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Fast Tracking Youth to Diversion in Thurston County: A Preliminary Analysis

The 1994 Washington Legislature directed the Washington State Institute for Public Policy to evaluate the costs and benefits of certain criminal justice policies, violence prevention programs, and other efforts to decrease criminal recidivism and at-risk behaviors of youth.¹ This brief is part of the Institute's plan to provide findings on these topics.

Brief Summary

A diversion program to "fast track" first-time juvenile offenders to Community Accountability Boards in one Washington county has so far resulted in reduced felony recidivism for participants. This preliminary finding is based on six months of follow-up data. A definitive report with an 18-month follow-up period will be published in late 1998.

Background

In Washington State, a youth under the age of 18 who is charged with a misdemeanor and is a first-time offender, must be allowed to enter a diversion program. The youth can then accept the terms of the diversion agreement rather than face juvenile court prosecution. The diversion agreement is usually limited to a duration of six months. The law permits, but does not require, that the terms of the diversion agreement be decided upon by a Community Accountability Board composed of volunteers from the offender's community.

In October 1995, the Thurston County Prosecuting Attorney's Office implemented a *Fast Track Program* to ensure that diverted juveniles receive a hearing within 12 days of being referred by law enforcement to the Prosecuting Attorney's Office. An additional goal of this Fast Track Program is to require that each youth's diversion hearing be in front of a Community Accountability Board. Prior to this change, the Boards saw approximately 20 percent of the divertees, and several months passed between the law enforcement referral and the youth's placement in the diversion program.

Several other changes regarding diversion have occurred within the Prosecuting Attorney's Office:

- Although state law allows youth to be placed on diversion twice, the Prosecuting Attorney changed local procedures to allow youth only one diversion.
- The appearance notification is sent directly by the Prosecuting Attorney's Office, rather than the county youth services office.
- Charging practices have been revised to restrict the number of plea agreements for a lesser charge.
- The prosecution of youth who re-offend while on diversion has been accelerated.

Since October 1995, the number of Community Accountability Boards was increased from eight to 30. The new boards are distributed throughout the county.

¹ E3SHB 3900 and RCW 70.190.050.

Research Method

This preliminary report compares the re-offending of youth placed on diversion six months before and after the Fast Track Program's implementation in October 1995. Both groups were restricted to youth placed on diversion for the first time.

This comparison over time is not as scientifically valid as research involving a random assignment to the normal diversion and Fast Track Programs. However, a random assignment evaluation was not possible, and in this case a "before and after" comparison offered the only practical evaluation method. Additionally, because the Fast Track Program involved several changes described on page 1, it is not possible to evaluate which changes have had the greatest influence.

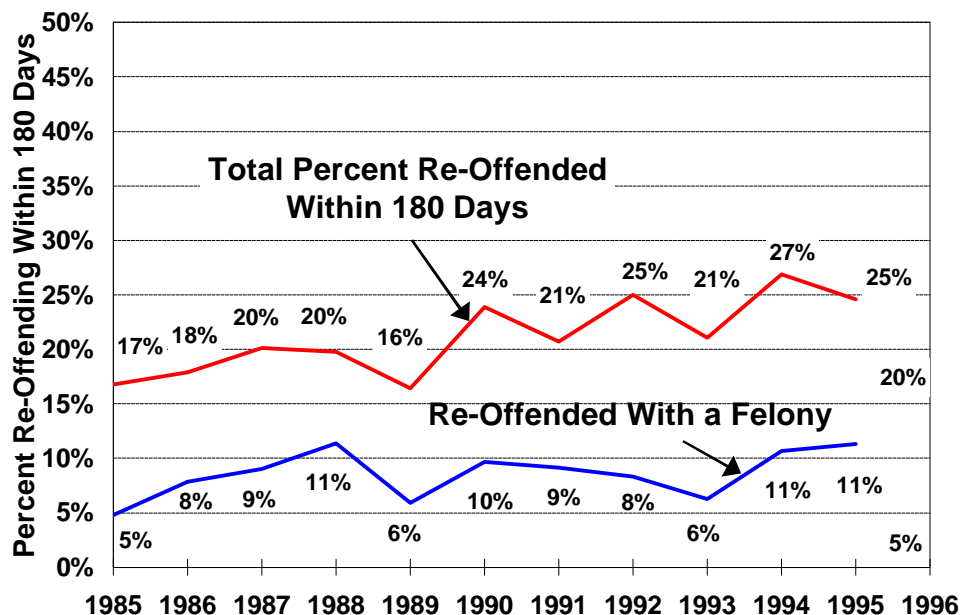
For this preliminary analysis, the follow-up period for measuring recidivism for both groups was 180 days for the commission of a new offense and another 360 days to complete the adjudication process.² Future reports will analyze an 18-month follow-up time. Offenses were divided into felonies and misdemeanors. Traffic offenses and status offenses such as minor in possession of alcohol or tobacco were excluded.

Historical Trend of Diversion Re-Convictions in Thurston County

The historical trend in diversion re-convictions within Thurston County helps place the preliminary results in context and can illustrate, for example, whether the re-conviction rate was already decreasing when the program was implemented.

Figure 1 illustrates a slightly increasing trend in the 180-day re-conviction rate for youth in Thurston County who were placed on diversion between 1985 and 1994. This re-conviction percentage was 17 percent in 1985 and peaked at 27 percent in 1994. The rate then declined to 25 percent in 1995 followed by 20 percent in 1996. These results demonstrate that re-conviction patterns were generally not decreasing prior to the program.

Figure 1
Trend in the Percent of Youth Placed on Diversion in Thurston County
for the First Time Who Re-Offended Within 180 Days



² Data for this analysis were from the Washington State Office of the Administrator for the Courts' Juvenile Information System (JUVIS), which contains a complete statewide history of convictions for all youth including those youth placed on diversion.

Figure 1 also shows the re-conviction percentage for felonies. The felony re-conviction rates in Thurston County have varied since 1985 without a clear trend. In 1996, the rate dropped from the 11 percent of the prior two years to 5 percent. During the 11 years prior to 1996, the felony re-conviction rate was 6 percent or lower in three different years.

Diversion Re-Convictions Six Months Before and After Program Implementation

Table 1 compares the 180-day re-offense percentages for youth placed on diversion in the six months *before* the Fast Track Program and in the six months *after* the Fast Track Program. In the "before" group, 24.7 percent re-offended with *either* a felony or misdemeanor. In comparison, 19.1 percent in the "after" group re-offended. This difference is not statistically significant.³ In the "before" group, 11.4 percent re-offended with a *felony* compared to 5.7 percent in the "after group." This difference *is statistically significant*.⁴

Table 1 also includes an examination of the re-offending rates by the type of offense that placed the youth on probation. For youth in the program due to a felony, no statistically significant differences exist between the two groups' offending rates. For youth in the program as a result of a misdemeanor, however, the felony re-offending rate for the "before" group was 12.5 percent, compared to 4.3 percent for the "after" group. *This is a statistically significant difference*.⁵

Table 1
**Youth Placed on Diversion in Thurston County for the First Time:
 Percent Re-Convicted Before and After Fast Track Program Implementation**

	TYPE OF OFFENSE THAT PLACED YOUTH ON DIVERSION					
	Misdemeanor		Felony		Total	
	<i>Before Program</i>	<i>After Program</i>	<i>Before Program</i>	<i>After Program</i>	<i>Before Program</i>	<i>After Program</i>
Number of Youth	88	92	78	49	166	141
Type of Re-Offense:	PERCENT COMMITTING A SUBSEQUENT OFFENSE WITHIN 180 DAYS⁶					
• Misdemeanor	15.9%	15.2%	10.3%	10.2%	13.3%	13.5%
• Felony	12.5%	4.3%	10.3%	8.2%	11.4%	5.7%
• Total	28.4%	19.6%	20.6%	18.4%	24.7%	19.1%

³ *p* = .24

⁴ *p* = .07

⁵ *p* = .05

⁶ The percent committing an offense is based only on offenses that subsequently resulted in a conviction or diversion.

Economic Results

The Institute is studying the "bottom-line" economics of the Thurston County Fast Track Program. For this analysis, the up-front costs paid by taxpayers to implement the program are compared to the future benefits that the program produces.

The benefits of the Fast Track Program are the future costs that can be avoided as a result of the reduced recidivism associated with the program. Crime and the criminal justice system in Washington impose costs on the people in the state; victims of crime incur some of these costs and taxpayers pay others. To the degree that the Fast Track Program reduces subsequent criminal activity, some of these future costs can be avoided. The Institute's economic analysis stacks these avoided costs up against the cost of the Fast Track Program itself. The result is a measure of the net economic benefit of the program.

For this preliminary economic analysis at 180-days of follow-up, the Institute estimates that the Fast Track Program can be expected to save taxpayers in Washington about \$2,775 of future criminal justice system costs per participant as a result of the 50 percent reduction in felony recidivism rates evidenced so far. We also estimate that the taxpayer cost of the Fast Track Program is about \$140 per youth placed on diversion. Thus, at this preliminary stage, the program seems to be achieving a substantial net economic gain to taxpayers of \$2,635 per diversion youth (\$2,775 in taxpayer savings minus \$140 in taxpayer costs).

Preliminary Findings

The Thurston County Fast Track Program seems to be resulting in a reduced felony re-offending rate in the first 180 days following placement on diversion for a misdemeanor. Additional analyses, which will use an 18-month follow-up, will allow a better estimation of the program's effect.



The Washington Legislature created the Washington State Institute for Public Policy in 1983. A Board of Directors—representing the legislature, the governor, and public universities—governs the Institute and guides the development of all activities. The Institute's mission is to carry out practical research, at legislative direction, on issues of importance to Washington State.