

**CENTER FOR COURT INNOVATION**  
**Survey for Law Enforcement Agencies**

Name of Law Enforcement Office/Agency: \_\_\_\_\_

Your Name: \_\_\_\_\_

Position: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Phone: \_\_\_\_\_

E-mail: \_\_\_\_\_

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The purpose of this survey is to learn about police-led diversion programs nationwide and provide a portrait of their goals, target populations, and policies. We will not identify which person or agency gave which responses without explicit permission from authorized personnel. We will also keep strictly confidential any personally identifying information such as your name and personal contact information.

**SECTION A. BACKGROUND INFORMATION**

1. How many of the following types of staff are employed in your office by your agency?
  - a. Sworn law enforcement officers \_\_\_\_\_ (#)
  - b. Civilian (e.g., clerical, computers, social work, fiscal support, etc.) \_\_\_\_\_ (#)
  
2. How many years has the current Chief/Sheriff/Commissioner been in their position?  
 (#) \_\_\_\_\_
  
3. Approximately how many criminal arrests did your agency make in 2012 for felony and misdemeanor crimes? *Please provide your best estimate.*

Felony arrests in 2012	_____ (#)
Misdemeanor arrests in 2012	_____ (#)

**SECTION B. USE OF DIVERSION**

***Please read:*** For the purpose of this survey, diversion is a discretionary decision to route an individual (juvenile or adult) away from the traditional justice process. Specifically, an individual who is diverted *would have been* subject to arrest and booking, or given a citation/ticket to appear in court, but *instead*, the individual is *not* subject to prosecution or court involvement. We are interested in police-led diversion, where law enforcement may run a diversion option or may agree to engage in diversion through programs or policies developed by the prosecutor, court, community-based organizations, or others.

- 4. Based on the preceding definition, does your agency ever engage in diversion?
  - Yes
  - No
  
- 5. Are you aware of any diversion programs in your state where law enforcement officers have the discretion to divert individuals from the traditional booking or citation process?
  - Yes: Please provide the names and contact information for each such agency in the space provided below.

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- No

***If you answered no to questions 4 and 5, please return the survey in the enclosed self-addressed envelope. Thank you for your participation.***

- 6. Does your agency “run” the diversion option or program, meaning that your agency developed and/or currently oversees its policies and procedures?
  - Yes
  - No: Please specify which entity runs the program.

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- 7. Does your agency participate in a formal diversion program?

- Yes: *Check all that apply.*
  - Crisis Intervention Teams (CIT) for person in a mental health crisis
  - Drug Market Interventions (DMI) or Gang Violence Reduction Strategy (GVRS) for low-level drug involved
  - First Time Offender
  - Juvenile Diversion
  - Prostitution
  - Restitution Program for graffiti, personal property or theft
  - Veterans
  - If other, please identify and explain in the space provided.

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- No

8. Do officers have the discretion to informally divert or do “desk drawer diversions”, where they informally assess and divert on an individual basis?

- Yes
- No
- Do not know

**SECTION C. TARGET POPULATION**

9. What types of individuals are eligible for diversion programs? Please check all that apply and indicate if misdemeanor, felony, or both offenses are included.

	<b>Felony</b>	<b>Misdemeanor</b>
First-time offenders		
Person with mental illness (i.e., CIT)		
Juvenile		
People who are developmentally disabled		
Drug involved (i.e., DMI)		
Prostitution		
Veterans		
Restitution program for graffiti or gang affiliations		
Other: Please specify: _____		

**SECTION D. SCREENING AND ELIGIBILITY DETERMINATION**

10. Who determines eligibility for diversion? *Check all that may apply.*

- Responding officer
- Arresting officer
- Supervising officer
- Other: Please specify: \_\_\_\_\_

11. At what point is eligibility determined. *Check all that may apply.*

- Prior to arrest
- At the point of arrest
- At booking (e.g., in the police station)/issuing citation or ticket
- After booking
- Other: please specify: \_\_\_\_\_

12. Who is consulted when determining eligibility?

- Diversion is solely a law enforcement decision
- Social Service Provider
  - o Mental Health
  - o Substance Abuse
- Prosecutor
- Judge or Special Court Official
- Probation or Parole
- Other: please specify: \_\_\_\_\_

13. Do you screen everyone for diversion who is at least potentially eligible (based on formal criteria such as the nature of the crime or first-time/repeat offender status)?

- Yes
- No: please specify why: \_\_\_\_\_
- Do not know

14. At the time the eligibility determination is made, is the following consistently known about the individual? *Check all that may apply.*

- History of criminal behavior
- Previous participation in diversion
- Physical health/history
- History of mental illness/PTSD
- Substance abuse history or treatment
- Sexual abuse or trauma history
- Homelessness
- Employment/Student
- Do not know

15. Is a formal risk assessment or risk screening tool administered to inform the eligibility decision for diversion?

- Yes: *please check all that may apply.*
  - o LSI-R (Level of Service Inventory – Revised)

- o STRONG (Static Risk and Offender Needs Guide)
- o SAVRY (Structured Assessment of Violence Risk in Youth)
- o RCC (Risk and Resiliency Checkup)
- o GAIN (Global Appraisal of Individual Needs)
- o SBRIT (Screen, Brief Intervention, and Referral to Treatment)
- o AUDIT (Alcohol Use Disorders Identification Test)
- o CAGE
- o If you have developed your own or modified an existing one please describe what the tool measures: \_\_\_\_\_
- o Other: please specify: \_\_\_\_\_
- No

16. Whether or not a formal tool is used, please indicate whether the following factors will affect the likelihood of diversion?

	<b>Increase Likelihood</b>	<b>Decrease Likelihood</b>	<b>Not Affect Likelihood</b>	<b>Not Eligible</b>
First-time offender				
A juvenile				
Presents with symptoms of a mental illness				
Presents as drug addicted				
Presents as having stable family or community ties				
Presents as homeless				
Shows remorse				
Employed/Student				
Prior arrest history				
Prior conviction history				
Currently on probation or parole				
Presents with gang involvement				
Diverted previously on another case				
Other: Please specify: _____				

**SECTION E. PARTICIPATION AND SERVICES**

17. If an individual meets the criteria to be diverted, is participation voluntary?

- Yes
- No
- Do not know

18. Do individuals have access to counsel prior to diversion participation?
- Yes
  - No
  - Do not know
19. Is the participant required to waive any legal rights to participate in diversion?
- Yes: Please specify: \_\_\_\_\_
  - No
  - Do not know
20. What would you say are the major service needs among those diverted? *Check all that apply.*
- Substance abuse treatment
  - Mental health assessment/treatment
  - Housing
  - Employment
  - Vocational training
  - Education (e.g., GED)
  - Family reintegration
  - Public assistance linkages
  - Transportation
  - Other: please specify: \_\_\_\_\_
21. Besides possibly not having an arrest record or being prosecuted are there other incentives offered to the individual to participate in the diversion program?
- Yes: please specify: \_\_\_\_\_
  - No
  - Do not know

## SECTION F. PROGRAM STRUCTURE

22. Among those who are diverted, how often must they actually participate in a “class” or “program” of some kind?
- Yes: Please specify length below:
    - 1 day/class/session
    - 2-4 days/classes/sessions
    - 5-7 days/classes/sessions
    - Participate in an ongoing program. *Please specify frequency*
      - Daily

- o Weekly
- o Monthly
- o Other: please specify \_\_\_\_\_
- No
- Do not know

23. Please fill out the table below regarding services offered to individuals and whether there is a partnership with the social service agency and does that agency provide training to law enforcement officers.

	<b>Service Provided</b>	<b>Partnership with Agency</b>	<b>Training Offered by Agency</b>
Substance abuse treatment			
Substance abuse prevention programming (e.g., for young adults or at risk juveniles)			
Alcohol and/or drug testing			
Trauma treatment			
Individual counseling/mental health treatment			
Group based counseling/mental health counseling			
Psychiatric assessment			
Cognitive-behavioral therapy for criminal thinking			
Vocational or educational programming			
Other social service program (Please explain)			

24. Are participants ever drug-tested?

- Yes
  - o As part of the initial assessment process
  - o Regularly during program participation
  - o Randomly
- No
- Do not know

25. Does anyone manage/follow the participant during the time with the program?

- Yes: please check the person responsible
  - o Case Manager

- Parole/Probation Officer
- Judge/Court
- Other: please specify \_\_\_\_\_
- No
- Do not know

**SECTION G. COMPLETION OF PROGRAM**

26. What are the legal benefits of successful completion of the diversion program? *Check all that may apply in at least some cases.*

- No arrest record
- Arrest record but arrest is never transferred to the prosecutor or court
- Case advanced to the prosecutor but prosecutor declines to file with the court
- Case filed with the court but subsequent dismissed
- Other: Please specify: \_\_\_\_\_

27. Are there actions that would automatically cause a participant to be dismissed from the program?

- Yes: Please specify: \_\_\_\_\_
- No

28. What are the legal consequences of non-completion of the diversion program? *Check all that may apply in at least some cases.*

- No consequences
- Case is filed with the prosecutor and offender booked or warrant issued
- Participant is remanded
- Participant is placed in an alternate program to better address the participants needs
- Interim sanctions: Please specify: \_\_\_\_\_
- Other: Please specify: \_\_\_\_\_

29. Do you have a written policy and procedures manual?

- Yes
- No

**SECTION H. IMPLEMENTATION**

30. When did the diversion program divert its first case? Month/Year: \_\_\_\_\_

31. Please indicate approximately how many adult offenders were diverted in 2012?  
\_\_\_\_\_

(#)



32. Please indicate approximately how many juvenile offenders were diverted in 2012?

(#)

\_\_\_\_\_

33. If your program has a specific policy or track applying to people in a mental health crisis, please indicate approximately how many people in crisis were diverted in 2012? *(You may skip this question if your program does not focus on mentally ill offenders or the answer is unknown.)*

\_\_\_\_\_ (#)

34. What are some of the strengths and weaknesses of the diversion program?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

35. If an opportunity arises, would you be willing to be contacted to explore further your thoughts about diversion, either in your jurisdiction or in general?

- Yes
- No

**Thank you for taking the time to complete our survey!**