

Juvenile Diversion in Colorado

Annual Report
Fiscal Year 2023-24

PREPARED FOR:

Office of Adult and Juvenile Justice Assistance
Division of Criminal Justice
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PREPARED BY



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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.

There are Juvenile Diversion programs that operate outside of this funding. For example, municipalities and other community-based agencies also provide Diversion services to youth. This report focuses specifically on youth who participated in programs that utilized the funding administered by DCJ.

Fiscal year 2023-24 (FY23-24) marks the second full year that programs used the Colorado District Attorney's Council (CDAC) Diversion Module data system for data tracking. Case and demographic data for youth with district level charges are first populated into the Action system either from information provided by law enforcement agencies or from the courts. Action is a case management and data system administered by the Colorado District Attorney's Council (CDAC). When a case is determined to be eligible for diversion, the case is referred to the diversion program and basic data elements are copied into the Diversion Module which is also administered by CDAC. Diversion staff are expected to update demographic information based on youth and family self-report in the Diversion Module, which is considered best practice for demographic data reporting. Significant modifications to the Module rolled out in May 2023, therefore, FY23-24 represents the first year of complete data collection on all variables. A minority of programs (6) submitted data using excel spreadsheets for youth not first referred to the District Attorney (DA) on district level charges. This year there were 181 cases submitted via spreadsheets.

There were 3,438 unique youth served by Juvenile Diversion programs that received funds administered through DCJ. It is important to note that some youth have more than one case in Diversion; thus, a total of 3,478 cases are represented in the data for FY 23-24. A Diversion case was defined as a unique episode of participation in Diversion services regardless of whether a youth had more than one ongoing case with the court. This case definition is slightly different than used in previous years but is likely to better represent actual Diversion practices.

For the first time, this fiscal year includes data from the District Attorney's office in the 8th JD, which had not previously accepted DCJ administered funds for services provided to Diversion-eligible youth. In FY 23-24, the total number of Diversion cases was up from 3,062 (13.6%) in FY 22-23 and 2,298 (51.3%) youth reported in FY 21-22. Nineteen of the 27 Diversion programs reported serving more youth this fiscal year than last.

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 (510) and the 3rd JD's program reported data for 25 cases, the state's smallest program in FY 23-24.

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 FY23-24.

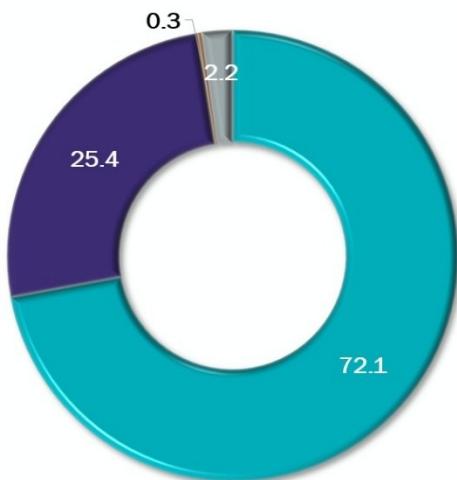
Note that in the figures and tables throughout this report where “all youth referred to the DA” are referenced, the data represent all youth who were first referred to the DA, including those who were subsequently referred to Diversion programs.

AGE, GENDER IDENTITY, RACE/ETHNICITY

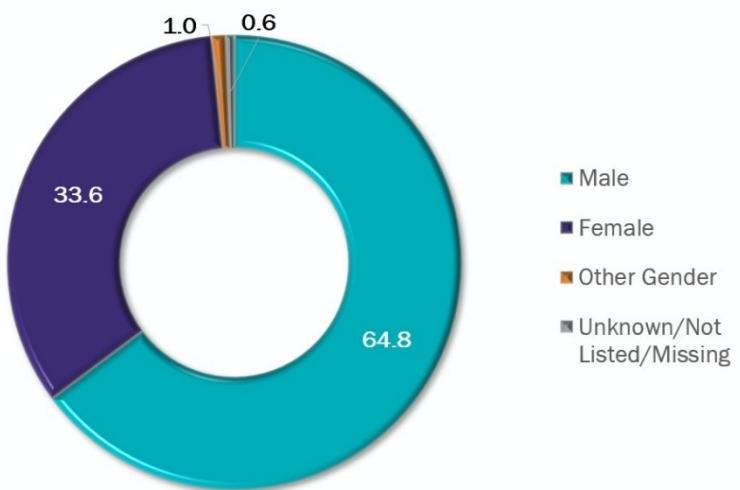
Figures 1 and 2 depict the distributions of gender and race/ethnicity statewide for Diversion cases compared to all cases referred to the DA. Proportionally, more female youth participated in Diversion than the overall proportion of females referred to the DA (33.6% vs. 25.4%). Because Diversion staff are updating demographic information the proportion of missing gender information is lower than in the larger population of youth referred to the DA (2.2% vs. 0.6%). “Other” gender identity is higher for youth in Diversion than for all youth referred to the DA (1.0% vs. 0.3%). Youth reported gender identities of Non-Binary or Transgender to be considered “other” in Figure 1.

FIGURE 1: PERCENT OF YOUTH SERVED BY GENDER

ALL YOUTH REFERRED TO DA



YOUTH IN DIVERSION



The race and ethnicity categories in Figure 2, along with Table 1 that follows, are based on the recommended categories from the most recent U.S. Census.

FIGURE 2: RACE AND ETHNICITY¹

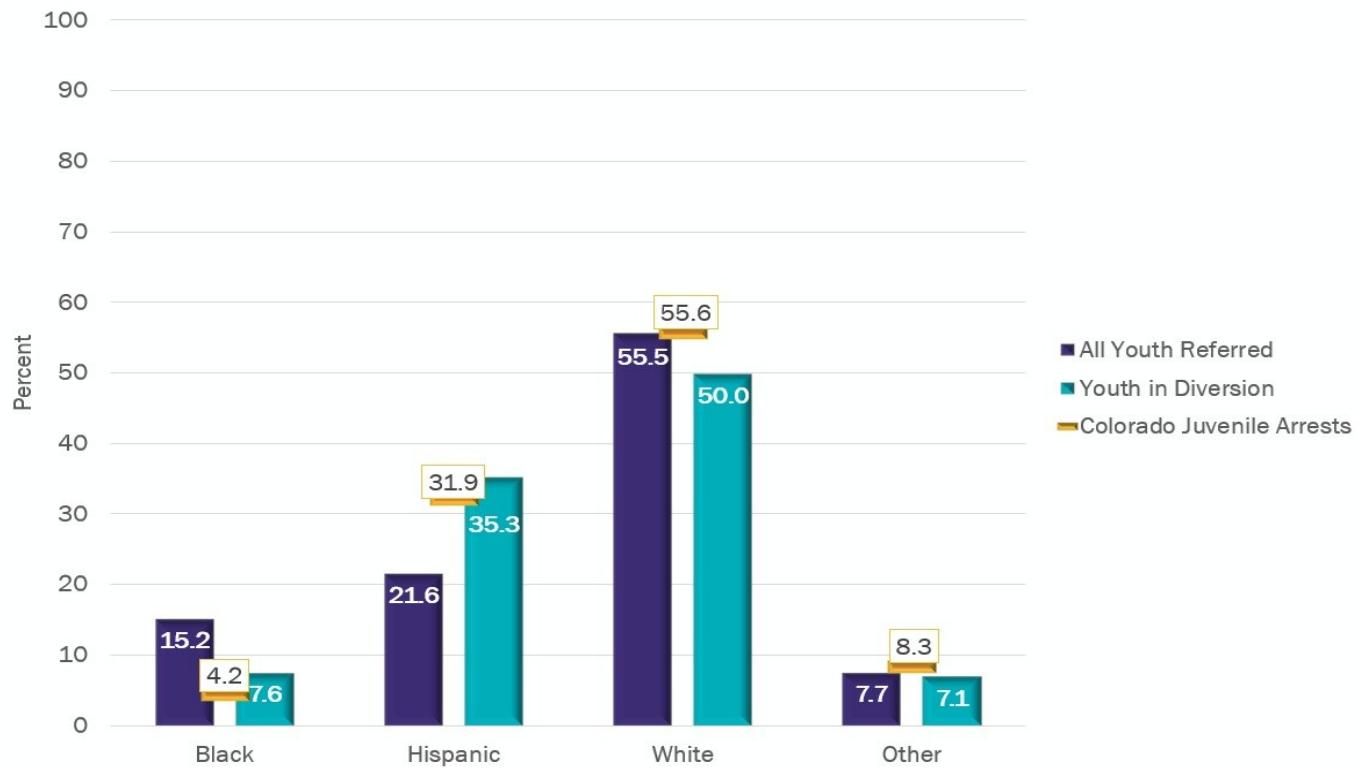


Table 1 includes the percent of cases each program served in Diversion during FY23-24. An individual youth could be represented more than once if they participated in Diversion more than once during the fiscal year. The percent of white youth referred to the DA is likely inflated, and the percent of Hispanic youth is likely deflated due to reporting by law enforcement agencies who default to race rather than considering ethnicity as well. Again, Diversion programs were instructed to update race and ethnicity based on youth self-identification.

¹ Juvenile arrest data from the Division of Criminal Justice's Office of Research and Statistics (ORS) race/ethnicity dashboard for 2022.

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

			Percent (%)						
Program	Total Cases	Mean Age	Male	Female	Other Gender	Black	Hispanic	White	Other/Missing ²
JD 1 DA	180	15.58	67.7	28.9	3.4	7.2	35.6	45.5	11.7
JD 1 JAC	74	15.44	68.9	31.1	0.0	4.1	27.0	60.8	8.1
JD 2	121	15.67	72.8	26.4	0.8	31.4	54.5	11.6	2.5
JD 3	25	15.41	68.0	32.0	0.0	0.0	44.0	56.0	0.0
JD 4	510	15.18	60.3	37.5	2.2	18.4	31.6	41.4	8.6
JD 5	118	15.46	76.3	23.7	0.0	1.7	52.5	39.0	6.8
JD 6	77	15.68	67.5	31.2	1.3	2.6	18.2	66.2	13.0
JD 7 Delta	52	14.72	73.1	26.9	0.0	0.0	28.8	69.3	1.9
JD 7 Gunnison	30	15.46	86.7	13.3	0.0	0.0	30.0	70.0	0.0
JD 7 Hilltop	37	15.49	59.5	40.5	0.0	0.0	43.2	56.8	0.0
JD 8 RJS	89	15.22	55.7	43.2	1.1	12.4	39.3	46.1	2.2
JD 8 CFO	77	15.18	55.8	41.6	2.6	5.2	35.1	55.8	3.9
JD 8 DA	133	15.56	72.1	22.6	5.3	3.8	20.3	63.9	12.0
JD 9	87	15.56	64.4	35.6	0.0	2.3	37.9	56.4	3.4
JD 10	46	15.71	58.7	41.3	0.0	4.3	45.7	41.3	8.7
JD 11	75	15.35	73.3	26.7	0.0	10.7	12.0	69.3	8.0
JD 12	83	15.92	43.9	56.1	0.0	2.4	61.5	30.1	6.0
JD 13	44	15.47	65.9	34.1	0.0	9.1	31.8	59.1	0.0
JD 14	102	15.31	61.4	36.6	2.0	0.0	18.6	76.5	4.9
JD 15	29	15.26	55.2	24.1	20.7	0.0	20.7	72.4	6.9
JD 16	48	15.90	68.7	31.3	0.0	6.3	70.8	22.9	0.0
JD 17	217	16.32	73.3	24.9	1.8	5.5	45.7	38.7	10.1
JD 18	443	15.80	66.3	32.3	1.4	7.7	26.6	59.4	6.3
JD 19	167	14.90	59.9	40.1	0.0	4.8	53.9	40.1	1.2
JD 20	217	15.79	67.2	32.3	0.5	3.2	38.7	53.0	5.1
JD 21	330	14.78	60.9	38.5	0.6	2.4	35.5	56.3	5.8
JD 22	67	15.44	61.2	37.3	1.5	3.0	7.5	49.2	40.3
Statewide	3,478	15.46	64.9	33.6	1.5	7.6	35.3	50.0	7.1

RACE AND ETHNICITY

Race and Ethnicity are reported separately in the current 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.

TABLE 2: ALL RACE/ETHNICITY CATEGORIES BY PROGRAM

Program	Hispanic	Asian / Pacific Islander	Black / African American	Native American or Alaskan Native	White / Caucasian	Race Same as Ethnicity	Percent (%)		
							Multi- Racial	Not Listed	Unknown
JD 1 DA	34.4	1.7	9.4	2.2	70.6	28.9	15.0	1.1	5.6
JD 1 JAC	27.0	5.4	4.1	1.4	90.5	1.4	2.7	2.7	0.0
JD 2	54.5	3.3	36.4	2.5	49.6	14.9	5.0	1.7	0.0
JD 3	36.0	0.0	0.0	0.0	88.0	8.0	0.0	4.0	0.0
JD 4	31.8	4.7	21.2	2.2	70.8	4.5	6.7	12.7	5.5
JD 5	51.7	0.8	2.5	0.0	50.8	46.6	3.4	2.5	1.7
JD 6	18.2	0.0	2.6	18.2	75.3	1.3	3.9	0.0	6.5
JD 7 Delta	25.0	1.9	0.0	1.9	92.3	5.8	3.8	0.0	1.9
JD 7 Gunnison	30.0	0.0	0.0	0.0	96.7	10.0	6.7	0.0	0.0
JD 7 Hilltop	40.5	0.0	0.0	0.0	78.4	24.3	2.7	0.0	2.7
JD 8 RJS	39.3	2.2	13.5	6.7	76.4	22.5	16.9	1.1	0.0
JD 8 CFO	33.8	0.0	7.8	3.9	74.0	23.4	7.8	1.3	0.0
JD 8 DA	20.3	0.8	4.5	0.8	81.2	17.3	6.0	1.5	9.8
JD 9	36.8	1.1	2.3	0.0	73.6	34.5	11.5	1.1	2.3
JD 10	45.7	0.0	4.3	2.2	89.1	4.3	0.0	0.0	6.5
JD 11	12.0	1.3	10.7	6.7	94.7	2.7	13.3	0.0	4.0
JD 12	60.2	2.4	3.6	2.4	37.3	25.3	6.0	0.0	33.7
JD 13	31.8	0.0	9.1	0.0	79.5	11.4	0.0	0.0	0.0
JD 14	18.6	2.0	0.0	1.0	92.2	6.9	2.9	0.0	2.9
JD 15	20.7	0.0	0.0	0.0	75.9	17.2	0.0	3.4	6.9
JD 16	68.8	0.0	6.3	0.0	93.8	4.2	4.2	6.3	0.0
JD 17	44.7	2.8	6.0	1.4	60.8	34.1	6.9	0.9	9.2
JD 18	26.6	4.3	9.3	0.9	84.0	10.2	8.4	2.9	1.1
JD 19	53.9	0.0	6.0	1.8	78.4	15.0	1.2	0.0	10.2
JD 20	38.7	3.7	4.1	0.9	87.1	9.7	4.6	1.8	0.9
JD 21	35.8	1.8	2.7	2.7	86.1	14.8	7.9	3.0	1.2
JD 22	7.5	0.0	3.0	37.3	53.7	7.5	4.5	0.0	3.0
Statewide	34.9	2.4	8.8	2.8	75.9	15.0	6.7	3.2	4.3

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 Action database, so it must be updated by the programs manually. In 24.4% of cases, the response to this question was missing entirely; therefore, this data must be interpreted with caution. Excluding those cases with missing data, no answer was selected for sexual orientation in 58.0% of Diversion cases statewide. Of the remaining responses, 38.9% of cases identified as heterosexual, and very small percentages of cases identified as bisexual (1.7%), identified as sexual orientation not listed (0.7%), asexual (0.1%), questioning (0.2%), lesbian (0.2%), and gay (.2%).

Overall, a total of 2,379 cases in FY23-24 did not indicate sexual orientation. When programs selected the response of “Not Answered”, a follow-up response could be added to indicate the reason the question was not answered. In 42.9% of these cases statewide, no reason was given. For the remaining cases, “Not Asked” was selected for 29.0% of cases, the DA or Program opted out in 27.0% of cases, and the parent (0.6%) or the juvenile (0.5%) refused to answer in the remaining cases.

ARNA INFORMATION

Statute 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 but have largely overcome the challenges. This led to a greater proportion of youth with ARNA scores. Still, 11.5% of youth who participated in Diversion were missing ARNA scores. For comparison, nearly a quarter of Diversion youth were missing ARNA scores in the prior fiscal year.

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. ARNA scores for all youth referred to the DA were missing for 43.4% of cases so must be interpreted with some caution. This percent of missing is similar to last year, which seems to indicate that there is not a movement toward assessing all youth with the ARNA. Figure 3 depicts the proportion of cases with low, medium, and high ARNA risk levels for all youth referred to DA offices compared to the proportion of ARNA risk levels for youth in Diversion programs. It also depicts the percent of youth within each ARNA risk level who were referred to Diversion in FY23-24 from DA's offices. 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.

FIGURE 3: 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

Program	N=Total ARNAs	DIVERSION			N=Total ARNAs	ALL REFERRED TO DA		
		Low	Medium	High		Low	Medium	High
JD 1 DA	173	73.4	22.0	4.6				
JD 1 JAC	70	84.2	12.9	2.9	382	52.3	20.2	27.5
JD 2	59	74.6	22.0	3.4	369	51.0	24.9	24.1
JD 3	6	33.3	50.0	16.7	4	50.0	50.0	0.0
JD 4	502	89.2	9.4	1.4	638	60.5	22.4	17.1
JD 5	108	87.0	7.4	5.6	92	81.6	13.0	5.4
JD 6	5	80.0	20.0	0.0	24	66.7	20.8	12.5
JD 7 Delta	46	76.1	15.2	8.7				
JD 7 Gunnison	30	90.0	6.7	3.3	110	61.8	25.5	12.7
JD 7 Hilltop	36	47.2	50.0	2.8				
JD 8 RJS	85	78.8	15.3	5.9				
JD 8 CFO	74	55.4	29.7	14.9	443	50.1	26.9	23.0
JD 8 DA	121	67.8	22.3	9.9				
JD 9	87	57.5	23.0	19.5	93	46.3	24.7	29.0
JD 10	46	80.5	13.0	6.5	220	39.1	23.2	37.7
JD 11	60	63.4	23.3	13.3	52	63.5	19.2	17.3
JD 12	54	63.0	25.9	11.1	43	58.2	30.2	11.6
JD 13	35	62.8	34.3	2.9	21	52.3	42.9	4.8
JD 14	60	71.7	20.0	8.3	62	67.7	19.4	12.9
JD 15	22	81.9	13.6	4.5	11	81.8	18.2	0.0
JD 16	45	75.6	20.0	4.4	35	74.3	20.0	5.7
JD 17	180	73.9	19.4	6.7	288	60.8	25.7	13.5
JD 18	434	69.1	25.8	5.1	834	41.0	24.8	34.2
JD 19	166	82.5	15.7	1.8	560	38.2	22.1	39.7
JD 20	213	78.4	16.9	4.7	295	49.5	16.6	33.9
JD 21	327	65.4	26.3	8.3	423	43.2	27.0	29.8
JD 22	34	76.5	23.5	0.0	0	0.0	0.0	0.0
Statewide	3,078	74.7	19.5	5.8	4,999	49.8	23.5	26.7

Figure 4 depicts the reasons for no ARNA score that were reported statewide for youth in Diversion. Across all programs, a reason was not provided for 36.7% of missing ARNA scores. Where a reason was provided, about a quarter (25.7%) of the responses indicated that the DA or program opted out of data collection and another quarter (24.5%) indicated the ARNA was not required by statute. Client or Parent Refusal (3.0%), Change of Venue (0.8%) and

Communication Barriers (0.8%) were the least frequently reported reasons, while Legal Competence and Defense Attorney Refusal were not selected at all in FY 23-24 among the Diversion population.

FIGURE 4: REPORTED REASONS FOR NO ARNA SCORE FOR YOUTH IN DIVERSION

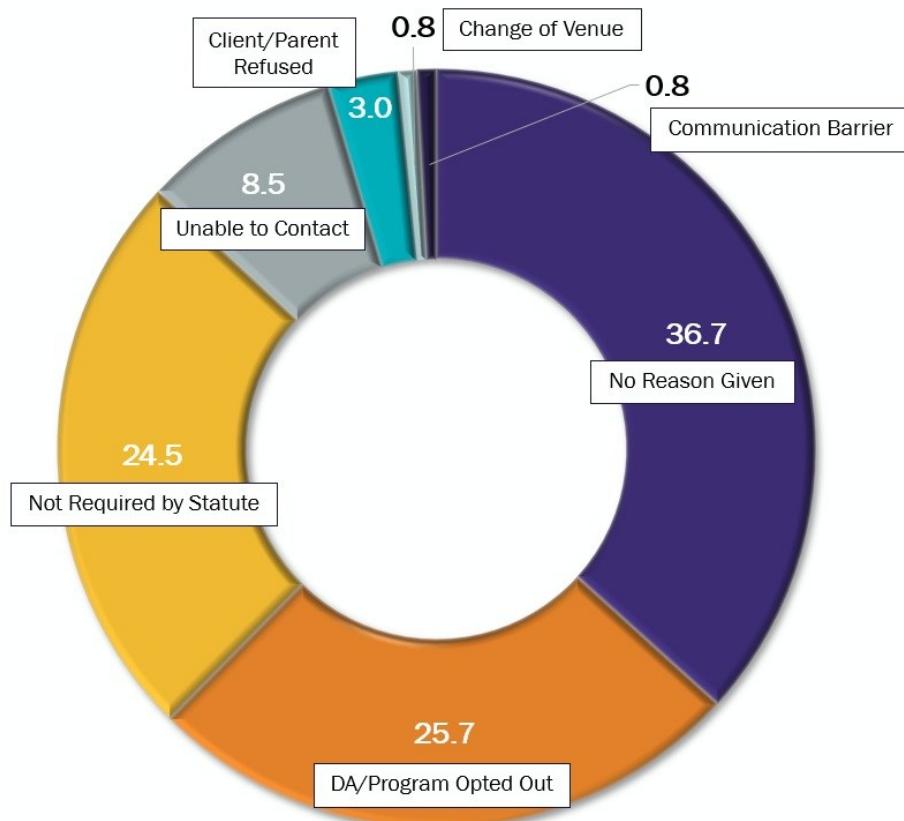


Table 6 provides program-level data on the reasons for no ARNA score for Diversion youth, by program.

TABLE 6: REASONS FOR No ARNA SCORE BY PROGRAM

Program	Percent (%)								
	No Reason Reported	Change of Venue	Client or Parent Refused	DA or Program Opted Out	Legal Comp	Not Required by Statute	Unable to Contact	Comm Barrier	Defense Attorney Refused
JD 1 DA	57.1	14.3	0.0	28.6	0.0	0.0	0.0	0.0	0.0
JD 1 JAC	0.0	0.0	0.0	100.0	0.0	0.0	0.0	0.0	0.0
JD 2	51.6	0.0	0.0	37.1	0.0	0.0	11.3	0.0	0.0
JD 3	10.5	5.3	10.5	0.0	0.0	68.4	0.0	5.3	0.0
JD 4	87.5	0.0	0.0	0.0	0.0	12.5	0.0	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	0.0	0.0	0.0	95.8	0.0	0.0	4.2	0.0	0.0
JD 7 De	100.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
JD 7 Gu	-	-	-	-	-	-	-	-	-
JD 7 HT	100.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
JD 8 RJS	0.0	0.0	0.0	0.0	0.0	100.0	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 DA	75.0	0.0	25.0	0.0	0.0	0.0	0.0	0.0	0.0
JD 9	-	-	-	-	-	-	-	-	-
JD 10	-	-	-	-	-	-	-	-	-
JD 11	13.3	0.0	0.0	26.7	0.0	0.0	60.0	0.0	0.0
JD 12	55.2	0.0	0.0	0.0	0.0	44.8	0.0	0.0	0.0
JD 13	0.0	0.0	0.0	0.0	0.0	100.0	0.0	0.0	0.0
JD 14	38.1	0.0	4.8	0.0	0.0	57.1	0.0	0.0	0.0
JD 15	42.8	0.0	14.3	0.0	0.0	28.6	14.3	0.0	0.0
JD 16	33.4	0.0	0.0	0.0	0.0	33.3	33.3	0.0	0.0
JD 17	43.3	2.7	10.8	2.7	0.0	0.0	35.1	5.4	0.0
JD 18	88.9	0.0	0.0	0.0	0.0	11.1	0.0	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	25.0	0.0	0.0	0.0	0.0	75.0	0.0	0.0	0.0
JD 21	33.3	0.0	0.0	0.0	0.0	66.7	0.0	0.0	0.0
JD 22	27.3	0.0	0.0	0.0	0.0	72.7	0.0	0.0	0.0
Statewide	36.6	0.8	3.0	25.8	0.0	24.5	8.5	0.8	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 12 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. FY23-24 was the first year with complete services data for all programs. Child welfare involvement is absent from this report because the data was deemed to be incomplete by the deadline for the report. This data will be added at a later date.

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 6.8% 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 5 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. Misdemeanors were most common with 46.1% of youth participating in Diversion having this type of charge. Petty offenses were the second most common charge with more than a quarter of youth charged with petty offenses followed by 19.7% of youth with felony offenses. Very few youth had charges that involved drug felonies (0.5%), traffic offenses (1.3%), drug misdemeanors (4.0%) and other charges (0.8%).

FIGURE 5: OFFENSES

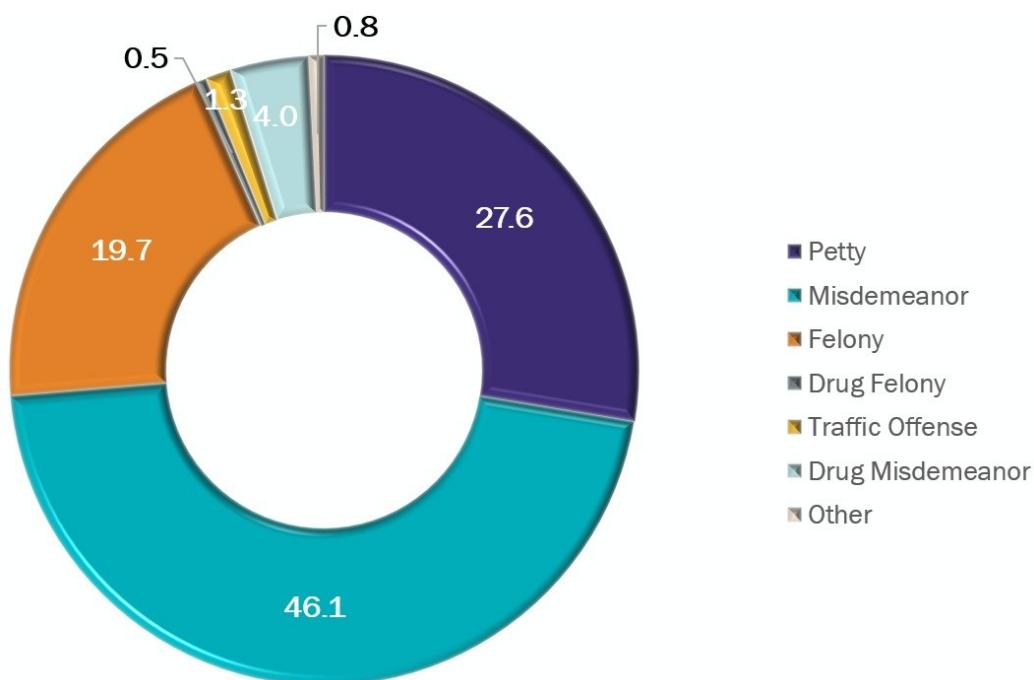


Table 7 depicts the offenses by program. Some programs have established criteria for the youth who can be offered Diversion based on their charges. These criteria are determined based on the needs and philosophy of the communities and are not uniform across the state.

TABLE 7: OFFENSES BY PROGRAM

Program	Percent (%)						
	Petty Offense	Misdemeanor	Felony	Drug Felony	Traffic Offense	Drug Misdemeanor	Other
JD 1 DA	7.9	45.0	36.5	3.9	0.0	6.7	0.0
JD 1 JAC	71.6	27.0	0.0	0.0	0.0	0.0	1.4
JD 2	0.0	41.3	57.9	0.8	0.0	0.0	0.0
JD 3	10.5	26.3	15.8	0.0	26.3	5.3	15.8
JD 4	16.9	62.7	18.0	0.4	0.0	0.4	1.6
JD 5	24.8	56.8	13.8	0.0	0.9	0.9	2.8
JD 6	72.7	24.7	1.3	0.0	0.0	1.3	0.0
JD 7 Delta	36.2	27.7	34.0	0.0	0.0	2.1	0.0
JD 7 Gunnison	81.8	18.2	0.0	0.0	0.0	0.0	0.0
JD 7 Hilltop	10.7	75.0	10.7	0.0	0.0	3.6	0.0
JD 8 RJS	34.8	63.0	1.1	0.0	0.0	0.0	1.1
JD 8 CFO	50.6	42.9	1.3	0.0	0.0	3.9	1.3
JD 8 DA	30.1	53.4	12.0	0.0	1.5	1.5	1.5
JD 9	14.1	62.4	23.5	0.0	0.0	0.0	0.0
JD 10	67.3	19.6	10.9	2.2	0.0	0.0	0.0
JD 11	18.4	44.8	26.3	0.0	10.5	0.0	0.0
JD 12	47.0	24.2	1.5	0.0	27.3	0.0	0.0
JD 13	5.0	45.0	50.0	0.0	0.0	0.0	0.0
JD 14	42.8	35.7	17.9	0.0	3.6	0.0	0.0
JD 15	44.5	33.3	14.8	0.0	3.7	0.0	3.7
JD 16	20.8	50.0	18.8	0.0	10.4	0.0	0.0
JD 17	3.2	45.6	47.9	0.5	0.5	2.3	0.0
JD 18	28.7	36.4	10.8	0.5	0.2	22.3	1.1
JD 19	41.3	44.9	13.8	0.0	0.0	0.0	0.0
JD 20	36.7	43.7	18.1	0.0	0.0	1.0	0.5
JD 21	31.1	47.7	20.9	0.0	0.3	0.0	0.0
JD 22	27.0	32.5	32.4	2.7	5.4	0.0	0.0
Statewide	27.6	46.1	19.7	0.5	1.3	4.0	0.8

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. This fiscal year, 91.2% of youth had their school status at intake reported, 80.3% of discharged cases had school history reported, and 68.5% of youth who left Diversion services during FY23-24 had school status at discharge reported. Figure 6 illustrates the percent of youth for whom data was reported that had each of the school statuses, respectively.

The large majority of youth (87.5%), for whom there were data, were actively enrolled in school when they began Diversion services, 1.5% were considered truant, 2.9% had dropped out or were not enrolled, 2.8% had been expelled, 2.5% had graduated or received a GED, 0.9% had been suspended, and 0.8% had an unknown school status.

School status upon completion of Diversion was based on 2,365 youth who completed Diversion during the FY23-24, which is 68.0% of the Diversion participants. Again, a high percentage of youth (85.4%) were actively enrolled in school and an additional 5.2% of youth had either graduated, completed, or were pursuing a GED. Table 8 provides program-level data on school status at program completion.

FIGURE 6: SCHOOL STATUS AT INTAKE (LEFT) AND AT PROGRAM COMPLETION (RIGHT)

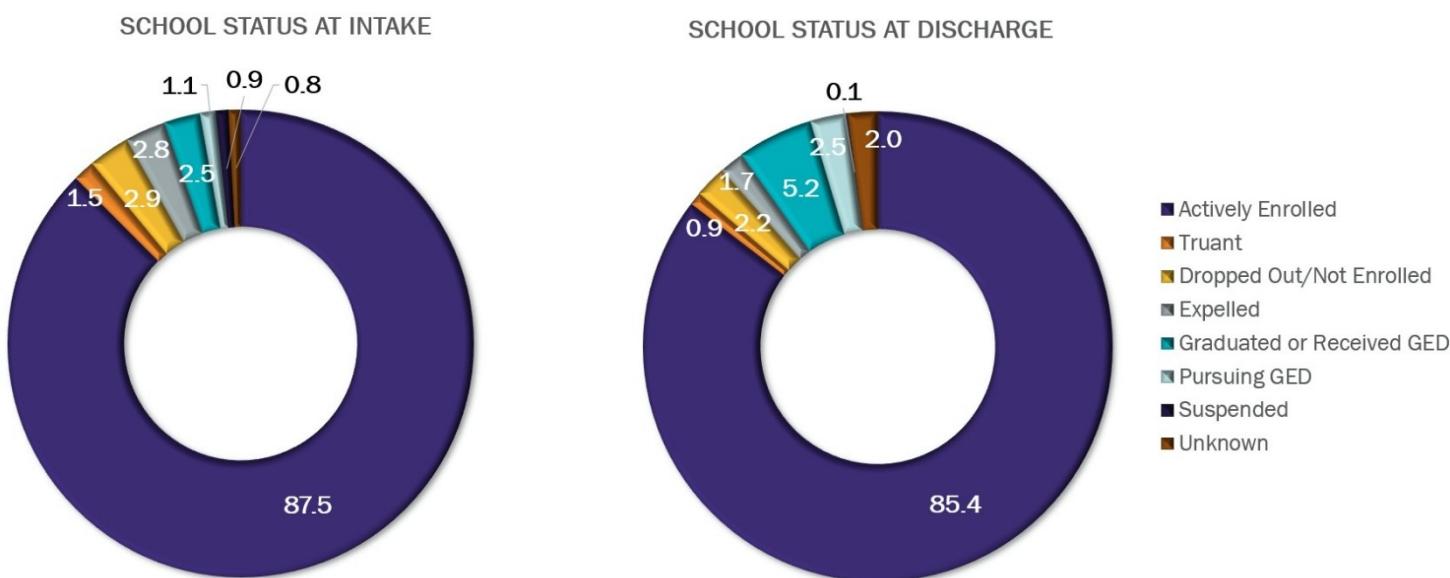


TABLE 8: SCHOOL STATUS AT COMPLETION OF DIVERSION BY PROGRAM

Program	Total Completed Cases w/ School Status	Percent (%)							
		Actively Enrolled	Truant	Dropped Out/Not Enrolled	Expelled	Graduated or GED	Pursuing GED	Suspended	Unknown
JD 1 DA	65	83.1	0.0	7.7	0.0	6.2	1.5	1.5	0.0
JD 1 JAC	58	93.2	0.0	1.7	0.0	1.7	3.4	0.0	0.0
JD 2	50	74.0	2.0	4.0	0.0	12.0	8.0	0.0	0.0
JD 3	3	100.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
JD 4	188	86.8	0.0	0.5	2.1	8.5	0.0	0.0	2.1
JD 5	27	85.2	0.0	3.7	7.4	3.7	0.0	0.0	0.0
JD 6	47	80.8	4.3	4.3	0.0	6.4	2.1	0.0	2.1
JD 7 Delta	26	92.4	0.0	3.8	0.0	0.0	0.0	0.0	3.8
JD 7 Gunnison	12	83.3	0.0	0.0	0.0	16.7	0.0	0.0	0.0
JD 7 Hilltop	11	72.7	0.0	9.1	0.0	0.0	18.2	0.0	0.0
JD 8 RJS	29	96.6	0.0	0.0	0.0	0.0	0.0	0.0	3.4
JD 8 CFO	21	90.5	0.0	0.0	0.0	0.0	0.0	0.0	9.5
JD 8 DA	27	96.3	0.0	0.0	0.0	0.0	0.0	0.0	3.7
JD 9	61	78.7	3.3	4.9	8.2	1.6	3.3	0.0	0.0
JD 10	30	96.7	0.0	0.0	3.3	0.0	0.0	0.0	0.0
JD 11	4	50.0	0.0	0.0	0.0	25.0	0.0	0.0	25.0
JD 12	49	73.5	2.0	4.1	0.0	2.0	4.1	0.0	14.3
JD 13	23	82.7	0.0	0.0	0.0	13.0	4.3	0.0	0.0
JD 14	41	100.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
JD 15	4	75.0	0.0	0.0	0.0	0.0	25.0	0.0	0.0
JD 16	26	88.5	0.0	0.0	0.0	3.8	0.0	0.0	7.7
JD 17	91	79.1	1.1	3.3	1.1	6.6	8.8	0.0	0.0
JD 18	179	82.6	1.1	1.7	0.6	11.2	2.2	0.0	0.6
JD 19	96	85.5	1.0	2.1	0.0	1.0	0.0	0.0	10.4
JD 20	170	83.0	2.4	2.9	0.0	7.6	4.1	0.0	0.0
JD 21	246	89.9	0.4	0.8	4.9	1.6	2.0	0.4	0.0
JD 22	36	88.8	0.0	2.8	2.8	2.8	0.0	0.0	2.8
Statewide	1,620	85.4	0.9	2.2	1.7	5.2	2.5	0.1	2.0

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 2,365 cases that discharged in FY23-24 were included in the School History analyses. Figure 7 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.

FIGURE 7: SCHOOL HISTORY FOR DIVERSION YOUTH STATEWIDE

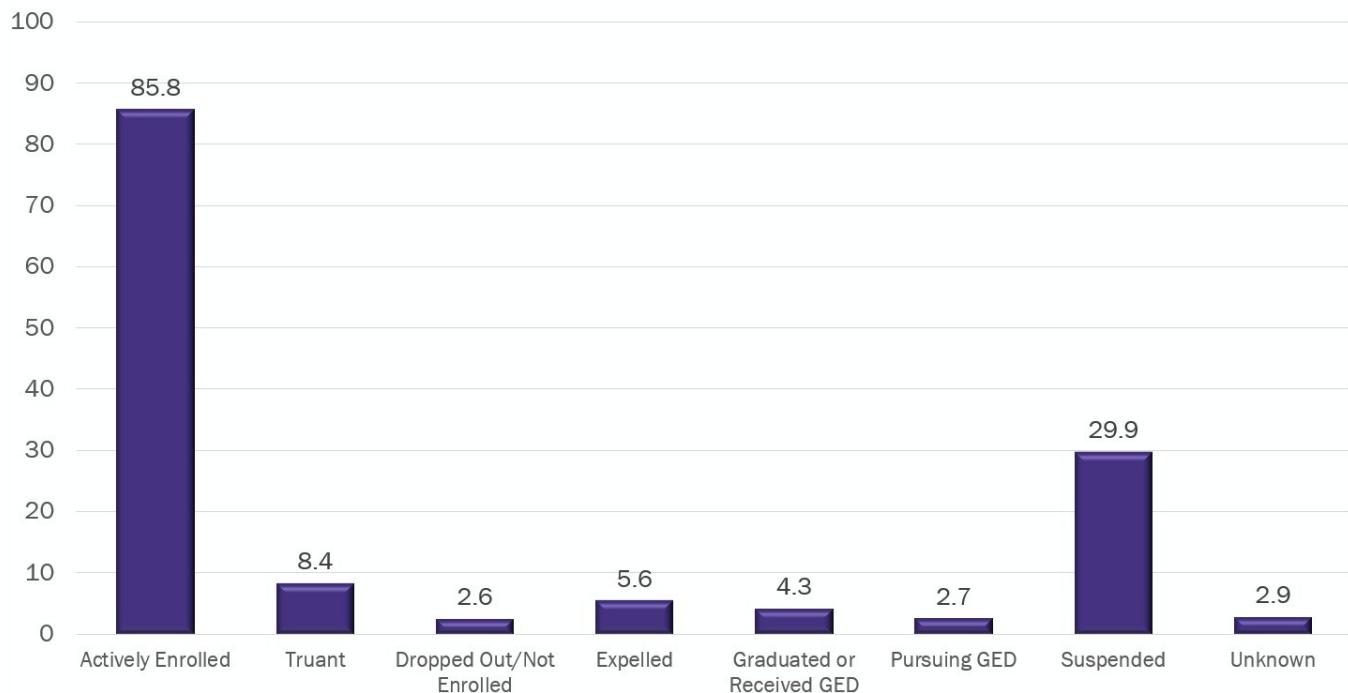


Table 9 provides program-level data on school history for youth in Diversion. Again, data were entered for any event that occurred over the past 12 months, so more than one event could be selected for each youth.

TABLE 9: SCHOOL HISTORY

		Percent (%)							
Program	Total Youth w/ HX Status	Actively Enrolled	Truant	Dropped Out/Not Enrolled	Expelled	Graduated or GED	Pursuing GED	Suspended	Unknown
JD 1 DA	90	87.8	5.6	8.9	2.2	4.4	4.4	21.1	0.0
JD 1 JAC	62	95.2	1.6	0.0	0.0	1.6	3.2	30.6	0.0
JD 2	24	33.3	8.3	12.5	0.0	0.0	4.2	41.7	4.2
JD 3	13	69.2	0.0	0.0	7.7	15.4	0.0	7.7	7.7
JD 4	195	75.9	4.1	0.0	9.2	5.6	0.0	29.2	2.1
JD 5	57	87.7	0.0	1.8	7.0	1.8	0.0	22.8	0.0
JD 6	46	100.0	21.7	6.5	4.3	2.2	6.5	73.9	0.0
JD 7 Delta	28	96.4	17.9	0.0	3.6	0.0	3.6	28.6	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	21	71.4	4.8	4.8	0.0	4.8	14.3	33.3	0.0
JD 8 RJS	27	96.3	7.4	0.0	3.7	0.0	0.0	33.3	0.0
JD 8 CFO	15	93.3	0.0	0.0	0.0	0.0	0.0	20.0	6.7
JD 8 DA	36	88.9	0.0	2.8	8.3	0.0	0.0	13.9	5.6
JD 9	56	51.8	17.9	7.1	16.1	1.8	3.6	41.1	0.0
JD 10	37	83.8	0.0	0.0	8.1	0.0	0.0	27.0	0.0
JD 11	46	84.8	4.3	0.0	10.9	4.3	0.0	13.0	15.2
JD 12	53	83.0	9.4	3.8	0.0	1.9	1.9	30.2	18.9
JD 13	27	96.3	37.0	0.0	3.7	11.1	3.7	29.6	0.0
JD 14	49	91.8	2.0	2.0	0.0	0.0	0.0	10.2	28.6
JD 15	7	85.7	0.0	0.0	0.0	0.0	0.0	0.0	14.3
JD 16	30	93.3	3.3	3.3	10.0	3.3	3.3	33.3	13.3
JD 17	114	81.6	1.8	3.5	0.9	7.0	7.9	0.0	0.0
JD 18	278	88.8	6.1	2.2	5.0	8.6	2.2	48.9	0.7
JD 19	109	95.4	0.9	0.9	2.8	0.0	0.0	8.3	0.0
JD 20	174	85.6	8.0	2.9	0.6	7.5	6.3	2.9	0.0
JD 21	252	94.0	25.0	3.2	13.1	2.0	2.4	56.0	3.2
JD 22	35	62.9	0.0	2.9	5.7	2.9	0.0	40.0	0.0
Statewide	1,898	85.8	8.4	2.6	5.6	4.3	2.7	29.9	2.9

SERVICES

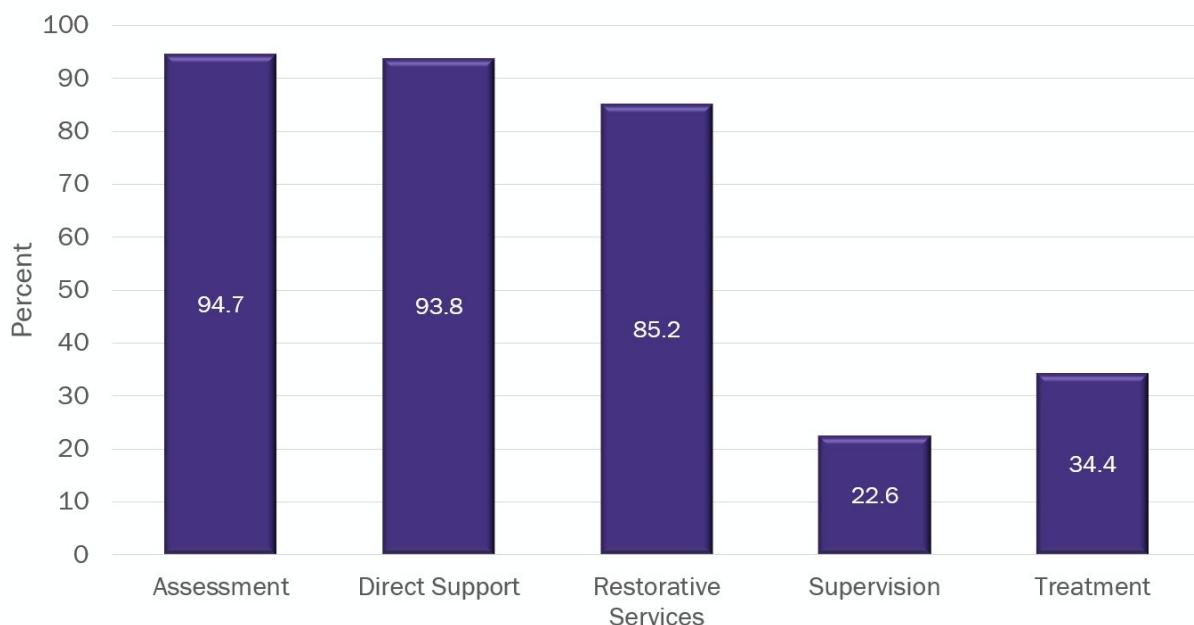
FY23-24 was the first complete fiscal year that data on the services provided to youth participating in Diversion were reported since entry was made available in May of 2023. Only youth with at least one service reported were included in the analyses. At least one service was reported for 88.3% of youth discharged in FY23-24.

Services were divided 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 in 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 8 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 2023-2024 fiscal year. The large majority of cases received Assessment, Direct Support, and Restorative Services. Fewer cases received Treatment and Supervision services.

FIGURE 8: 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 9 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 9: SERVICE PROVIDERS STATEWIDE

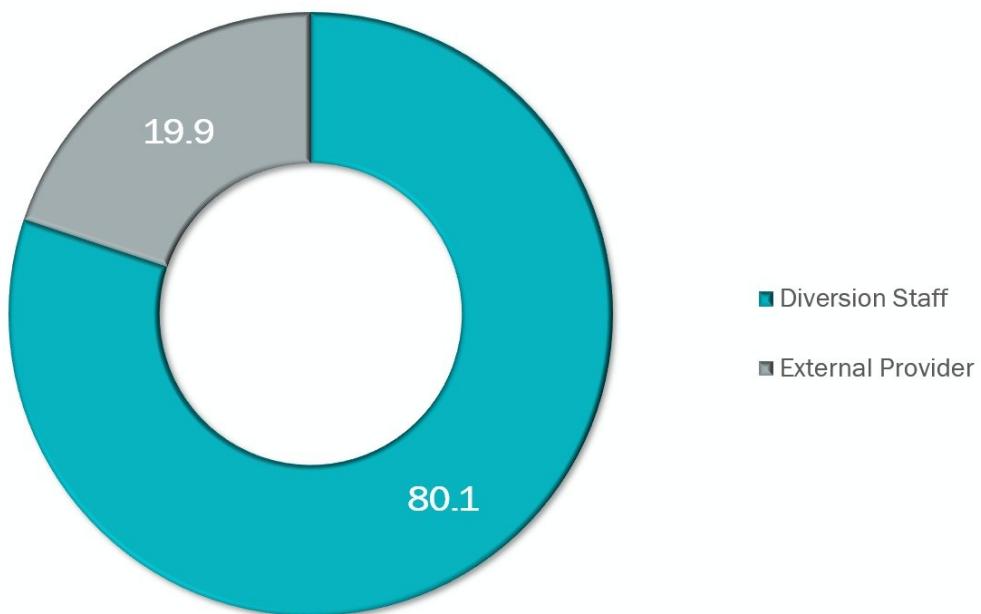


Table 10 provides service category data at the program level for youth in Diversion. The first column indicates the number of youth who completed Diversion and received at least one service. The final two columns depict the percent of all services which were provided by Diversion staff or external providers.

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 Program	Provided by External Service Provider
JD 1 DA	94	91.5	92.6	63.8	16.0	22.3	52.5	47.5
JD 1 JAC	63	93.7	100.0	90.5	0.0	14.3	97.0	3.0
JD 2	57	94.7	100.0	68.4	100.0	80.7	49.4	50.6
JD 3	5	0.0	100.0	100.0	0.0	80.0	0.0	100.0
JD 4	316	99.7	100.0	99.7	17.4	40.5	77.6	22.4
JD 5	54	88.9	100.0	90.7	22.2	16.7	96.0	4.0
JD 6	8	100.0	100.0	87.5	0.0	25.0	100.0	0.0
JD 7 Delta	29	96.6	100.0	79.3	20.7	55.2	61.0	39.0
JD 7 Gunnison	17	100.0	100.0	35.3	17.6	17.6	91.2	8.8
JD 7 Hilltop	21	47.6	100.0	95.2	95.2	52.4	89.6	10.4
JD 8 RJS	30	96.7	13.3	93.3	0.0	0.0	22.6	77.4
JD 8 CFO	23	87.0	73.9	95.7	30.4	4.3	46.7	53.3
JD 8 DA	37	97.3	89.2	56.8	16.2	27.0	82.8	17.2
JD 9	70	94.3	100.0	57.1	20.0	27.1	97.7	2.3
JD 10	38	84.2	100.0	36.8	36.8	7.9	75.3	24.7
JD 11	41	85.4	90.2	100.0	2.4	29.3	49.8	50.2
JD 12	38	100.0	81.6	97.4	0.0	0.0	100.0	0.0
JD 13	27	100.0	100.0	85.2	0.0	25.9	99.3	0.7
JD 14	57	80.7	100.0	89.5	29.8	7.0	71.9	28.1
JD 15	13	38.5	7.7	23.1	7.7	61.5	0.0	100.0
JD 16	31	100.0	100.0	100.0	0.0	80.6	98.7	1.3
JD 17	127	98.4	99.2	100.0	11.8	25.2	98.5	1.5
JD 18	281	95.4	88.7	87.6	78.4	71.6	92.8	7.2
JD 19	121	98.3	100.0	90.9	0.8	16.5	74.2	25.8
JD 20	186	98.9	97.8	96.2	2.2	29.6	84.2	15.8
JD 21	267	95.1	100.0	78.7	0.7	22.5	67.7	32.3
JD 22	37	100.0	27.0	91.9	0.0	32.4	82.7	17.3
Statewide	2,088	94.7	93.8	85.2	22.6	34.4	80.1	19.9

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”³. 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 2023-24, 31.9% 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 19.5% 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 23-24 DIVERSION YOUTH

Time Frame	% of Diversion Participants
Before Diversion Participation	29.6
Actively Involved at Diversion Admission	6.3
After Diversion Participation	8.6

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 as well as the reasons a case was returned to prosecution. The overwhelming majority (89.7%) of cases ended in successful completion of services. For those that did not complete the program successfully, non-cooperation (33.6%) was the most common reason. It may be important to note that to be included as a Diversion Program participant, youth 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 11 presents data at the program level on successful completion for Diversion youth.

³ 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_9lNe_GdppQc4-LsH6AJq4KjqG66aEE?role=writer

FIGURE 11: SUCCESSFUL & UNSUCCESSFUL DIVERSION COMPLETION ACROSS THE STATE

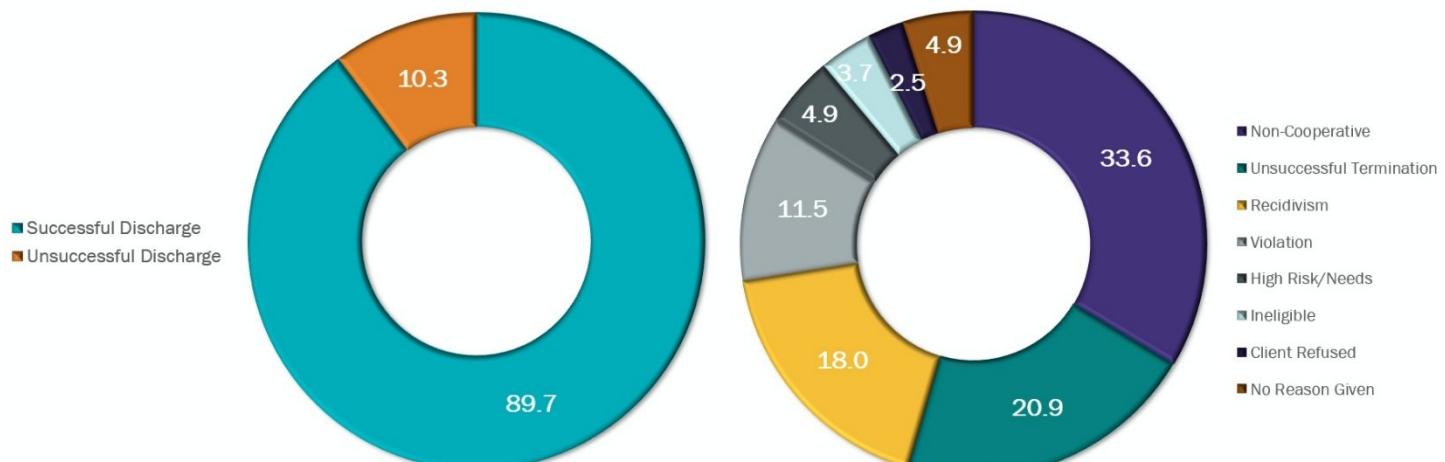


TABLE 11: SUCCESSFUL COMPLETION BY DIVERSION PROGRAM

Program	N>Youth Discharged from Diversion	Percent (%)	
		Successfully Completed	Unsuccessfully Discharged: Returned to Prosecution
JD 1 DA	120	94.2	5.8
JD 1 JAC	63	95.2	4.8
JD 2	57	82.5	17.5
JD 3	21	81.0	19.0
JD 4	333	85.6	14.4
JD 5	71	85.9	14.1
JD 6	49	98.0	2.0
JD 7 Delta	29	86.2	13.8
JD 7 Gunnison	18	100.0	0.0
JD 7 Hilltop	22	81.8	18.2
JD 8 RJS	39	74.4	25.6
JD 8 CFO	50	78.0	22.0
JD 8 DA	70	90.0	10.0
JD 9	70	94.3	5.7
JD 10	39	94.9	5.1
JD 11	53	96.2	3.8
JD 12	67	95.5	4.5
JD 13	27	96.3	3.7
JD 14	65	90.8	9.2
JD 15	19	73.7	26.3
JD 16	32	87.5	12.5
JD 17	138	92.0	8.0
JD 18	285	86.7	13.3
JD 19	133	85.0	15.0
JD 20	186	94.1	5.9
JD 21	268	94.8	5.2
JD 22	41	90.2	9.8
Statewide	2,365	89.7	10.3

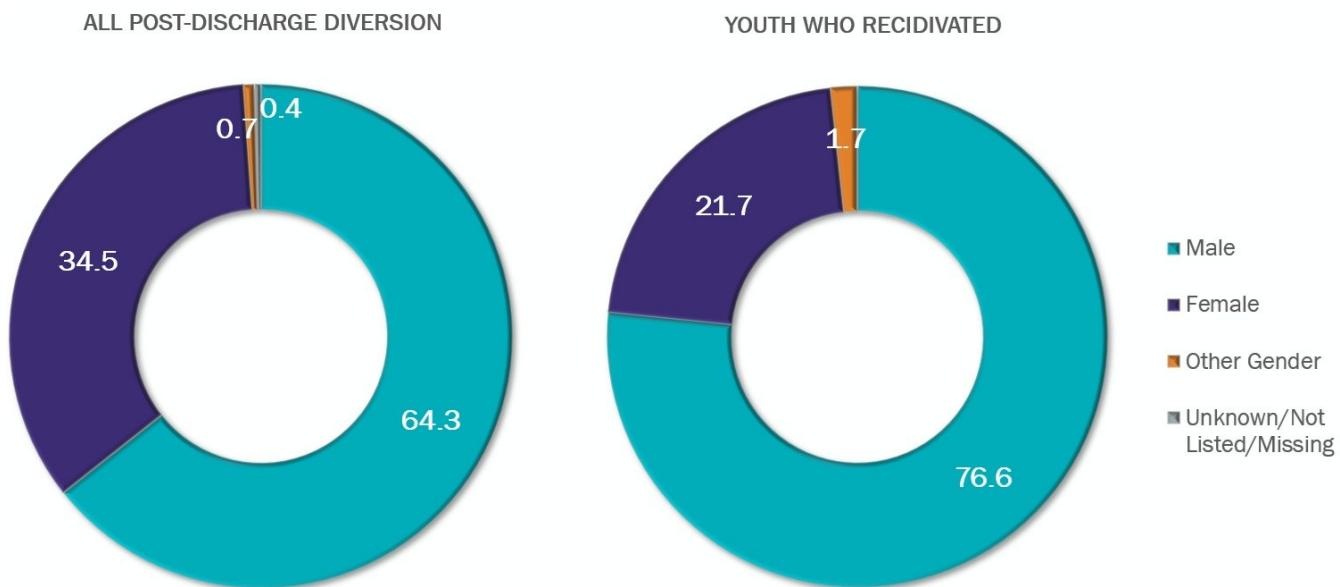
RECIDIVISM

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 1,353 youth who had one year post diversion completion, 60 (4%) met the definition for recidivism. The analysis in this section compares the youth who recidivated to youth who completed services for at least one year denoted as All Post Discharge Diversion Youth. Data in this section should be interpreted with caution due to the very small number of youth who recidivated.

Characteristics of Youth Who Recidivated

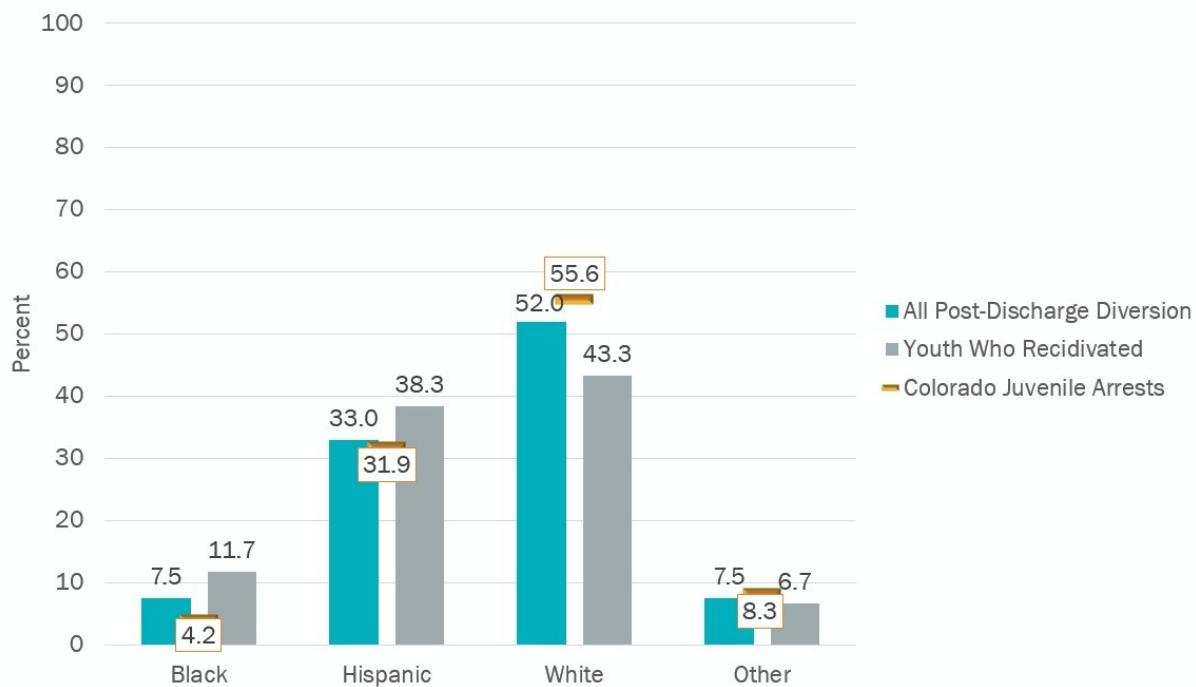
- ∞ Age: For the youth who recidivated, the mean age at the time of intake was 15.93 years, as compared to 15.46 years of age for Post Discharge Diversion Youth.
- ∞ Gender: As previously noted in this report, the late implementation of choices in the Diversion Module means that categories other than biological sex are underrepresented in the data reported herein. Most youth who recidivated were male (76.6%), while females represented 21.7% of the recidivated population, 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 (26.4%) compared to the broader Diversion population who had unsuccessfully discharged in FY 23-24 (10.6%), see Figure 14.

FIGURE 14: DISCHARGE STATUS

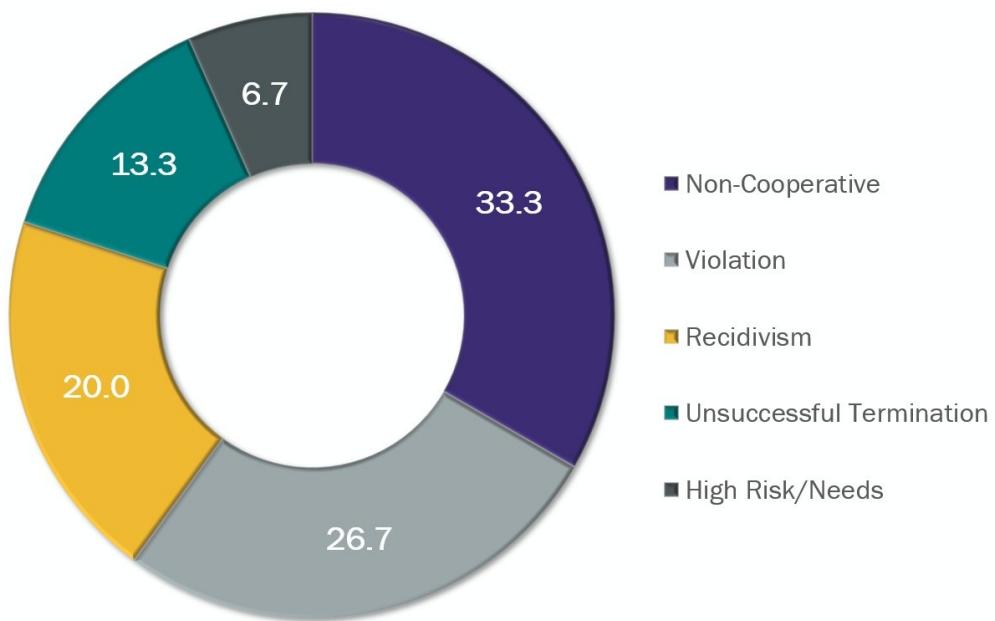
ALL POST-DISCHARGE DIVERSION

YOUTH WHO RECIDIVATED



The return statuses for those who unsuccessfully discharged and recidivated is depicted in Figure 15. One third of youth were discharged for being non-cooperative (33.3%), while more than a quarter returned due to a violation (26.7%). Others were returned to prosecution due to recidivism (20.0%), unsuccessful termination (13.3%), and for high risk/needs (6.7%).

FIGURE 15: RETURN STATUSES FOR DIVERSION YOUTH WHO DISCHARGED UNSUCCESSFULLY & RECIDIVATED



When youth had multiple convictions, the most severe was selected. Table 12 provides details on the range and severity of the top criminal convictions for those Diversion youth who recidivated. Nearly one fifth of youth committed misdemeanor assault (18.3%), while another 11.7% of youth who recidivated committed felony assault. The most serious crime was homicide (1.7%), while less serious crimes included miscellaneous misdemeanors (16.7%).

TABLE 12: CONVICTED CRIMES FOR YOUTH WHO RECIDIVATED

Crime	Burglary	Drug Poss.	Drugs	Felony Assault	Forgery /Fraud	Homicide	Misc Felony	Misc Misdem	Misdem Assault	MVT	Other	Other Property	Robbery	Theft	Weapons
Percent	3.3	8.3	1.7	11.7	5.0	1.7	1.7	16.7	18.3	1.7	8.3	11.7	1.7	3.3	5.0

DISCUSSION

The Annual Report on Juvenile Diversion in Colorado for Fiscal Year 2023-24 highlights the program's efforts to minimize youth involvement in the juvenile justice system. The report focuses exclusively on programs utilizing funding administered by DCJ, which included 181 cases that participated in Diversion but were not referred to the DA on a district level charge.

- **Data Tracking:** FY23-24 marks the second year of full utilization of the Colorado District Attorney's Council (CDAC) Diversion Module data system for tracking, with significant modifications rolled out in May 2023.
- **Case Statistics:** A total of 3,478 cases were served by Juvenile Diversion programs, involving 3,438 unique youth, which represents a 13.4% increase in the number of cases compared to the previous year.

- **Demographics:** More female youth participated in Diversion compared to all youth referred to the DA. Race and ethnicity data is somewhat difficult to interpret due to multiple means of collection at different points along the juvenile justice continuum (arrest, referral to the DA, Diversion program participation). Diversion programs have been instructed to update these fields based on youth and family self-report, which is considered best practice, likely making the data on Diversion program participants the most accurate reflection of race and ethnicity.
- **ARNA Risk Levels:** The Arizona Risk and Needs Assessment (ARNA) was used to assess youth, with a higher proportion of Diversion participants scoring low risk compared to all youth referred to the DA.
- **Offense and Charge Levels:** Misdemeanors were the most common charges for youth in Diversion, followed by petty offenses and then felonies, with some programs offering Diversion for higher-level offenses.
- **Educational Engagement:** The majority of youth were actively enrolled in school at intake and completion of Diversion.
- **Service Provision:** Services predominantly consisted of Direct Support, Restorative Services, and Assessments; Diversion staff-provided services accounted for 80.1% of all services delivered.

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.