



LGFCU
LOCAL GOVERNMENT
FEDERAL CREDIT UNION

2015
**EXCELLENCE IN
INNOVATION**
Awards Program

recognizes the

**Durham County Criminal Justice
Resource Center**

for development and implementation of the

**Misdemeanor Diversion Program for
16 and 17 Year-Olds**

Team Members:

**Roshanna Parker, Kelly Andrews, Marcia Morey,
Lao Rubert, Gudrun Parmer**

LGFCU Excellence in Innovation Award Project Evaluation

Project Number	HS-9
Title of Program	Misdemeanor Diversion Program for 16 and 17 year olds
Program Category	Human Services
Submission Date	6/17/2015 4:15:00 PM
County	Durham
Employee	Gudrun Parmer
Employee title	Director
Email	gparmer@dconc.gov
County Department	Criminal Justice Resource Center
Phone	919.560.0503
Address	326 E Main Street Durham, NC 27712
County Manager	Wendell Davis
Supervisor	Lee Worsley
Implementation Date	4/1/2014
FLSA Designation	Both (if applicable to a team)
Project Team Members	Roshanna Parker, CJRC Assistant Director; Kelly Andrews, Project Coordinator; Marcia Morey, Chief District Court Judge; Lao Rubert, Citizen; Gudrun Parmer, CJRC Director

Description of Productivity Improvement

North Carolina is one of only two states that continue to prosecute all 16 and 17 year olds charged with criminal offenses in the adult criminal justice system. The Durham County Misdemeanor Diversion Program (MDP) is a program for processing 16-and-17 year-old first-time non-violent offenders committing misdemeanors. In lieu of formal court processing, an incident report (IR) program has been initiated as a 90-day diversion to avoid a first arrest for low-risk youth in Durham County, keeping them out of the adult criminal justice system. Program components include an MDP Court session with the Chief District Court Judge, District Attorney, Public Defender, and Law Enforcement educating youth/families on dangers of adult criminal involvement and a ten (10) hour community-based program individually tailored for the youth's specific needs.

Law enforcement officers identify youth that fit the target population and refer them to the diversion program. Youth receive printed materials to take home and are instructed to make contact with the program coordinator. The program coordinator verifies the individual's eligibility (no adult criminal record) and completes an intake. Youth are required to attend a court session and their parents are strongly encouraged to attend. At the beginning of the court session, the Chief District Court Judge presides over a brief trial where a young person is found guilty of a misdemeanor. During sentencing, the judge lists various court costs, fines and conditions. The trial is not real, the youth in front of the judge is usually a previous program graduate. The court session and the following discussion is intended to demonstrate to the youth and their families the potential consequences a conviction of even a minor misdemeanor can have.

Youth also complete ten hours in one of several programs and are referred to support services as needed. The program offers additional referrals for mental health, substance use, educational resources, vocational/employment, extracurricular activities, and mentors on a case-by-case basis to meet youth/family needs. Longer-term support services can continue for as long as therapeutically recommended or needed, even after youth have completed their 90 day diversion program.

Upon completion of all requirements, the coordinator reports back to the referring officer. If a youth fails to complete the program, the coordinator advises the referring officer who then has the discretion to file a petition on court on the initial charge(s). Once youth successfully complete all program requirements and law enforcement is notified, the case is closed with youth having no adult criminal history.

Description of why this project was initiated

North Carolina will soon be the only state in the country that processes 16, 17 year olds who commit minor misdemeanors in the adult criminal justice system. Efforts in the state legislature to raise the age of juvenile jurisdiction have not been successful thus far.

In 2012, 632 misdemeanor charges were filed against 16 and 17 year olds in Durham County. Of these, 47 were ordered to supervised probation, 90 placed on unsupervised probation and 495 charges were dismissed with or without mandated program participation. All charges will appear on the youth's criminal record, no matter what the disposition in court was.

Adult criminal records can have severe collateral consequences, especially for youth of color, while also having a grave fiscal impact on individuals, families and communities. Even if the youth is found not guilty or the case is diverted in court prior to sentencing, the arrest will remain on the youth's record unless and until an expungement is obtained, which can be costly and may take years.

Collateral consequences can be immediate or far reaching, from immediate loss of driving privileges, loss of college admission or scholarships, loss of various federal benefits (e.g. financial aid), to loss of

housing, deportation, loss of/inability to qualify for professional licensure, and future employment opportunities. Youth often do not realize their actions at the age of 16 and 17 can indelibly harm them 5, 10, or 20 years down the road--they are simply thinking as a child not as an adult. This project provides youth a second chance at a successful life, while also educating them about the unintended, long lasting and far reaching consequences of an adult criminal record.

Quantifiable results (sustainability, cost savings, cost avoidance and/or a higher level of service).

Indication of what resources were used and what was done with any accrued time savings

Since April 2014, 110 referrals were opened. 82 youth successfully completed; 1 youth did not complete the program; 27 youth are currently enrolled and on track to successfully complete the project. Year one recidivism: out of 13 youth, 2 had new misdemeanor allegations both were dismissed. 6 month recidivism: out of 60 youth, 8 had new allegations. Out of the 8 with new allegations, 5 were dismissed, 2 diverted, and 1 is pending trial in court. Cost avoidance includes time saved by law enforcement officers (processing the arrest and time spent in court), jail savings (booking, processing and potentially housing the arrestees), court processing and proceedings (judge, clerk, bailiff, district attorney and public defender). The largest cost avoidance is realized by the youth and his/her family (direct cost and long term effects of the charge), as well as the community that may have over 100 youth who will become successful, productive citizens rather than criminal justice statistics. Resources used included the hiring of a coordinator, all support services and referral programs were existing county and community resources. Durham County supplied the startup funding, a Governor's Crime Commission grant funded the project effective July 1, with Durham County providing the necessary match.

Other descriptive information

The program was presented at workshop at the 20th National Symposium on Juvenile Services in October 2014. Since the presentation, staff has provided individual informational sessions to 8 other counties or judicial districts and many of them have come to Durham to observe the MDP court session. Replication efforts of the Durham MDP model are slated to begin later this summer in some of these areas. We look forward to seeing more MDP replication models starting statewide as more counties learn about the project.