The Juvenile Justice and Delinquency Prevention Committee (JJDPC) of the Pennsylvania Commission on Crime and Delinquency, which advises the Commission on the distribution of federal and state juvenile justice dollars, recently established a Diversion Subcommittee to promote the creation of pre-adjudication diversion programs and county-wide policies designed to hold non-violent youth accountable without proceeding to an adjudication of delinquency. This subcommittee was originally created as part of the MacArthur Models for Change initiative and was primarily focused on ensuring that youth with mental health needs would not become unnecessarily involved in the juvenile justice system. The focus has since expanded to address the gamut of diversion scenarios, but mental health cases still warrant special consideration. Diverting these youth will have considerable impact on communities and service providers as 70% of youth in the juvenile justice system meet the criteria for mental disorders.1

Studies have confirmed that diverting youth with mental health needs to community-based treatment programs is effective and cost efficient. Often youth with mental health issues do not get the treatment they need within the juvenile justice system, thus posing a threat to themselves and their communities2. Through partnerships with local mental health resources, diversion programs provide youth with necessary treatment while effectively preventing crime and providing community safety. Additionally, Pennsylvania Act 148 provides fiscal incentives to treat youth close to home, in their communities, and in the least restrictive environment. Counties with community-based diversion programs are eligible to receive a state reimbursement


of up to 80% of the cost of services whereas counties employing secure detention facilities to
treat youth are only eligible for a state reimbursement of up to 50% of the cost of services³.

Robert Stanzione, President of the PA Council of Chief Probation Officers, explains, “Diversion provides juvenile justice professionals with an opportunity to address the criminogenic needs of young offenders without compromising community safety. Not all juvenile offenders need to be exposed to the full resources of the juvenile justice system. With careful screening and assessment, and by engaging community resources, diversion provides young offenders with an opportunity to redeem themselves in their own community.” Elton Anglada of the Juvenile Defenders Association adds, “The goal of Pennsylvania’s Delinquency Courts is to rehabilitate juveniles in need of treatment, supervision, and rehabilitation, and provide these juveniles with the necessary life skills needed to succeed as they move to adulthood. Diversion programs allow appropriate juveniles to learn from their mistakes without being subject to the formal process of a trial. For many juveniles, a diversion program is sufficient to put them on the right path.” George Mosee, Deputy District Attorney in charge of Juvenile Diversion in Philadelphia acknowledged that, “when diversion works properly it ensures that non-violent offenders are expeditiously held accountable, supervised and effectively treated. Victim restoration can be accomplished without requiring numerous court appearances. Appropriate charges can be disposed of without burdening the already strained resources of our justice system. Rather than waiting to testify in court, police officers can spend more time on the streets keeping us safe and courtrooms can be reserved for only those cases that require the full legal process. Regarding juveniles with special needs, it benefits everyone when their needs are immediately identified and they are diverted into an appropriate treatment program as quickly as

Keith Snyder, Deputy Director of the Juvenile Court Judges’ Commission, also notes that, “Juvenile court records can have significant long-lasting consequences for children. It is critical that opportunities exist at all stages of our system to divert children from formal juvenile court processing, when appropriate, and to have records expunged consistent with statutory and procedural rule mandates.”

With the help of Models for Change, a national initiative to accelerate reform of the juvenile justice system, counties throughout Pennsylvania have begun to implement diversion programs at different points in the juvenile justice system. In the summer of 2009, Allegheny County piloted the Crisis Intervention Teams for Youth (CIT-Y) curriculum, which trained police officers in crisis response techniques designed to address the specific needs of youth. On December 1, 2010 mental health experts and law enforcement agents from Allegheny, Bucks, and Cambria Counties who completed the original 40-hour CIT training convened in Mechanicsburg, PA for a supplemental CIT-Y Train-the-Trainer workshop. These individuals will, in turn, now be able to train law enforcement officials in their counties with the CIT-Y curriculum. In fall of 2009, Lehigh County implemented Student Justice Panels (SJP) in four Allentown middle schools to prevent adjudication of first time offenders and to assist schools in providing accountability and guidance to offending youth. Youth referred to the panel immediately receive a mental and behavioral health assessment that is used to guide their course of treatment. Chester County launched its own Intake Diversion Project in the fall of 2009 to divert eligible youth from the juvenile justice system at the point of intake in the juvenile probation department. The Intake Diversion Project also utilizes mental and behavioral health assessments to assist in finding an appropriate course of treatment for youth.
To promote pre-adjudication diversion work in Pennsylvania the Diversion Subcommittee of the JJDPC will issue a funding announcement in early 2011 for diversion programs and practices in the counties, including those that target youth with mental health needs. Proposals must include a formal protocol for the diversion program/practice requested and be aligned with the *Guide to Developing Pre-Adjudication Diversion Policy and Practice in Pennsylvania* created by the Diversion Subcommittee through the Models for Change Initiative in PA. The Guide is available for download at the Juvenile Law Center’s website and may be accessed through the following link, [http://www.jlc.org/publications/guide_to_developing_pre-adjudication_diversion_policy_and_practice/](http://www.jlc.org/publications/guide_to_developing_pre-adjudication_diversion_policy_and_practice/). The *Principles of Pre-Adjudication Diversion in Pennsylvania*, found at Appendix A of the *Guide*, have been endorsed by the following organizations:

- County Commissioners Association of Pennsylvania’s Human Services Committee
- Juvenile Defenders Association of Pennsylvania
- Mental Health Association in Pennsylvania
- Office of Children, Youth and Families, Pennsylvania
- Department of Public Welfare
- Office of Mental Health and Substance Abuse Services, Pennsylvania
- Department of Public Welfare
- Pennsylvania Association of Intermediate Units
- Pennsylvania Community Providers Association
- Pennsylvania Council of Chief Juvenile Probation Officers
- Pennsylvania Department of Education
- Pennsylvania Department of Public Welfare
- Pennsylvania District Attorneys Association
- Pennsylvania Juvenile Court Judges’ Commission
- Pennsylvania Juvenile Justice and Delinquency Prevention Committee