

Court Diversion – Strategic Overview FY 2012

The mission of Vermont court diversion programs is to engage community members in responding to the needs of crime victims, the community, and those who violated the law, holding the latter accountable in a manner that promotes responsible behavior.

Court Diversion is a locally governed community justice program under the auspices of the Attorney General's Office as directed by Vermont statute. It provides a cost-effective alternative to the formal court process using the principles of restorative justice for approximately 5,500 individuals each year (3,000 through TASP).

Since the late 1970's, minor offenders have been diverted out of the court system to this community-based program staffed largely by volunteers. From FY 2009 to FY 2010, referrals increased 10% statewide. Diversion holds offenders accountable, helps offenders to repair the harm caused to victims and the larger community, and works to prevent future criminal behavior. It is a valuable investment that reduces the workload and cost of the Courts, State's Attorneys, and that of the Department of Corrections. (See 3 VSA §163, 164, 166).

Its goals are to

- Use citizen involvement and a restorative model to make victims whole
- Restore to the community any loss it sustained
- Redirect offenders in a more productive direction
- Reduce recidivism
- Reduce the workload on Vermont courts

Youth who violate Vermont's underage possession and consumption of alcohol laws (7 VSA §656 and §657) are referred by law enforcement to the **Teen Alcohol Safety Program**, within Court Diversion. Participants meet with a licensed substance abuse counselor, follow the recommendations of the counselor, and may participate in an educational program and perform community service.

Approximately 30 staff members and 500 volunteers provide these services at a cost of roughly \$200 per case in General Fund dollars. On average, the state grant supports approximately 60% of the annual costs of Court Diversion, and fees provide 25% of program revenue. Participants pay a fee, following a uniform statewide fee schedule, adopted in January 2009. Programs reduce or waive fees to account for participants' financial situation.

Last year the Legislature expanded the purpose of Adult Court Diversion to include second-time offenders. During the first half of FY 2011, 12% of referrals are people with prior involvement in the criminal justice system. Programs report that people with prior involvement tend to present more challenging situations involving greater substance abuse or mental health needs, and require more staff support to complete the program successfully.

FY 10	Juvenile CD	Adult CD	TASP	TOTAL
Number of Referrals	675	1,573	3,251	5,499
Successful Completion Rate	85%	82%	81%	
Victims Financially Compensated	100%	98%	NA	
Restitution & Charitable Donations	\$7,536	\$80,763	\$17,647	\$105,946
Hours of Community Service	3,412	13,079	8,695	25,186

Court Diversion programs collect fees from clients and report that revenue quarterly to the Attorney General's Office (AGO) according to 3 VSA §166. These fees are recorded within the Court Diversion Special Fund. Programs submit an annual budget to the AGO and report quarterly on expenditure of General Fund, Special Fund, and other revenue. An accountant completes an independent financial audit of each organization every other year.

<u>FY 2011 Grants Awarded to</u>	General Fund	Special Fund (estimate)
Addison County Court Diversion	\$74,734	\$30,000
Bennington County - Center for Restorative Justice	\$84,761	\$40,000
Caledonia County Court Diversion - NEKYS	\$73,543	\$23,500
Chittenden County Court Diversion	\$135,896	\$91,000
Essex County Court Diversion - NEKYS	\$15,040	\$2,800
Franklin County CD & Community Justice Programs	\$73,667	\$32,000
Grand Isle County Court Diversion	\$23,589	\$4,200
Lamoille County CD & Restorative Justice Programs	\$77,201	\$32,000
Orange County Court Diversion	\$71,134	\$19,000
Orleans County Court Diversion - NEKCA	\$73,555	\$15,000
Rutland County CD & Restorative Justice Center	\$108,665	\$87,000
Rutland County CD & Restorative Justice Center	\$30,000	\$0
Washington County Court Diversion	\$101,315	\$59,500
Windham County Court Diversion - Youth Services	\$88,601	\$34,000
Windsor County - Valley Court Diversion Programs	\$88,867	\$50,000
Vermont Assoc. of Court Diversion Programs	\$3,800	\$0
Total Grants awarded	\$1,122,368	\$520,000
Attorney General's Office	\$82,410	
Total General Fund	\$1,204,776	

FY 2012

The Governor's proposal would increase the General Fund by \$112,474 in recognition for the programs' increased workload and the value of Diversion's early intervention. Grants for FY 2012 will be awarded to the 14 programs listed above based on the Vermont Association of Court Diversion Program's (VACDP) recommendation. VACDP's allocation formula takes into account staffing and caseload averages over a four-year period.

	FY 11 Estimate	FY 12 Governor's Proposal
General Fund	\$1,204,776	\$1,317,250
Special Fund	\$519,997	\$519,997
Total	\$1,724,773	\$1,837,247

Performance Outcome and Measures

Programs report quarterly on closed cases, including the successful completion rate, the amount of restitution paid to victims, the percentage of cases fully compensated, and the number of hours of community service performed by participants.

Every three years, each program participates in a peer review, during which three other program directors visit the county to examine how the program is meeting the AGO/VACDP Standards for Court Diversion and TASP. The AGO Court Diversion Director monitors any ensuing improvement plan.