

DIVERSION PROGRAMS IN AMERICA'S CRIMINAL JUSTICE SYSTEM:



A REPORT BY THE CENTER FOR PRISON REFORM

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OVERVIEW

What is the best way to behaviorally correct lawbreakers, ensuring they do not offend again? For youth, and for non-violent offenders, especially in crimes relating to drugs, alcohol, and mental health, jail diversion programs and other forms of alternative sentencing are an effective substitute for jail:¹

- Allow offenders to keep their jobs, contributing to society
- Allow offenders to continue to support and be supported by their families
- Avoid the unnecessary expense, trauma, and bad influence of jail
- Avoid the trauma of prison when what they need most is substance or mental health treatment
- Permits offenders to address their behavior without the stigma of a criminal conviction, their records being expunged if they complete their programs
- Reduce the expense and negative effects of prison overcrowding
- Acknowledges the shift in public sentiment away from harsh penalties for non-violent crimes, mental illness, and drug offenses



Although law enforcement has the Crisis Intervention Team (CIT) model, or “Memphis Model” to identify and treat offenders with mental health disorders², for courts there are no nationwide standards for diversion programs³. Meanwhile, prisons have become overcrowded, leading to great cost and reduced effectiveness in correcting offender behavior. With 2.4 million incarcerated⁴, American has the highest imprisonment rate in the world, with 60% jailed for nonviolent offenses⁵.

The cost of imprisonment worldwide is \$62.5 billion⁶, much of which could be saved with diversion programs for non-violent offenders.

¹ Jail Diversion Program, www.jaildiversionprogram.com

² [CIT Toolkit and CIT Facts](#), National Alliance on Mental Illness

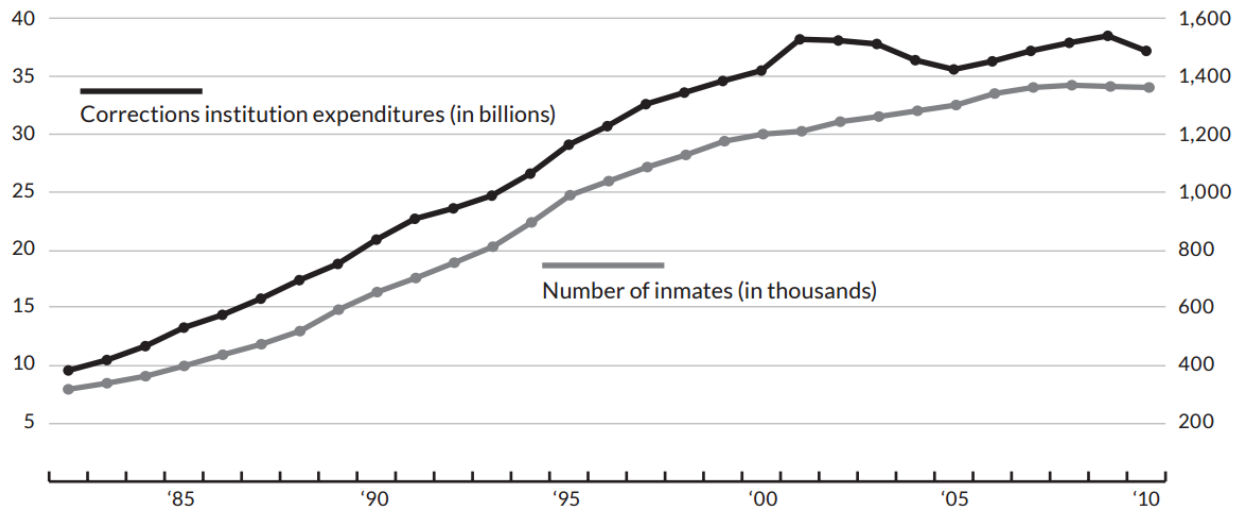
³ [A National Survey of Criminal Justice Diversion Programs and Initiatives](#), Center for Health and Justice at Treatment Alternatives for Safe Communities (TASC), December 2013, page 2.

⁴ Prison Nation, Tara Herivel and Paul Wright, 2003

⁵ [The High Budgetary Cost of Incarceration](#), Schmitt, Warner, and Gupta, Center for Economic and Policy Research, June 2010.

⁶ [Handbook of Basic Principles and Promising Practices on Alternatives to Imprisonment](#), United Nations, 2007.

State correctional expenditures and state/private prison populations, FY 1982-2010



Note: Expenditures inflation-adjusted to 2010 dollars.

Source: Data from Bureau of Justice Statistics *State Corrections Expenditures, FY1982-2010*.

THE PURPOSE OF DIVERSION PROGRAMS

Our criminal justice system in America serves several purposes:

1. To acknowledge the truth of crimes and their perpetrators
2. To give comfort to victims and society that justice has been served
3. To punish criminals, to deter them and others from thinking that crime pays
4. To reform criminals, so that they do not commit future crimes
5. To protect society from harm by removing criminals from the community

Unfortunately, for some categories of lawbreaker, our prisons often fail in the last three goals:

- Children learn from their peers, so juvenile detention can reinforce criminal behavior
- Non-violent lawbreakers do not need to be removed from society, and disconnecting them from their families and jobs harms those families and threatens their future employment.
- Lawbreakers who serve prison time become stigmatized in their social lives, financial history, and career prospects, making it harder for them to reintegrate into society and avoid further lawbreaking.
- Those whose crimes are non-violent do not deserve the traumatic experience of incarceration to be punished, and do not need such a severe environment to be behaviorally corrected.
- Prison overcrowding leads to further eroding of the effectiveness of jail time.
- Prison time is expensive and may include significant costs for health treatment or substance abuse treatment. These are burdens that the lawbreaker could help bear if he or she is placed outside the prison system and can hold a job.

Additionally, offenders whose main need is substance abuse or mental health treatment do not find the optimal or appropriate environment for recovery in a prison. In state prisons, 56% of those incarcerated have a mental health problem⁷ and 16% have a serious mental illness⁸. Some 53% of offenders in state prisons⁹ and 68% of those in local jails¹⁰ require substance abuse treatment.

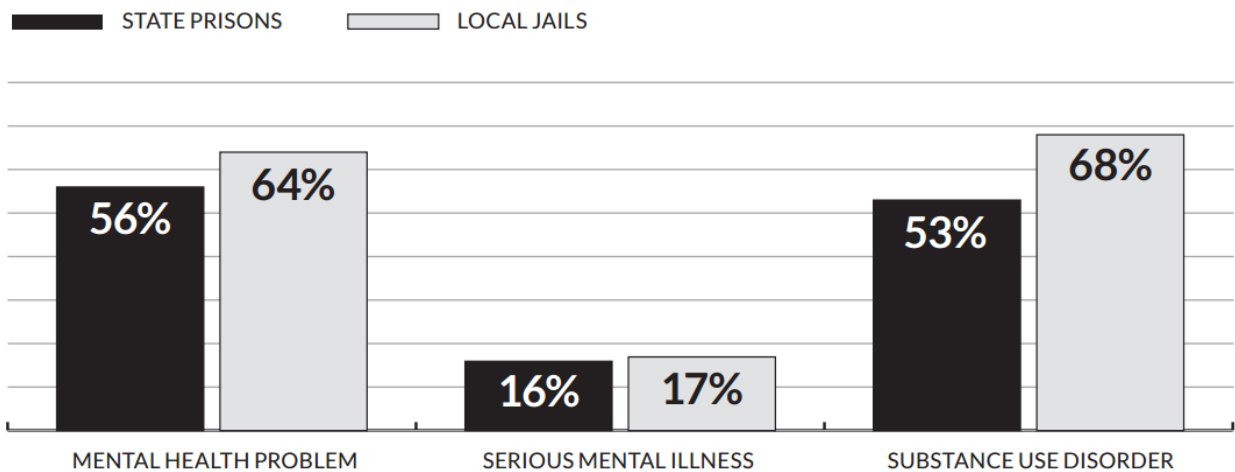
⁷ [Mental Health Problems of Prison and Jail Inmates](#), James, D. J., & Glaze, L. E., 2006, Bureau of Justice Statistics.

⁸ [Mental Health And Treatment Of Inmates And Probationers](#), Paula Ditton, July 1999, Bureau of Justice Statistics.

⁹ [Drug Use and Dependence, State and Federal Prisoners](#), Christopher Mumola and Jennifer Karberg, January 2007, Bureau of Justice Statistics

¹⁰ [Substance Dependence, Abuse, and Treatment of Jail Inmates](#), Jennifer Karberg and Doris James, July 2005, Bureau of Justice Statistics

Prevalence of substance use and mental health disorders in state prisons and local jails



To address these problems, courts sometimes sentence lawbreakers to jail diversion programs instead of jail. Through these programs, lawbreakers can be:

- Given attention by volunteer “aftercare” advisors at home, one-on-one
- Able to attend school or work a job
- Assigned mandatory counseling or substance abuse treatment
- Required to work directly towards victim restitution
- Placed into juvenile summer programs with tutoring and field trips designed to foster positive traits and a sense of belonging outside gangs and criminal groups
- Given workforce training such as boat repair or marine biology
- Involved in community work such as environmental repair work and taking care of landscapes and animals

Services can include¹¹:

- Face-to-face assessments
- Transportation
- Transitional housing
- Psychiatric evaluations and treatment plans
- Prescription medication therapy
- Court liaison
- Help finding additional community resources

¹¹ [Utilizing Evidence Based & Peer Programs as Jail Diversion in Problem Solving Courts](#), National Alliance on Mental Illness (NAMI) Florida

For these programs to be successful, careful attention must be paid to screening applicants and judging who poses no threat to society and who is amenable to behavioral correction outside of a prison environment. Often they are reserved to:

- low-level or first-time offenses
- children, veterans, or those with families
- to non-violent drug and alcohol offenders, to prostitution, or domestic violence in cases where no one was harmed¹².

The most common eligibility requirements of diversion programs are¹³:

- Prior criminal history (96%)
- Current charge (91%)
- Admission of guilt (44%)
- Substance abuse history (39%)
- Mental health history (36%)
- Victim approval (35%)
- Restitution amount imposed (33%)
- Arresting officer approval (30%)

Although diversion programs are viewed as a function of the prosecutor's office, 59% of diversion programs give judicial courts a role as well¹⁴, and they can begin at any point in the criminal justice system¹⁵:

- **Prebooking Diversion Programs** send offenders out of the system before they are charged, usually for mental health counseling. While this minimizes costs, such programs require training for frontline officers, and misdiagnosis can lead to lawsuits.
- **Postbooking Diversion Programs** are the most common, occurring after an offender has been charged, and requiring diversion staff who work in the court to negotiate with prosecutors, typically for mental health counseling, and in exchange for waiving of charges.
- **Post-Plea Diversion Programs** begin after an offender has entered into a plea deal that includes an admission of guilt.

¹² Jail Diversion Program, <http://www.jaildiversionprogram.com>.

¹³ [Pretrial Diversion in the 21st Century: A National Survey of Pretrial Diversion Programs and Practices](#), National Association of Pretrial Agencies, 2009

¹⁴ [Pretrial Diversion in the 21st Century: A National Survey of Pretrial Diversion Programs and Practices](#), National Association of Pretrial Agencies, 2009

¹⁵ [Pretrial Diversion Programs: Research Summary](#), Catherine Camilletti, October 2010, Bureau of Justice Assistance.

The goal being to reduce costs and prison populations, diversion programs should be used for persons who would otherwise be sent to prison, not for those who would otherwise be dismissed¹⁶.

Diversion programs in the United States began in 1947 when the Judicial Conference of the United States encouraged courts to place some juveniles under probation instead of prosecution, and in the 1960s, Michigan, Connecticut, Illinois, and New York had law authorizing treatment instead of prison for some adult offenders¹⁷.

In the 1950s and 1960s, public mental health hospitals were closed, to liberate the mentally ill from institutionalization, but this led to a transfer of many mentally ill to the prison system¹⁸. Prisons have replaced mental hospitals as the primary place where those with mental illness get treatment¹⁹. This returns us to criminalizing mental illness, an 18th or 19th century condition when the mentally ill filled our jails. More than half of the incarcerated have a mental illness²⁰ and 17% have a serious mental illness²¹. An estimated 2 million adults with serious mental illness are jailed every year²².

High prevalence of mental health problems among prison and jail inmates

Selected characteristics	Percent of inmates in —			
	State prison		Local jail	
	With mental problem	Without	With mental problem	Without
Criminal record				
Current or past violent offense	61%	56%	44%	36%
3 or more prior incarcerations	25	19	26	20
Substance dependence or abuse	74%	56%	76%	53%
Drug use in month before arrest	63%	49%	62%	42%
Family background				
Homelessness in year before arrest	13%	6%	17%	9%
Past physical or sexual abuse	27	10	24	8
Parents abused alcohol or drugs	39	25	37	19
Charged with violating facility rules*	58%	43%	19%	9%
Physical or verbal assault	24	14	8	2
Injured in a fight since admission	20%	10%	9%	3%

¹⁶ [Diversion Programs: An Overview](#), Center on Juvenile and Criminal Justice (CJCJ)

¹⁷ [A National Survey of Criminal Justice Diversion Programs and Initiatives](#), Center for Health and Justice at Treatment Alternatives for Safe Communities (TASC), December 2013, page 16.

¹⁸ [Jail Diversion Benefits the Criminal Justice System and Stakeholders in the Community](#), Christine Jones, American Public University, 2011.

¹⁹ [More Mentally Ill Persons Are in Jails and Prisons Than Hospitals: A Survey of the States](#), E. Fuller Torrey, et al, May 2010.

²⁰ [Mental Health Problems of Prison and Jail Inmates](#), James and Glaze, Bureau of Justice Statistics, September 2006.

²¹ [When Political Will Is Not Enough: Jails, Communities and Persons with Mental Health Disorders](#), Steadman, July 2014.

²² [Prevalence of Serious Mental Illness Among Jail Inmates](#), Steadman et. al, Psychiatric Services v60:6, June 2009.

In 1968, the President's Commission on Prisoner Rehabilitation and then the Comprehensive Drug Abuse Prevention and Control Act of 1970 recommended that US states use diversion programs for drug offenses²³. The first federal program was established through the Pretrial Services Act of 1982²⁴.

By 2010, 45 US states had 80 diversion laws and 298 diversion programs, but the number of federal pretrial diversion cases decreased²⁵, from 2,716 cases in 1999 to 1,426 in 2008²⁶. Most diversion programs are small, with an average annual budget of just \$150,000, supported by local county fees and client fees²⁷. Statewide pretrial diversion programs are funded by each state's Administrative Office of the Courts, the state probation department, community corrections agencies, or non-profit organizations.

Today, diversion programs are often still considered experimental, and this study will show that they vary widely across the United States and in foreign countries. It is time to learn from successful examples and extensive research, and adopt standards of best practices across the country.

²³ [Pretrial Diversion: The Overlooked Pretrial Services Evidence-Based Practice](#), Zlatic, Wilkerson, and McAllister, June 2010, Federal Probation V74, #1

²⁴ [Practices of Pretrial Diversion Programs: Review and Analysis of the Data](#), D. E. Pryor, 1982

²⁵ National Association of Pretrial Services Agencies

²⁶ [Pretrial Diversion: The Overlooked Pretrial Services Evidence-Based Practice](#), Zlatic, Wilkerson, and McAllister, June 2010, Federal Probation V74, #1

²⁷ [Pretrial Diversion in the 21st Century: A National Survey of Pretrial Diversion Programs and Practices](#), National Association of Pretrial Agencies, 2009

DO DIVERSION PROGRAMS WORK?

Diversion programs have proven to be highly effective in rehabilitating offenders away from future crime. Lawbreakers who go through a diversion program are less likely to spend time in prison, have received more treatment, and have used fewer drugs, 12 months after their crime.²⁸ Diversion reduces jail time for offenders, in the year after their offense from an average of 173 days to an average of 40 days,²⁹ and in the three months after their offense from an average of 28 days to 10 days³⁰. Juvenile offenders had a 25% reduced recidivism rate when put through diversion programs³¹.

By avoiding the stigma and trauma of a criminal sentence, they are better able to find employment³². They are also with the assistance of their case managers better able to apply for public benefits, with participation rates before diversion programs of rising for Social Security (26% to 54%), Medicaid (8% to 62%), food stamps (34% to 40%), and avoiding homelessness (44% to 56%)³³. Those who were not coerced into a diversion program performed better³⁴, as did those whose mental health professionals were properly matched to their needs and whose caseworkers had smaller loads³⁵.

Diversion programs also benefit the criminal justice system, allowing it to focus on more serious offenders. They are cost-effective and save courts time, keeping court dockets from becoming too large, and reducing prison overcrowding.^{36,37} Additional costs are saved when those with mental illness are removed from prisons, because they cost more than the average prison in terms of medication, treatment, and

²⁸ [Outcomes of Mandated and Nonmandated New York City Jail Diversion for Offenders with Alcohol, Drug, and Mental Disorders](#), Broner, Mayrl, and Landsberg, The Prison Journal v85(1):18-49. March 2005.

²⁹ [The Effects of a Jail Diversion Program on Incarceration: A Retrospective Cohort Study](#), Hoff et. al, J Am Acad Psychiatry Law, Vol. 27, No. 3, 1999.

³⁰ [The Criminal Justice Outcomes of Jail Diversion Programs for Persons With Mental Illness: A Review of the Evidence](#), Frank Sirotych, J Am Acad Psychiatry Law 37:4, December 2009.

³¹ [The Effect of Youth Diversion Programs on Recidivism: A Meta-Analytic Review](#), Wilson and Hoge, Criminal Justice and Behavior, v40:5, May 2013.

³² [Pretrial Diversion: The Overlooked Pretrial Services Evidence-Based Practice](#), Zlatic, Wilkerson, and McAllister, Federal Probation, v74:1, June 2010.

³³ [The Effectiveness of a Jail Diversion Program in Linking Participants to Federal Entitlements and Stable Housing](#), Sabrina Tyuse, Californian Journal of Health Promotion, v3:2, 2005.,

³⁴ [Outcomes of Mandated and Nonmandated New York City Jail Diversion for Offenders with Alcohol, Drug, and Mental Disorders](#), Broner, Mayrl, and Landsberg, The Prison Journal v85(1):18-49. March 2005.

³⁵ [Jail Diversion: Addressing the Needs of Offenders with Mental Illness and Co-Occurring Disorders](#), Mire, Forsyth, and Hanser, Journal of Offender Rehabilitation, v45:1-2, 2007.

³⁶ [The Cost-Effectiveness of Criminal Justice Diversion Programs for People with Serious Mental Illness Co-Occurring with Substance Abuse: Four Case Studies](#), Cowell, Broner, and Dupont, Journal of Contemporary Criminal Justice, v20:3, August 2004.

³⁷ [Evaluating Pretrial Services Programs in North Carolina](#), Tanner, Wyatt, and Yearwood, Federal Probation: A Journal of Correctional Philosophy and Practice, v72:1, June 2008.

disruption³⁸, because prison exacerbates mental illness, causing them to act out and break rules³⁹. The mentally ill stay in jail longer, return to jail more often, and cost more while imprisoned⁴⁰.

Costs are saved through reduced use of hospitalization and crisis services⁴¹. Costs are also saved through reduced time offenders are in custody, because those with misdemeanors spend an average of 4.1 pre-trial days in jail, compared with the mentally ill who should be diverted, who spend an average of 27.3 pre-trial days⁴². Overall, the criminal justice system can save \$47,000 for each nonviolent felony drug offender diverted into a treatment program, and recidivism rates are lowered too⁴³ in the case of mental health courts by 26%.⁴⁴

³⁸ [Utilizing Evidence Based & Peer Programs as Jail Diversion in Problem Solving Courts](#), National Alliance on Mental Illness (NAMI) Florida

³⁹ [Criminal Justice/Mental Health Consensus Project](#), Council of State Governments, October 2002.

⁴⁰ [The Processing and Treatment of Mentally Ill Persons in the Criminal Justice System](#), Kim and Becker-Cohen, The Urban Institute, April 2015.

⁴¹ [Peer Support/Peer Provided Services: Underlying Processes, Benefits, and Critical Ingredients](#), Phyllis Solomon, Psychiatric Rehabilitation Journal, v27:4, Spring 2004

⁴² [Jail Diversion Benefits the Criminal Justice System and Stakeholders in the Community](#), Christine Jones, American Public University, 2011.

⁴³ [Study Finds Drug Treatment Is Cost-Effective Alternative to Prison](#), RTI International, February 2006.

⁴⁴ [Effectiveness of a Mental Health Court in Reducing Criminal Recidivism and Violence](#), McNiel and Binder, The American Journal of Psychiatry, v164:9, September 2007.

FEDERAL GOVERNMENT

At the federal level, the United States has the US Pretrial Diversion Program^{45,46}, authorized under the 1982 18 U.S.C. § 3154 : US Code - Section 3154: Functions and Powers Relating to Pretrial Services. This aims to prevent future crime, connect offenders with supervision and services, reserve criminal justice resources for serious lawbreakers, and facilitate victim restitution.

Supervision lasts for up to 18 months for offenders with one or zero felony convictions, at the discretion of the US Attorney's Office. Participation is voluntary and lawbreakers need not admit guilt to take part. Participants may be required to perform community service, attend school, hold a job, or get job training or mental health care. Charges are dropped upon completion of the program.

⁴⁵ [US Attorneys' Manual: Pretrial Diversion Program](#), Offices of the United States Attorneys

⁴⁶ [US Attorneys' Manual: Pretrial Diversion](#), Offices of the United States Attorneys

US STATES

While there are no nationwide standards for diversion programs, they are popular. A Pew study found that 17 US states that reduced imprisonment of nonviolent offenders (Alaska, California, Connecticut, Delaware, Georgia, Maryland, Massachusetts, Michigan, Mississippi, Nevada, New Jersey, New York, Oklahoma, South Carolina, Texas, Utah, and Wisconsin) did not jeopardize public safety, saved money, and found declining crime rates⁴⁷.

A comprehensive report covering all US states was produced by the Center for Health and Justice at Treatment Alternatives for Safe Communities in 2013⁴⁸.

Another comprehensive report of US states was produced by Treatment Advocacy Center in 2013⁴⁹.

Alabama

Houston County, Alabama saves taxpayers \$800,000 a year through its diversion program, collecting \$180,000 in fine and \$230,000 in restitution to victims that would otherwise never have been collected⁵⁰.

In 2007, the Alabama Sentencing Commission selected the ORAS PreTrial Assessment Tool for use with alternative sentencing programs. From 2003 to 2013, the community corrections (diversion program) population grew by 548% to 3,261 offenders in 34 community corrections programs serving 45 counties, with a 43% lower rate of recidivism⁵¹.

California

Los Angeles County, California, allocated \$20 million for diversion programs for the mentally ill in 2014 that runs from 90 days to 18 months, offering transitional housing and health and mental health care⁵².

⁴⁷ [Time Served: The High Cost, Low Return of Longer Prison Terms](#), Pew Research Center, June 2012.

⁴⁸ [A National Survey of Criminal Justice Diversion Programs and Initiatives, Appendix A](#), Center for Health and Justice at Treatment Alternatives for Safe Communities, December 2013.

⁴⁹ [Mental Health Diversion Practices: A Survey of the States](#), Treatment Advocacy Center, August 2013.

⁵⁰ [Houston County Sending Fewer Inmates to Prison, Saving Money](#), The Dothan Eagle, February 2005.

⁵¹ [Opening Statement Regarding Prison Reform in the States](#)

⁵² [L.A. County Allocates \\$20M to Jail Diversion Programs for Mentally Ill](#), LA.com, September, 2014.

Connecticut

Diversion programs are popular. Some 89% in Connecticut favor sending nonviolent offenders with mental illness to treatment instead of jail⁵³. Connecticut diversion programs include:

- Crisis Intervention Teams (CIT)
- Accelerated Pretrial Rehabilitation
- Alternative Drug Intervention
- Pretrial Alcohol Education System (PAES)
- Pretrial Drug Education Program (PDEP)
- Pre-Trial Decision Tool Aid
- Specialized Diversion Program for Trauma Survivors (JDT)
- Probation Transition Program (PTP)
- Technical Violation Unit (TVU)
- Access to Recovery/Recovery Support Services
- Jail Re-Interview Program
- Jail Diversion Programs
- Mental Health Day Reporting Center (MHDRC)
- Substance Dependency Evaluation (SDE)
- Women's Jail Diversion Programs
- Mental Health Diversionary Program
- Connecticut Offender Re-entry Program (CORP)
- Transitional Case Management (TCM)

Hawaii

In 2002, Hawaii's Adult Mental Health Division (AMHD) received \$300,000 per year for three years for diversion programs, to reduce the 16% of prison inmates with mental health issues⁵⁴.

Illinois

Kane County, Illinois, found that 92% of those who completed their jail diversion did not reoffend within 36 months, up from a previous rate of 50% through traditional court sentencing.⁵⁵

In Illinois, 70% of those incarcerated are nonviolent offenders⁵⁶, which if that rate were reduced 50% would save taxpayers \$16.9 billion a year⁵⁷.

⁵³ [Diversion Works](#), A Better Way Foundation, April 2008.

⁵⁴ [The Hawaii County Jail Diversion Program](#), University of Hawaii

⁵⁵ [Study Reveals Low Recidivism Rate in Kane Diversion Program](#), May 2015

Massachusetts

Massachusetts offers Pre-arrest Jail Diversion Programs (JDPs) that pairs an emergency service clinician with police to co-respond to calls with mental health elements, and police choose which offenders should be offered jail diversion. They also offer a Comprehensive Community Intervention Team (CCIT) that offers free training to first responders on how to handle the mentally ill. The state's 2007 budget included \$360,000 for five pre-arrest diversion initiatives and five police departments, which was cut 50% in 2009 yet saved the state \$1,300,000 in 2009⁵⁸.

Also in Massachusetts, the Key Program is a summer program for students in reform schools that supervises 500 youthful offenders, visiting them at home and offering weekend activities, such as tutoring and field trips, offering college credits and small wages⁵⁹.

Montana

In the Gallatin County Jail Diversion Program, therapy and case management is offered to inmates, resulting in only 17% of them re-offending. Interventions include Moral Recognition Therapy (MRT), anger management, community resource groups, Illness Management and Recovery (IMR), Thinking for Change, and placement in housing⁶⁰.

New Hampshire

Rockingham County in New Hampshire reduced prison overcrowding with electronic monitoring, allowing offenders to work and be with their families, while being supervised, saving the \$100 a day it costs to house a prisoner⁶¹.

New York

Some 89% of program participants in Frequent User Service Enhancement, a diversion housing program, did not reoffend, and 92% did not become homeless again⁶².

New York's Adolescent Diversion Program (ADP) operates in nine counties, including New York City, accepting juveniles with misdemeanor cases (82%), nonviolent felonies (8%), and some violent felonies (2%) and non-criminal violations (8%). Each program screens candidates clinically and orders range between several sessions of community service, individual counseling, or family mediation to six months of drug or mental

⁵⁶ [The Cost of Prison Overcrowding in Illinois](#), John Howard Association of Illinois.

⁵⁷ [The Chicago Lawyers' Committee's Review of Alternatives for NonViolent Offenders](#), 2013

⁵⁸ [Report on DMH-Operated Pre-Arrest Jail Diversion Programs](#), October 2009.

⁵⁹ [Diversion Programs: An Overview](#), Center on Juvenile and Criminal Justice.

⁶⁰ [Gallatin County Jail Diversion Program](#), 2013

⁶¹ [NH County Jail Relieves Overcrowding with Diversion Programs](#), Eagle-Tribune, April 2015

⁶² [Diversion Works](#), A Better Way Foundation, April 2008.

health treatment, or job training. Participants were less likely to be arrested for nonviolent and violent felonies⁶³.

In New York, it costs \$60,000 per year to house each prison inmate, and diversion programs such as the Urban Mission Bridge Program in Watertown, New York, which gives drug and alcohol addicts a second chance, where a \$41,000 grant saves taxpayers \$1,000,000⁶⁴.

Oklahoma

A diversion program in Oklahoma is helping the mentally ill while saving taxpayers nearly \$2 million per year, with a goal to release 2,000 offenders from prison every year, at no risk to the community but saving an annual \$25 million⁶⁵.

Washington, DC

The Oak Hill Youth Center Depopulation Project designs and implements case planning and advocacy for preadjudication hearings, handling referrals from the judiciary, defense attorneys, and Youth Services Administration. Youth are screened on: living arrangements, support services, and past behavior. Then a comprehensive community treatment plan is developed for a court decision whether to adopt it⁶⁶.

Washington State

Washington State's Dangerous Mentally Ill Offender (DMIO) diversion program, which provides mental health and substance recovery services, led to a 20% reduction in criminal activity, with fewer felony reconvictions, and they received more mental health, substance abuse, and other social services than those released from prison⁶⁷.

In Seattle, participants in Law Enforcement Assisted Diversion, a diversion program are 60% less likely to be arrested than a control group⁶⁸. Most had just been arrested and others were suspected of recent drug or prostitution activity. Before being booked they were diverted and provided motel rooms, groceries, clothing, drug treatment and job training. Police chose participants with no serious violent crimes in the past, no exploiting minors, and no drug dealing above a subsistence level.

⁶³ [The Adolescent Diversion Program](#), Center for Court Innovation, January 2013

⁶⁴ [Watertown Program Helps Keep People Out of Prison](#), North County Public Radio, January 2014.

⁶⁵ [Prison Diversion Program Helping Oklahoma's Mentally Ill](#), News On 6.

⁶⁶ [Diversion Programs: An Overview](#), Center on Juvenile and Criminal Justice.

⁶⁷ [Diversion Works](#), A Better Way Foundation, April 2008.

⁶⁸ [Seattle Attempt To Keep Addicts Out Of Jail Shines In Study](#), Associated Press, April 2015.

The Washington State Institute for Public Policy published a cost-benefit analysis of different techniques used in Washington's Offender Accountability Act⁶⁹, showing the effectiveness of drug offender sentencing alternatives, mental health courts, and many other jail diversion techniques.

<u>Programs for Drug-Involved Offenders</u>	
Adult drug courts	-10.7%
In-prison "therapeutic communities" with community aftercare	-6.9%
In-prison "therapeutic communities" without community aftercare	-5.3%
Cognitive-behavioral drug treatment in prison	-6.8%
Drug treatment in the community	-12.4%
Drug treatment in jail	-6.0%
<u>Programs for Offenders With Co-Occurring Disorders</u>	
Jail diversion (pre- and post-booking programs)	0.0%
<u>Programs for the General Offender Population</u>	
General and specific cognitive-behavioral treatment programs	-8.2%
<u>Programs for Domestic Violence Offenders</u>	
Education/cognitive-behavioral treatment	0.0%
<u>Programs for Sex Offenders</u>	
Psychotherapy for sex offenders	0.0%
Cognitive-behavioral treatment in prison	-14.9%
Cognitive-behavioral treatment for low-risk offenders on probation	-31.2%
Behavioral therapy for sex offenders	0.0%
<u>Intermediate Sanctions</u>	
Intensive supervision: surveillance-oriented programs	0.0%
Intensive supervision: treatment-oriented programs	-21.9%
Adult boot camps	0.0%
Electronic monitoring	0.0%
Restorative justice programs for lower-risk adult offenders	0.0%
<u>Work and Education Programs for the General Offender Population</u>	
Correctional industries programs in prison	-7.8%
Basic adult education programs in prison	-5.1%
Employment training and job assistance in the community	-4.8%
Vocational education in prison	-12.6%

*Reduction in recidivism as a result of various
Washington State diversion programs*

⁶⁹ [Inventory of Evidence-Based and Research-Based Programs for Adult Corrections](#), Washington State Institute for Public Policy, December 2013.

REDUCING DOMESTIC VIOLENCE OFFENDER RECIDIVISM

In the case of domestic violence offenders, what works to keep them from re-offending? A meta-analysis done in Washington state combined the results of 34 studies from the United States and Canada that evaluated the effect of domestic violence group treatment on recidivism rates⁷⁰. Of 11 groups, 8 lowered recidivism rates, but in 3 the recidivism rate actually increased. That does not provide enough evidence to say that group treatment programs for domestic violence offenders works.

The study also showed that the “Duluth model” to reforming domestic violence offenders, which blames domestic violence on a patriarchal society, does not work as well as non-Duluth alternatives. Couples counseling also doesn’t work, and there is no evidence for the effectiveness of cognitive behavioral therapy, a form of counseling that tries to improve empathy, communication, and relationships.

So what does work?

- **Specialized Community Supervision** lowered recidivism for lower risk offenders, although it had no impact on higher risk offenders. When evidence based treatment is added to intensive supervision, there is a reduction in the recidivism rate by 10%. Supervision without treatment does not really work in lowering recidivism, in fact it raised it by 0.16%.
- **GPS Monitoring**, which alerts the victim whenever the offender enters no-go zones, has been proven to slightly lower recidivism.
- **Supervision with the Risk Responsivity Need Model** has been shown to reduce recidivism by 16%:
 - The “risk principle” intervenes in a way relating to the offender’s risk for reoffense.
 - The “need principle” targets the offender’s criminogenic needs such as antisocial attitudes or substance abuse.
 - The “responsivity principle” uses cognitive behavioral therapy and social learning to redirect the offender’s abilities and motivation

Additionally, according to the report, four approaches have not yet been proven but look promising:

- **Mind Body Bringing**, which helps offender prevent entering an unstable state of mind that leads to aggression

⁷⁰ [What Works to Reduce Recidivism by Domestic Violence Offenders?](#) Washington State Institute for Public Policy, January 2013.

- **Moral Reconciliation Therapy (MRT)**, a cognitive behavioral program that has been shown to reduce recidivism, although its use with domestic violence has not specifically been studied
- **Interactive Journaling**, which requires offenders to write down their thoughts as a way to be self-reflective
- **Faith Based Treatment Programs**, which exist but have not been studied

REDUCING RECIDIVISM FOR THE MENTALLY ILL

The Treatment Advocacy Center published a report in 2014 that compares the US states on how they treat the mentally ill who have offended⁷¹. In Ohio, 10 state prisons and two county jails each hold more mentally ill inmates than does the largest remaining state hospital. The report says baldly, “In Ohio, the criminalization of people with severe mental illness is almost complete.”

In Washington State, rather than send mentally ill people to prisons, jails, or hospitals, new programs and facilities are being designed that better suit people with mental illnesses⁷². For example in Pierce County, the newly opened Recovery Response Center treated 1,000 patients in just its first 8 months. This center has 16 beds and a full time staff, which includes peer specialists. Here the clients are treated as guests and the facility looks nothing like a hospital. Additionally, usually after several nights, the client is permitted to leave and return for future appointments. This alternative to a holding cell or jail cell has been shown to be much more effective at preventing the mentally ill from reoffending.

In King County, Washington, a 45% recidivism was achieved through Assertive Community Treatment (ACT), supportive housing, and intensive community-based treatments⁷³. King County has a 16-bed diversion facility, where offenders are stabilized, treated, and given rest for a couple of nights, and a 24-bed Crisis Solution Center, an interim facility for stays of up to 2 weeks. These programs are fully staffed around the clock with mental health professionals, chemical abuse specialists, nurses and other medical personnel. Additionally, the police are in good communication with the mobile teams working in the center for mental health emergencies. Clients who leave are given a list of future appointments, and sometimes residential placement.

In Spokane County, Washington, police may bring the mentally ill to a Crisis Stabilization Unit without their permission, which gives crisis workers there the access they need to convince the offender to remain there voluntarily.

In Southern California, evidence-based programs like supportive housing and Assertive Community Treatment (ACT) have shown drastic drops in recidivism for

⁷¹ [Treatment of Persons with Mental Illness in Prisons and Jails: A State Survey](#), Treatment Advocacy Center, 2014.

⁷² [New Programs Provide Alternatives to Hospital, Jail](#), National Alliance on Mental Illness, January 2011.

⁷³ [New Efforts Aim to Keep the Mentally Ill Out of Jail](#), Pew's Stateline on the Huffington Post, May 2015.

mentally ill offenders and significant improvements in their mental health⁷⁴. These programs are also less expensive than jail time.

A diversion program for mentally ill offenders in San Francisco resulted in an 84% drop in the likelihood of re-arrest for program graduates⁷⁵.

New York City's Nathaniel Project, a diversion program for the mentally ill, reports a 70% reduction in arrests over a two-year period among program participants⁷⁶.

Chicago's Thresholds program for mentally ill offenders reduced arrests by 89% jail time by 86%, and hospitalizations by 76%⁷⁷.

Seattle's Forensic Assertive Community Treatment Program (FACT) for mentally ill offenders "significantly decreased their amount of time institutionalized as measured by combined days in jail, prison or inpatient psychiatric hospitals,"⁷⁸ and reduced jail bookings by 45%.

In Florida, Miami-Dade County's diversion program, using Assertive Community Treatment and supportive housing, reduced recidivism 75% to 20%⁷⁹.

⁷⁴ [A Way Forward: Diverting People with Mental Illness from Inhumane and Expensive Jails into Community-Based Treatment that Works](#), ACLU of Southern California and the Bazelon Center for Mental Health Law, July 2014.

⁷⁵ [Examining the Program Costs and Outcomes of San Francisco's Behavioral Health Court: Predicting Success](#), Office of Collaborative Justice Programs Superior Court of California, June 2009.

⁷⁶ [Nathaniel ACT ATI Program: ACT or FACT?](#) A report by CASES.

⁷⁷ [Our Justice Program](#), a report by Thresholds.

⁷⁸ [Evaluation of the Forensic Assertive Community Treatment Program](#), King County Department of Community and Human Services, March 2012.

⁷⁹ [A Way Forward: Diverting People with Mental Illness from Inhumane and Expensive Jails into Community-Based Treatment that Works](#), ACLU of Southern California and the Bazelon Center for Mental Health Law, July 2014.

OHIO DIVERSION PROGRAMS

Out of Ohio's 88 counties, there are 29 prosecutor offices with a diversion program⁸⁰. Delaware County Prosecutor's office started its diversion program in 2003 but accepted only 10 participants in 2012. A director screens offenders to ensure they⁸¹:

- Have never been charged with certain crimes before this case
- Have never had a criminal charge of any kind sealed or expunged
- Have a case not involving drugs, sex, or weapons
- Have a case with a loss of less than \$7,500
- Did not hurt or threaten anyone
- Are adults
- Have the consent of the victim, arresting officer, and case prosecutor

Then entering the diversion program becomes part of a plea deal that a judge must approve. Offenders who successfully complete the program get their charges dropped and their record is sealed.

Compared with other US states, Delaware County's criteria and process are restrictive, and the number of people in the program is small. However, in Cuyahoga County, the number of inmates sent to prison annually fell 38% in the decade to 2013⁸², through diversion programs such as drug court, mental-health dockets, and a community-based correctional facility, the Judge Nancy R. McDonnell Community-based Correctional Facility⁸³.

Excluding the six largest counties in Ohio, judges in the other 82 counties sent 53% of all inmates (10,956 of them) to Ohio prisons in 2013, up from 43% in 2003. Drug use is a factor, but so is a lack of sentencing options in smaller Ohio counties. All rural counties in Ohio offer alternatives to prison and probation. Each county may send offenders to a Community Based Correctional Facility (CBCF).

The Ohio Department of Rehabilitation and Correction funds the following diversion programs through the Bureau of Community Sanctions⁸⁴:

- Intensive Supervision Probation

⁸⁰ [Prosecutor's Office Diversion Program](#), Beyond Reasonable Doubt, Carol O'Brien newsletter, June 2012.

⁸¹ [Divisions](#), Carol O'Brien: Delaware County Prosecuting Attorney.

⁸² [Cuyahoga County Judges Sending Far Fewer Felons to Prison, Marking Major Shift in Ohio's Corrections System](#), [The Plain Dealer](#), October 2013.

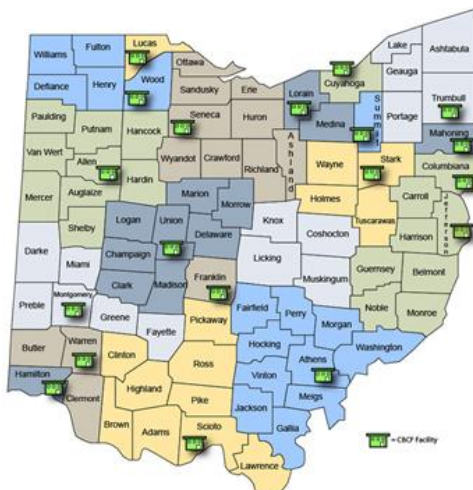
⁸³ [Cuyahoga County Community Based Correctional Facility](#)

⁸⁴ [Ohio Department of Rehabilitation and Correction Bureau of Community Sanctions](#)

- Standard Probation
- Prosecutorial Diversion
- Non-Supervisory Treatment Programs
- Electronic Monitoring
- Community Work Service

CCA programs are partnerships between the State of Ohio and the Local Community Correction Planning Boards. Each CCA program is under the control of the Local Corrections Planning Board and administered by either the county or city officials. Each Planning Board is comprised of local officials representing all areas of the criminal justice system within the county.

Community Based Correctional Facilities (CBCFs) are secure residential programs that provide comprehensive programming



[Map of Community Based Correctional Facilities in Ohio](#)

<u>Offender Status At Termination</u>	<u>Offenders</u>	<u>%</u>
Released from Community Suprv.	1937	17.648
Transferred to Basic	3129	28.508
Transferred to Other Program	410	4.10
Transferred to Other	256	2.332
Sent to State/Federal Prison	1510	13.757
Local Jail Incarceration	565	5.148
Absconder/AWOL/Capias	2060	18.768
Incarcerated on Other Charges	39	0.355
Administrative Close of Interest	56	0.51
Abatement by Death	93	0.847
Other	223	2.032
Transferred to CCA Program	161	1.467
Transferred to CBCF	537	4.892
No Information	0	0
Total:	10976	100.0

<u>Employment Status at Termination</u>	<u>Offenders</u>	<u>%</u>
Employed Full Time	2209	20.126
Employed Part Time	1150	10.477
Unemployed-Lost Job Since Intake	450	4.1
Unemployed	6358	57.926
Unemployable	739	6.733
Retired	47	0.428
Employed-Lost employment as of Termination from Prog.	23	0.21
No Information	0	0
Total:	10976	100.0

for offenders on felony probation⁸⁵. CBCFs provide a wide range of programming addressing offender needs such as cognitive behavioral therapy, chemical dependency, education, employment, and family relationships. CBCFs are governed by a facility governing board and advised by a judicial advisory board.

At the end of an Ohio diversion program in 2014, only 30% of offenders had a job and only 42% successfully completed the program, although another 27% avoided prison⁸⁶. This low success rate may be a factor of overloaded,

⁸⁵ [Ohio Department of Rehabilitation and Correction Bureau of Community Sanctions](#)

⁸⁶ [Division of Parole and Community Services Bureau of Community Sanctions, Fiscal Year 2014 CCIS-WEB Data Statistics](#)

undertrained, or underfunded case workers.

The 11,495 offenders in 2014 Ohio diversion programs earned \$2,200,000 and paid \$940,000 in victim restitution and \$583,000 in child support, performing 140,250 hours of community service. Only 7% got academic or vocational schooling, but 50% received drug counseling and 40% alcohol counseling⁸⁷.

For 2015, Ohio allocated \$130 million for halfway houses and community-based correctional facilities, where the cost per offender per year is much lower (\$6,400, \$9,200) than prison (\$53,000). Another \$105 million was allocated to nonresidential diversion programs, including parole⁸⁸.

Ohio Department of Rehabilitation and Correction Funded Community Corrections

<u>Fiscal Years 2010-2015 ODRC</u>	<u>FY 2010</u>	<u>FY 2011</u>	<u>FY2012</u>	<u>FY2013</u>	<u>FY2014</u>	<u>FY2015</u>
<u>Total Budget Appropriations</u>	\$1.78 billion	\$1.77 billion	\$1.57 billion	\$1.56 billion	\$1.60 billion	\$1.62 billion
<u>Residential Community</u>	<u>FY 2010</u>	<u>FY 2011</u>	<u>FY 2012</u>	<u>FY2013</u>	<u>FY2014</u>	<u>FY2015</u>
Halfway Houses	\$41.1 million	\$42.3 million	\$43.6 million	\$43.6 million	\$48.0 million	\$51.2 million
Community-Based Correctional Facilities	\$62.5 million	\$64.3 million	\$62.7 million	\$62.5 million	\$65.2 million	\$69.4 million
<u>Nonresidential Community</u>	<u>FY 2010</u>	<u>FY 2011</u>	<u>FY 2012</u>	<u>FY2013</u>	<u>FY2014</u>	<u>FY2015</u>
Jail Diversion Programs	\$11.1 million	\$11.4 million	\$12.4 million	\$12.4 million	\$12.8 million	\$12.8 million
Prison Diversion Programs	\$21.9 million	\$22.4 million	\$27.4 million	\$28.3 million	\$34.1 million	\$34.3 million
Adult Parole Authority (supervision costs)	\$52.1 million	\$51.5 million	\$50.1 million	\$51.4 million	\$53.8 million	\$58.3 million

⁸⁷ [Division of Parole and Community Services Bureau of Community Sanctions, Fiscal Year 2014 CCIS-WEB Data Statistics](#)

⁸⁸ [Ohio Department of Rehabilitation and Correction Funded Community Corrections](#)

FISCAL YEAR 2014 ANNUAL PROGRAM INFORMATION AND COSTS

<u>Residential</u>	<u>Number</u>	<u>Total Offenders</u>	<u>State Funded Cost per Day</u>	<u>Ave Length of Stay</u>	<u>State Funded Cost per Offender</u>
Prisons (all offenders)	27	50,504 (avg.)	\$67.90	785 days	\$53,301
Prisons (Felony Levels 3,4,5)*	27	18,041 (1/1/14)	\$67.90	434 days	\$29,469
Halfway Houses	12	7,535	\$62.83	87 days	\$6,372
Community-Based Correctional Facilities	18	6,883	\$77.69	122 days	\$9,203
<u>Nonresidential</u>	<u>Number</u>	<u>Total Offenders</u>	<u>State Funded Cost per Day</u>	<u>Ave Length of Stay</u>	<u>State Funded Cost per Offender</u>
Jail Diversion Programs	123	20,988	\$3.72	164 days	\$610
Prison Diversion Programs	74	11,495	\$9.75	305 days	\$2,974
Adult Parole Authority Regions	6	33,557 (avg.)	\$2.30	778 days	\$1,789

FISCAL YEAR 2014 COMMUNITY CORRECTION PROGRAM BENEFITS

<u>Residential</u>	<u>Court Costs/Fines</u>	<u>Restitution</u>	<u>Child Support</u>	<u>Income Earned</u>	<u>Taxes Paid **</u>	<u>Community Work Service</u>	<u>Est. Value of CWS</u>
Halfway Houses	\$510,591	\$1,261,060	\$103,221	\$6,452,847	\$645,285	52,356 hrs	\$1,120,418
Community-Based Correctional Facilities	\$184,305	\$11,637	\$32,512	\$1,302,575	\$130,258	223,700 hrs	\$4,787,180
<u>Nonresidential</u>							
Jail Diversion Programs	\$2,196,903	\$391,548	\$514,858	\$31,673,803	\$3,167,380	143,019 hrs	\$3,060,607
Prison Diversion Programs	<u>\$2,224,644</u>	<u>\$940,634</u>	<u>\$583,828</u>	<u>\$24,518,817</u>	<u>\$2,451,882</u>	<u>140,250 hrs</u>	<u>\$3,001,350</u>
Total	\$5,116,443	\$2,604,879	\$1,234,419	\$63,948,042	\$6,394,805	559,325 hrs	\$11,969,555***

* 91% of offenders in community correction programs are felony levels 3, 4 and 5 or misdemeanors.

** Taxes paid based on 10% tax bracket *** Estimated based on Independent Sector's valuation of volunteer time for Ohio 2013 Data

Ohio Community Correction Act (CCA) jail and prison diversion programs are partnerships between the State of Ohio and Local Community Correction Planning Boards. Services include⁸⁹:

- basic probation supervision
- intensive probation supervision
- pretrial services
- day reporting
- electronic monitoring/house arrest
- work release
- domestic violence programs
- community service

Ohio Programs include:

- **Halfway Houses**, community residential programs providing supervision and treatment services for offenders released from state prisons, referred by Courts of Common Pleas, or sanctioned because of a violation of conditions of supervision. Halfway houses are a vital component of Ohio's community justice continuum providing services such as drug and alcohol treatment, electronic monitoring, job

⁸⁹ [Ohio Department of Rehabilitation and Correction Funded Community Corrections](#)

placement, educational programs, and specialized programs for sex offenders and mentally ill offenders.

- **Community Based Corrections Facilities (CBCFs)**, residential programs that provide comprehensive programming for offenders on felony probation. CBCFs provide a wide range of programming addressing offender needs such as chemical dependency, education, employment, and family relationships. The intensity of programming in CBCFs significantly impacts their cost per day, but results in high successful completion rates and positive impacts on recidivism. A Facility Governing Board is responsible for administrative oversight.
- **CCA Jail Diversion Programs** provide supervision and services at the pretrial stage, and misdemeanor probation stage. The programs also provide for eligible defendants to be supervised in the community while awaiting trial or sentencing, freeing up costly jail beds. Offenders who demonstrate the ability to be safely supervised in the community are much more likely to be placed on community control if convicted. As a result, offenders are not only diverted from jail but prison diversions are also positively impacted. CCA Prison Diversion Programs allow local courts nonresidential sanctions for offenders in the community at the pre-sentence stage, sentencing stage, as stand-alone sanctions, and upon release from CBCFs, Halfway Houses and Judicial Release from prison, saving scarce prison beds for violent offenders.
- **Adult Parole Authority (APA)** is responsible for the release and supervision of adult felony inmates returning to local communities from prison, as well as assisting Courts of Common Pleas with sentencing and supervision duties for felony offenders. It is comprised of the Parole Board and Field Services. The APA was created in 1965 and is responsible for the duties addressed in Chapter 5149 of the Ohio Revised Code.

Average Age At Admission	32.357
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Average Years of Education	11.40
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Level for Most Serious Instant Offense		
	Offenders	%
First Degree Felony	294	2.558
Second Degree Felony	890	7.742
Third Degree Felony	2687	23.375
Fourth Degree Felony	2887	25.115
Fifth Degree Felony	4667	40.6
Misdemeanor	66	0.574
Unclassified Felony	4	0.035
Total:	11495	100.0

Total Number of Previous Convictions		
Count	Offenders	%
0	1429	12.431
1	3514	30.57
2	2207	19.2
3	1365	11.875
4	793	6.899
5	540	4.698
6	370	3.219
7	275	2.392
8	189	1.644
9	123	1.07
10	122	1.061
Over 10	321	2.793
No Information	247	2.149
Total:	11495	100.0

Employed at Time of	Offenders	%
Yes	2945	25.62
No	8531	74.215
No Information	19	0.165
Total:	11495	100.0

Offense Category	Offenders	%
Violent	2354	21.355
Sex	286	2.595
Drug	4158	37.721
Property	2850	25.855
Traffic	54	0.49
Other	1321	11.984
DUI	118	1.07
Domestic Violence	194	1.76
Non Support	160	1.452
Total:	11495	100.0

Active Offender Count on 6/30/2014		
Male	Female	Total
9170	2325	11495

Total Intakes for Prison Diversion (CCA) Programs 11495

Admissions by Race	Offenders	%
White	6796	59.121
African American	4389	38.182
Asian	17	0.148
Native American	7	0.061
Bi/Multi Racial	101	0.879
Other	185	1.609
Total:	11495	100.0

Admissions by Marital Status	Offenders	%
Single (Never Married)	8420	73.249
Married	1283	11.161
Widowed	96	0.835
Divorced	1179	10.257
Separated	500	4.35
No Information	17	0.17
Total:	11495	100.0

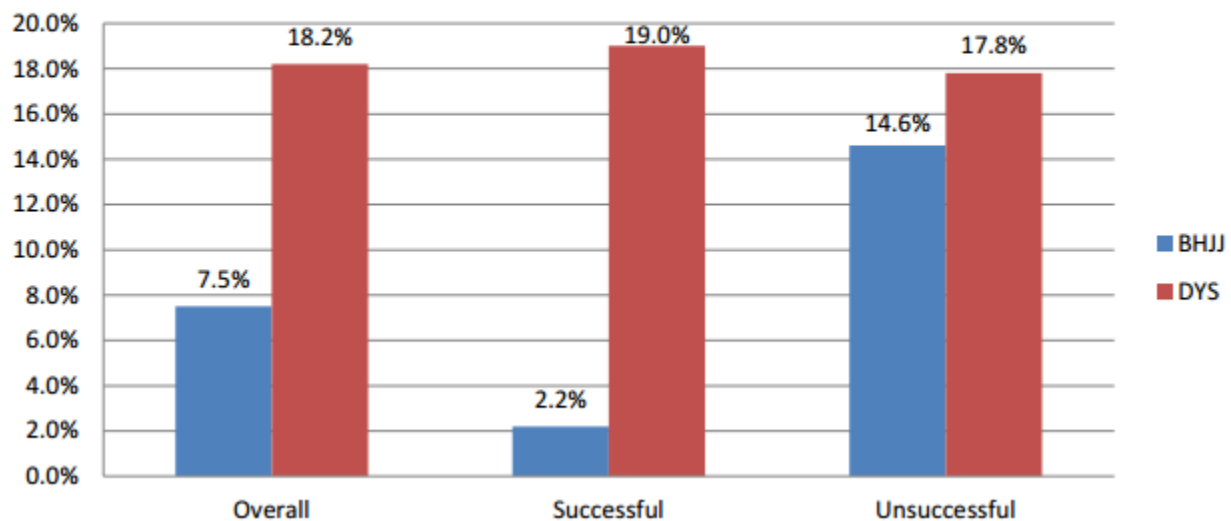
Average Age At Admission	32.357
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Average Years of Education	11.40
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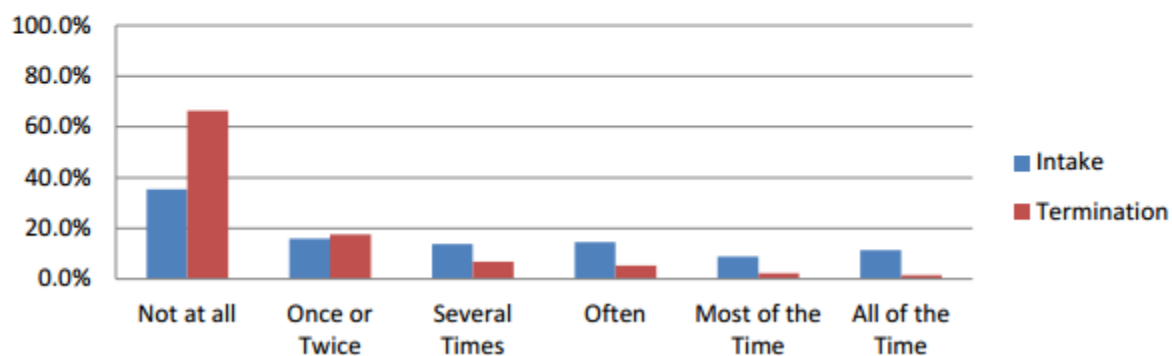
Employed at Time of	Offenders	%
Yes	2945	25.62
No	8531	74.215
No Information	19	0.165
Total:	11495	100.0

A comprehensive study of Ohio's Behavioral Health / Juvenile Justice Initiative found that those who completed a diversion program had a 50% lower risk of homelessness and only 15% of them got a new felony charge within a year⁹⁰.

ODYS Commitments and Recommitments 12 Months After BHJJ Termination/ODYS Release



Problems with Drugs or Alcohol in the Past 30 Days for Cuyahoga County Youth- Caregiver Ratings



⁹⁰ [An Evaluation of the Behavioral Health Juvenile Justice Initiative 2006-2013](#), Kretschmar, Butcher, and Flannery, Case Western Reserve University, 2014.

FOREIGN COUNTRIES

Global

The United Nations published a handbook of alternatives to imprisonment⁹¹, advocating especially for children, drug users, the mentally ill, and women.

The United Nations Standard Minimum Rules for NonCustodial Measures (the Tokyo Rules), which were adopted in 1986, aim to reduce the use of imprisonment worldwide. They were first discussed at the Seventh Congress on Crime Prevention and Criminal Justice and were later adopted by the General Assembly (resolution 45/110 of 14 December 1990).

The United Nations Criminal Justice Assessment Toolkit contains a tool on alternatives called Alternatives to Incarceration.

Australia

Diversion programs for indigenous women in Australia and New Zealand have been found effective⁹².

A history of women and diversion programs in NSW, Australia shows which programs work and how the system is biased against women⁹³.

A study in Victoria, Australia, shows that diversion leads to crime prevention, despite the programs being underfunded, inconsistent, and lacking in assessment skills⁹⁴.

Germany and The Netherlands

A study of sentencing in Germany and the Netherlands makes recommendations for the United States⁹⁵, specifically to use diversion programs and prosecutorial judgement for such, especially for youth, and to normalize prison experience.

Thailand

Thailand passed a comprehensive reform initiative in 2002, reducing its 260,000 inmates, more than double its jail capacity and two thirds of whom had been convicted of drug charges, to 160,000 inmates by 2005⁹⁶.

⁹¹ [Handbook of Basic Principles and Promising Practices on Alternatives to Imprisonment](#), United Nations, 2007.

⁹² [Diversion Programs for Indigenous Women](#), Lorana Bartels, Canberra: Australian Institute of Criminology, December 2010.

⁹³ [Women in prison NSW 1970-2010](#), UNSW Australia.

⁹⁴ [Why Diversion Leads Straight to Crime Prevention](#), Tiffany Overall, Smart Justice for Young People

⁹⁵ [Sentencing and Prison Practices in Germany and the Netherlands: Implications for the United States](#), Ram Subramanian and Alison Shames, Center on Sentencing and Corrections, October 2013.

United Kingdom

A United Kingdom study of international standards proposed alternatives to prison for women⁹⁷.

A study in Scotland shows that diversion programs work to reduce reoffending⁹⁸.

⁹⁶ [Handbook of Basic Principles and Promising Practices on Alternatives to Imprisonment](#), United Nations, 2007.

⁹⁷ [International Good Practice: Alternatives to Imprisonment for Women Offenders](#), Prison Reform Trust, 2014.

⁹⁸ [What Works to Reduce Reoffending: A Summary of the Evidence](#), Justice Analytical Services, Scottish Government, 2011