.0	0.0	0.0	0.0	0.0	100.0	0.0
JD 4	58	3.4	3.4	0.0	5.2	0.0	0.0	89.7	0.0
JD 5	43	11.6	0.0	0.0	4.7	0.0	0.0	76.7	11.6
JD 6	1	100.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
JD 7 Delta	18	16.7	5.6	0.0	22.2	0.0	0.0	83.3	5.6
JD 7 Gunnison	10	100.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
JD 7 Hilltop	24	20.8	4.2	4.2	16.7	4.2	0.0	70.8	8.3
JD 8 CFO	3	66.7	0.0	0.0	33.3	0.0	0.0	0.0	0.0
JD 8 RJS	4	25.0	0.0	0.0	25.0	0.0	0.0	50.0	0.0
JD 9	23	39.1	30.4	4.3	21.7	4.3	4.3	52.2	0.0
JD 10	14	64.3	14.3	0.0	7.1	0.0	0.0	21.4	0.0
JD 11	6	16.7	0.0	0.0	0.0	0.0	0.0	0.0	83.3
JD 12	7	100.0	42.9	28.6	14.3	14.3	0.0	14.3	0.0
JD 13	9	88.9	66.7	11.1	0.0	11.1	33.3	0.0	0.0
JD 14	5	0.0	0.0	0.0	0.0	0.0	0.0	100.0	0.0
JD 15	1	0.0	100.0	0.0	0.0	0.0	0.0	0.0	0.0
JD 16	4	75.0	25.0	0.0	0.0	0.0	0.0	25.0	25.0
JD 17	21	52.4	4.8	4.8	4.8	4.8	19.0	4.8	9.5
JD 18	142	87.3	8.5	5.6	7.7	9.2	4.2	42.3	2.8
JD 19	123	75.6	0.0	0.0	0.0	2.4	0.0	63.4	0.0
JD 20	54	90.7	13.0	0.0	1.9	1.9	3.7	7.4	0.0
JD 21	161	63.4	28.0	1.9	24.8	1.2	1.2	55.3	6.2
JD 22	8	12.5	0.0	12.5	0.0	0.0	12.5	75.0	0.0
Statewide	828	59.4	11.1	2.2	9.7	3.0	2.3	50.8	5.7

SERVICES

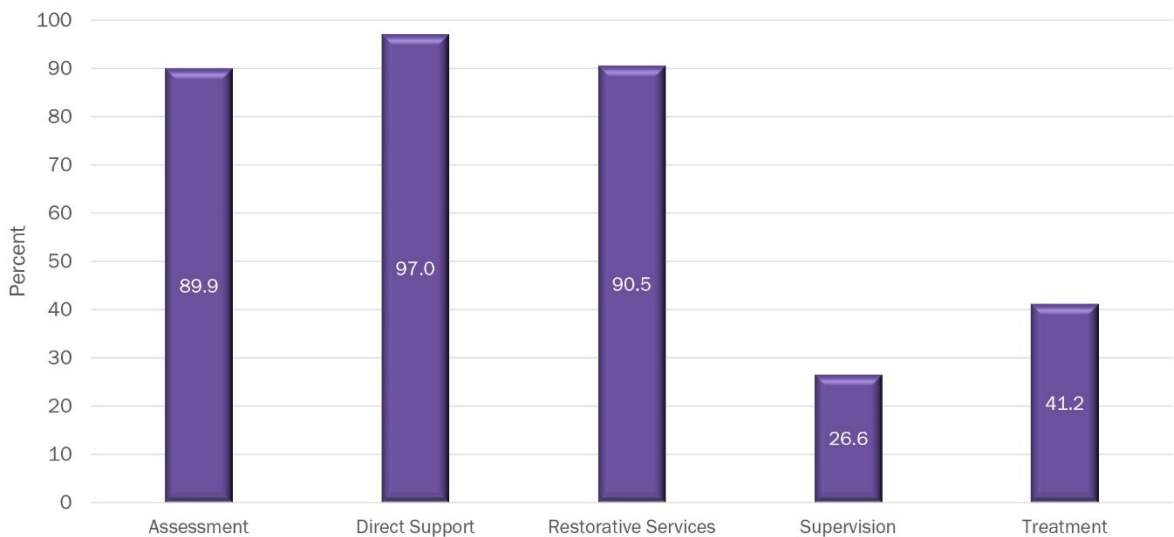
FY22-23 was the first fiscal year that data on the services provided to youth participating in Diversion were reported. Extensive training was provided to each program about how to enter the services they provide. As previously mentioned, the changes to the Diversion Module that allowed for services to be entered did not become available until May of 2023. Some programs chose to back enter their service data for FY22-23, and some did not; therefore, only youth with at least one service reported were included in the analyses. At least one service was reported for 49% of youth discharged in FY22-23.

Additionally, programs are not required to enter services for a youth until they complete (either successfully or unsuccessfully) Diversion programming. Therefore, only youth who completed Diversion in FY22-23 were included in the analyses of service data. Programs who served youth who were not referred to the District Attorney’s Office with district level charges and whose data was submitted via spreadsheets rather than through the Diversion Module were not required to report on services for youth completing services in FY22-23. This comprised nine youth of the 1,629 total youth who completed Diversion in the fiscal year.

Services were divided up into five categories: Assessment, Direct Support, Restorative Services, Supervision and Treatment. Definitions of the types of services that fell into each category were provided and discussed individually with the Diversion staff at each program. Assessment Services refer to specific, tool-based evaluations of youth treatment needs, including behavioral health, substance use, risk, and needs/strengths. Specific examples include conducting the ARNA, and screening for behavioral health challenges using the MAYSI or the SUS. Direct Support Services are those aimed at directly helping youth and families, including tangible support (goods and services), case management and planning, as well as education, job and life skills. Restorative Services include all services intended to repair harm. This can include but is not limited to restorative justice practices. Supervision Services encompass any services intended to monitor youths’ compliance not captured in case management. Treatment Services Include services directly aimed at behavior change and are provided by treatment professionals.

Figure 9 provides data on the statewide distribution of services, by percent within each category, among those youth in Diversion who completed Diversion and were reported to have received at least one service within the 2022-2023 fiscal year. The large majority of cases received Assessment, Direct Support, and Restorative Services. Fewer cases received Treatment and Supervision services.

FIGURE 9: STATEWIDE SERVICES BY CATEGORY FOR DIVERSION YOUTH



Diversion program staff provide a variety of services to youth. Additionally, Diversion programs can contract with or refer out to other providers for services. Figure 10 depicts data for the service providers for youth in Diversion at the statewide level. Diversion Program percent (%) represents any services that were provided by Diversion staff. The percent (%) for external providers represents any services that were provided by external staff and/or paid for by other sources.

FIGURE 10: SERVICE PROVIDERS STATEWIDE

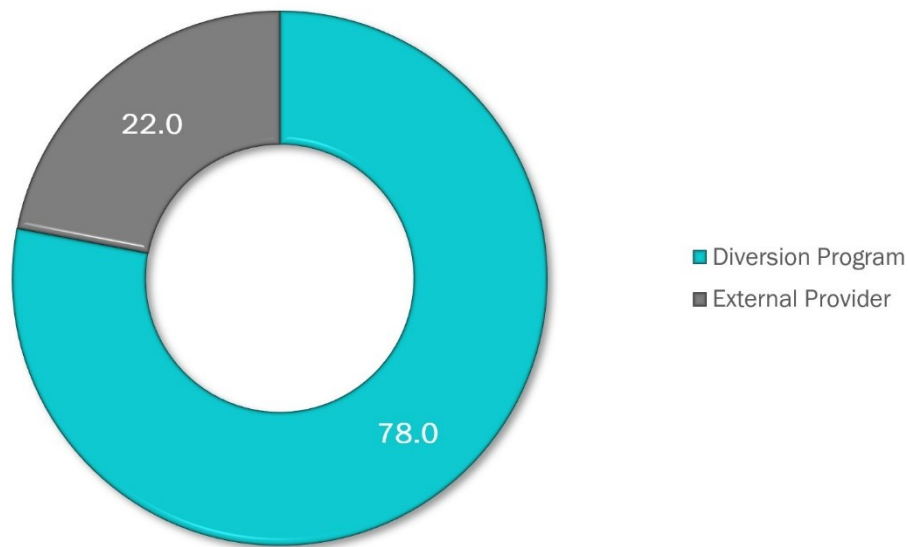


Table 10 provides service category data at the program level for youth in Diversion. The first column indicates the number of youth who completed Diversion and received at least one service. The final two columns depict the percent of all services which were provided by Diversion staff or external providers.

TABLE 10: SERVICE CATEGORIES BY PROGRAM

Program	Completed Cases with at Least 1 Service	Percent (%)						
		Client Assessment	Direct Support	Restorative Services	Supervision	Treatment	Provided by Diversion Staff	Provided by External Service Provider
JD 1 JAC	37	97.3	100.0	100.0	0.0	0.0	100.0	0.0
JD 1 DA	6	66.7	83.3	83.3	16.7	83.3	47.2	52.8
JD 2	36	80.6	100.0	61.1	86.1	86.1	40.0	60.0
JD 3	0	0.0	0.0	0.0	0.0	0.0	n/a	n/a
JD 4	62	100.0	100.0	100.0	19.4	46.8	81.0	19.0
JD 5	0	0.0	0.0	0.0	0.0	0.0	n/a	n/a
JD 6	0	0.0	0.0	0.0	0.0	0.0	n/a	n/a
JD 7 Delta	3	66.7	100.0	100.0	66.7	100.0	57.9	42.1
JD 7 Gunnison	13	100.0	100.0	92.3	0.0	0.0	100.0	0.0
JD 7 Hilltop	19	10.5	100.0	94.7	94.7	52.6	91.2	8.8
JD 8 CFO	1	100.0	100.0	0.0	0.0	0.0	100.0	0.0
JD 8 RJS	1	100.0	0.0	100.0	0.0	0.0	0.0	100.0
JD 9	28	100.0	100.0	64.3	3.6	28.6	98.0	2.0
JD 10	17	100.0	100.0	94.1	94.1	23.5	76.2	23.8
JD 11	0	0.0	0.0	0.0	0.0	0.0	n/a	n/a
JD 12	2	100.0	100.0	100.0	0.0	0.0	100.0	0.0
JD 13	10	100.0	100.0	100.0	0.0	40.0	94.2	5.8
JD 14	5	100.0	100.0	100.0	100.0	40.0	76.5	23.5
JD 15	4	25.0	0.0	50.0	0.0	50.0	0.0	100.0
JD 16	3	100.0	100.0	100.0	33.3	100.0	80.0	20.0
JD 17	21	100.0	100.0	95.2	0.0	61.9	93.4	6.6
JD 18	148	86.5	97.3	92.6	80.4	83.1	94.0	6.0
JD 19	108	79.6	100.0	88.9	0.0	8.3	70.2	29.8
JD 20	55	100.0	100.0	98.2	0.0	40.0	83.9	16.1
JD 21	202	96.5	96.5	90.6	2.0	27.7	63.3	36.7
JD 22	8	100.0	12.5	100.0	0.0	12.5	90.7	9.3
Statewide	789	89.9	97.0	90.5	26.6	41.2	78.0	22.0

CHILD WELFARE INVOLVEMENT

Reporting of Child Welfare involvement is required by statute, but exactly what defines involvement is not explicitly described. Senate Bill 21- 071 also requires annual reporting of Child Welfare involvement of youth in the Juvenile Justice system. To standardize reporting, this report uses definitions established in the “Limit the Detention of

Juveniles Annual Report”⁶. Matching youth across data systems without a common identifier is difficult due to minor variations in names (spelling etc.) and mis-entries of dates of birth on which the match is dependent; therefore, the percents reported here could be an underrepresentation of Child Welfare involvement of Diversion participants. Hand matching within the Child Welfare data system (Trails) was not employed for this report.

Of the youth who participated in Diversion during FY 2022-23, 32.4% had Child Welfare involvement defined as youth with an assessment (with or without a child welfare case) or youth with a case opening (with or without recorded services). A total of 21.1% of youth participating in Diversion had a Child Welfare service in addition to a case opening. Active involvement in Child Welfare is defined as having an open service or case without an end date at the time of Diversion admission. Youth could be counted multiple times if they had Child Welfare involvement in multiple time frame categories.

Table 11 provides a breakdown of when Child Welfare involvement occurred in relation to Diversion participation.

TABLE 11: CHILD WELFARE INVOLVEMENT AMONG FY 22-23 DIVERSION YOUTH

Time Frame	% of Diversion Participants
Before Diversion Participation	29.5
Actively Involved at Diversion Admission	7.1
After Diversion Participation	11.0

TERMINATION STATUS

Youth in Diversion were reported as having either a successful completion status or an unsuccessful discharge with a return to prosecution. Figure 11 provides statewide data on youth who completed their Diversion programs successfully or unsuccessfully. The overwhelming majority (91%) of cases end in a successful completion of services. It may be important to note that to be included in the Diversion Program, participants needed to engage in services. If the youth was initially not accepted and returned to prosecution, they were not included in the Diversion cases for this report. Table 12 presents data at the program level on successful completion for Diversion youth.

⁶ Limit the Detention of Juveniles Annual Report State Fiscal Year 2023-2024. Colorado Department of Human Services, Division of Youth Services. July 1, 2004. https://drive.google.com/drive/folders/1E_9INe_GdppQc4-LsH6AJq4KjqG66aEE?role=writer

FIGURE 11: SUCCESSFUL DIVERSION COMPLETION ACROSS THE STATE

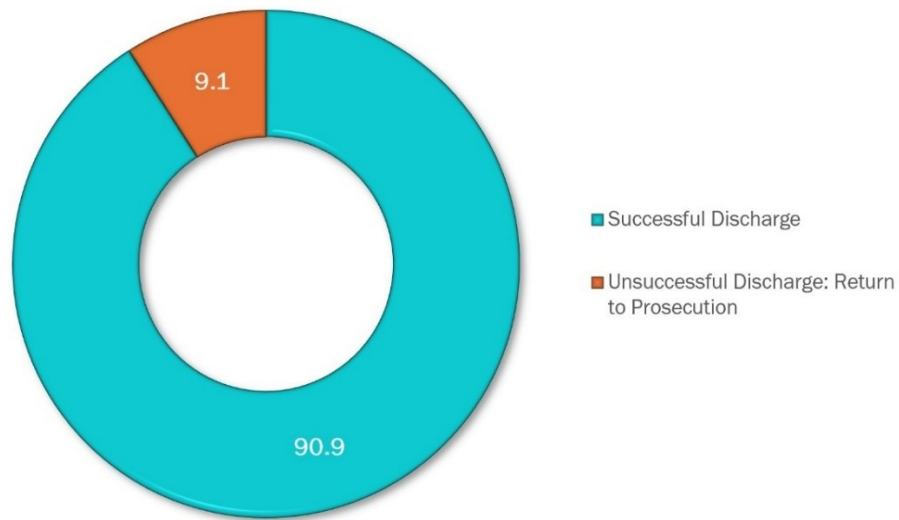


TABLE 12: SUCCESSFUL COMPLETION BY DIVERSION PROGRAM

Program	N=Youth Discharged from Diversion	Percent (%)	
		Successfully Completed	Unsuccessfully Discharged: Returned to Prosecution
JD 1 JAC	44	90.9	9.1
JD 1 DA	51	94.1	5.9
JD 2	56	82.1	17.9
JD 3	25	88.0	12.0
JD 4	195	87.2	12.8
JD 5	84	89.3	10.7
JD 6	5	100.0	0.0
JD 7 Delta	21	81.0	19.0
JD 7 Gunnison	19	94.7	5.3
JD 7 Hilltop	26	84.6	15.4
JD 8 CFO	70	97.1	2.9
JD 8 RJS	10	90.0	10.0
JD 9	43	97.7	2.3
JD 10	23	82.6	17.4
JD 11	36	97.2	2.8
JD 12	17	100.0	0.0
JD 13	10	100.0	0.0
JD 14	5	0.0	100.0
JD 15	14	78.6	21.4
JD 16	25	96.0	4.0
JD 17	72	94.4	5.6
JD 18	209	89.0	11.0
JD 19	169	94.1	5.9

Program	N=Youth Discharged from Diversion	Percent (%)	
		Successfully Completed	Unsuccessfully Discharged: Returned to Prosecution
JD 20	125	95.2	4.8
JD 21	267	90.6	9.4
JD 22	8	100.0	0.0
Statewide	1,629	90.9	9.1

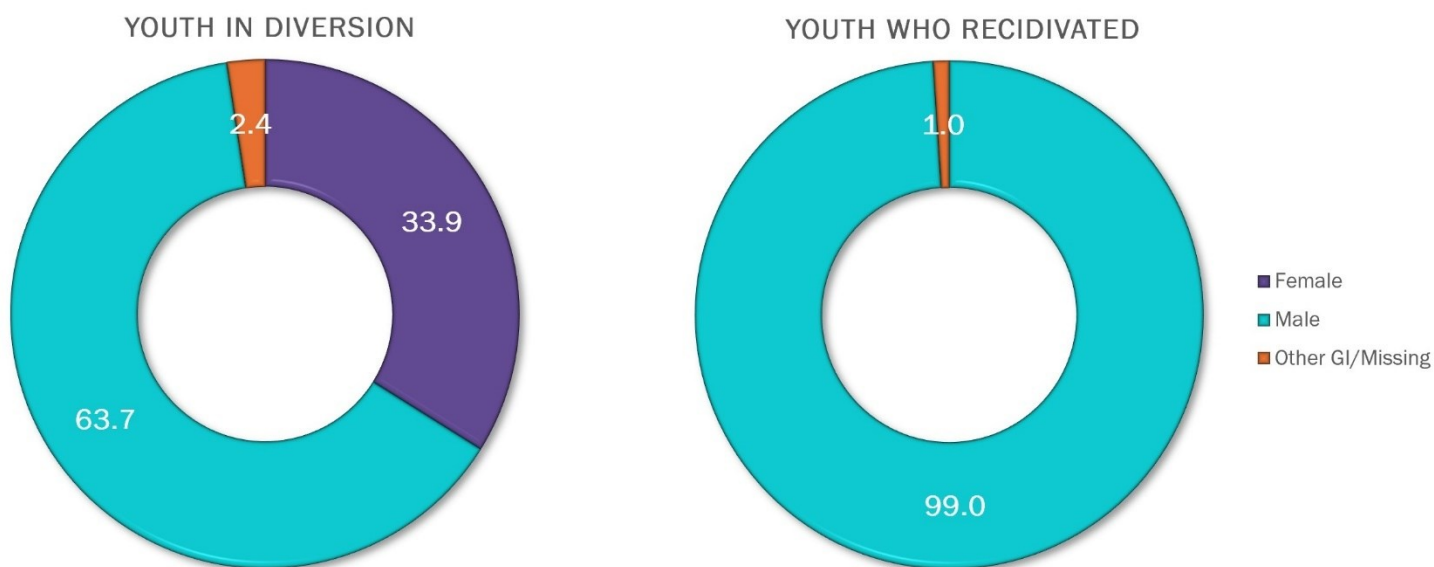
RECIDIVISM

DCJ has entered into a data sharing agreement with the Judicial department to acquire administrative data on charges and adjudication/conviction that were matched to the youth who participated in Juvenile Diversion programming. Youth were considered to have recidivated if they had an adjudication/conviction within one year of exiting Diversion programming (including both successful and unsuccessful exits). Of the 1,153 youth who had one year post case closure, 103 (9%) met the definition for recidivism.

Characteristics of Youth Who Recidivated

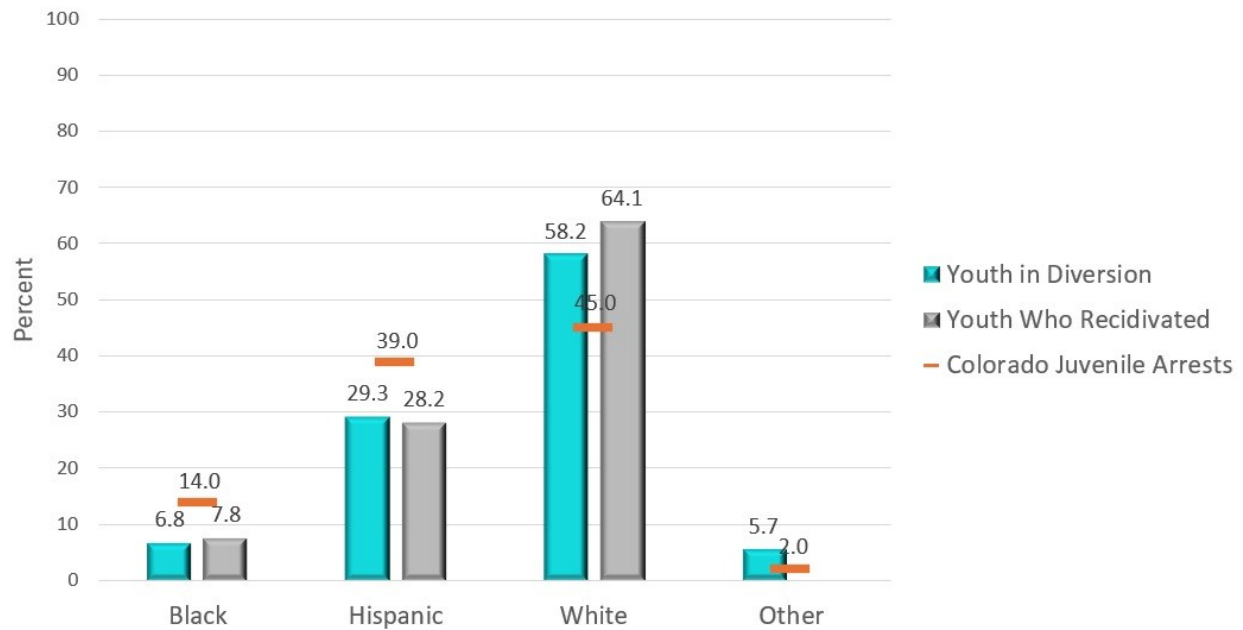
- ∞ Age: For the youth who recidivated, the mean age at the time of intake was 15.9 years, as compared to 15.4 years of age for all youth who participated in Diversion.
- ∞ Gender: As previously noted in this report, the late implementation of choices in the Diversion Module means that categories other than biological sex are underrepresented in the data reported herein. All youth who recidivated were male except for one youth who identified as non-binary, as seen in Figure 12.

FIGURE 12: PERCENT OF YOUTH WHO RECIDIVATED BY GENDER



Race and Ethnicity: As previously mentioned, race and ethnicity variables were collected differently in the two data systems; thus, the same procedure was followed to calculate race and ethnicity within the recidivism population.

FIGURE 13: RACE AND ETHNICITY



Successful Discharge: a larger share of youth who recidivated were discharged unsuccessfully (19.4%) compared to the broader Diversion population who unsuccessfully discharged in FY 22-23 (9.1%), see Figure 14.

FIGURE 14: DISCHARGE STATUS



DISCUSSION

In Fiscal Year 2022-23, state funded Juvenile Diversion programs experienced significant growth, serving a total of 3,026 cases involving 2,980 unique youth. This marks a notable increase from 2,298 cases and 1,767 youth served in the previous fiscal year. Nearly all programs reported additional youth participation, with some programs more than doubling their caseloads.

The report focuses exclusively on programs utilizing funding administered by DCJ, which included 239 cases that participated in Diversion but were not referred to the DA on a district level charge.

Female youth participation in Diversion programs exceeded the proportion of female referrals to the District Attorney, with 34% of participants being female compared to 25% overall.

A majority of Diversion participants scored low risk on the ARNA assessment, contrasting with the general youth population referred to the DA, where medium and high-risk scores were more prevalent.

Regarding offenses, nearly half of Diversion cases (47.9%) involved misdemeanors, yet a substantial portion included drug and other felonies, highlighting varying practices across programs in offering diversion for higher-level offenses.

Educational outcomes show stable enrollment rates but increases in youth receiving GEDs (1.7% to 4.2%) and pursuing GEDs (1.5% to 2.5%). Also notable is that more than half of youth were suspended within a year of their participation in Diversion.

Service provision predominantly consisted of Direct Support, Restorative Services, and Assessments; Diversion staff provided services accounting for over three-quarters of all services delivered.

Successful completion rates were high, with only 9% of youth failing to complete services successfully.

Of those who were tracked for one year post-case closure, 103 youth (9%) met the definition for recidivism. Those that recidivated were predominantly male except for one non-binary individual. Notably, a larger proportion of recidivating youth were discharged unsuccessfully (19%) compared to the broader Diversion population (9%).

The goal of the Diversion legislation was to increase access of Diversion programming for youth across Colorado. It appears that this goal is being achieved. As Juvenile Justice reform continues, it will be important to monitor this trend of increased participation and successful completion of Diversion.