

DETENTION DIVERSION ADVOCACY PROGRAM (DDAP) EVALUATION



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Table of Contents

Abstract	2
Program Background	2
Literature Review.....	3
Juvenile Diversion Programs.....	3
The Risk of Net-Widening	4
Previous Research on DDAP.....	5
Evaluation Design	5
DDAP Client Data	6
Recidivism Analysis Findings.....	7
Binary Recidivism.....	7
Binary Felony Recidivism	8
Number of Post-Intervention/Non-Intervention Referrals.....	8
Discussion & Conclusion	9
References	10

Abstract

Detention Diversion Advocacy Program (DDAP) is a juvenile diversion program in San Francisco, operated by the nonprofit organization, the Center on Juvenile and Criminal Justice (CJCJ). DDAP is designed to divert youth who have been charged with serious offenses and are either in juvenile detention or likely to be held for detention. DDAP participants remain in the community and access community-based case management supports, rather than being processed through the traditional juvenile justice system. This analysis uses data from 76 DDAP clients and a comparison group of 76 similarly-situated system-involved youth who were not served by DDAP. The comparison group was selected from the records obtained from the San Francisco Juvenile Probation Department on the basis of key characteristics, matched to the DDAP group, including: first serious or felony charge, age at first arrest, and gender. A binary recidivism analysis of whether youth received any subsequent justice system referrals finds a 73.7% recidivism rate in the comparison group compared with 51.3% in the DDAP group, and a 53.9% felony recidivism rate in the comparison group members compared with 23.7% in the DDAP group (chi-square tests show $p < .001$). The average number of cumulative subsequent charges and cumulative felony charges between the two groups also differed significantly, with comparison group averaging 6.57 and 3.22, respectively, and DDAP clients averaging 3.81 and 1.61 (t-tests show $p < .03$). The value of diversionary programs for high-risk juvenile justice system-involved youth is discussed.

Program Background

Detention Diversion Advocacy Program (DDAP) is a program of the Center on Juvenile and Criminal Justice (CJCJ) in San Francisco. The program began in the early 1990s and has been diverting juvenile justice system-involved youth from incarceration for nearly 30 years. DDAP works with justice system partners (primarily defense attorneys) to identify youth who are already in detention or likely to be detained pending their adjudication. Once a potential DDAP client is identified, CJCJ case managers build a release plan and present it in court. The release plan maps to the client's needs and strengths and may include family support, individual counseling, academic tutoring, etc. If the judge assents, the youth is released to DDAP supervision and is able to avoid incarceration, an outcome that is shown to have complex and lasting detrimental effects (Black, 2016; DeLisi et al., 2011; Gatti et al., 2009; Lambie & Randell, 2013).

Unlike some diversion programs, DDAP intentionally aims to serve youth who are facing serious charges and are at high risk to reoffend. Many DDAP clients have a substantial list of previous justice system contacts, as well as specialized needs, including substance abuse, educational difficulties, or gang involvement (Shelden, 1999). This approach of targeting higher-risk youth helps prevent "net-widening" – the risk of increasing the reach of criminal or juvenile justice control by sweeping low-risk clients who might not have otherwise been caught up in the system – for which diversion programs are sometimes criticized (Blomberg, 1980; Macallair & Males, 2004; Mears et al., 2016).

Another mechanism that assures against net-widening is that DDAP relies on defense attorneys for referrals, rather than probation. Probation officers are free to refer clients to DDAP, but CJCJ reports that referrals from probation tend to be lower-risk individuals who are likely to be released anyway, even without a community-based supervision program. CJCJ Executive Director Daniel Macallair explains, "The system is not set up to take risks. If you leave the decision [to refer] to the bureaucratic process it will be the wrong referrals – there's too much risk aversion within probation." By contrast,

relying on defense attorney for referrals ensures that only clients who are otherwise highly likely to face detention are sent to DDAP for consideration.

While some diversion programs are funded through probation (e.g., via AB 109 dollars), DDAP is funded entirely by the city's Department of Children, Youth and their Families (DCYF), a public entity independent of probation. Independent funding is important because it frees DDAP case managers to make recommendations to the court that go against probation's recommendations. In advocating for youth, DDAP must be at liberty to operate in opposition to the system. Such freedom could be hindered if the program were financially beholden to probation.

After being referred to DDAP, the prospective client is then interviewed by a DDAP expeditor who determines whether the young person is a fit for the program. When asked what might qualify or disqualify a potential client from inclusion in the program, CJCJ's Executive Director describes the standard as, "Will this kid be in the hall or out in the community?" He further explains:

If we think they will be in the hall absent our intervention, we prioritize them...Kids don't get screened out because of 'red flags.' We take the kids that need the help, not the ones that we think are going to succeed. We [started this program because we] wanted to demonstrate that you could make substantial reductions in the number of kids in juvenile hall. We go for the highest risk population – if it succeeds with this population, then why are you keeping the lower-risk population in the hall?

Once accepted into the program, the young person and a DDAP case manager build a release plan and present it before the judge. In the majority of cases, the judge orders the youth released to DDAP supervision. If the judge denies the proposal, DDAP continues to work with the defense attorney in hopes that the youth might eventually be released.

The initial period post-release is the most intensive, with DDAP case managers communicating daily, and sometimes multiple times a day, with clients. DDAP caseloads are low (6-12 clients per case manager) to allow for this intensive level of support. CJCJ's case management approach includes assessing the needs of each client, as well as developing an understanding of each young person's strengths, and developing a plan that builds on these strengths and addresses these needs.

If a young person is already being served by another high-quality community-based agency, DDAP may step back and take on a case-monitoring role, rather than direct case management. As case monitor, DDAP checks in regularly with both the client and the case-managing agency and continues to report back to the court. This is key because it helps ensure that youth are not overly case-managed, which would go against best practices (Davis et al., 2014; Hills et al., 2009; Pew Charitable Trust, 2017). It also helps CJCJ to forge and maintain collaborative relationships with other community-based agencies serving the local justice-involved youth population.

Literature Review

Juvenile Diversion Programs

A growing body of literature suggests that juvenile incarceration has many profoundly negative effects on youth, including making them more (not less) likely to reoffend in general (Gatti et al., 2009; Lambie & Randell, 2013), and to commit further violent offenses (DeLisi et al., 2011). A meta-analysis from 2016,

considering nine studies measuring the impact of incarceration on recidivism concluded that, “incarceration increased youth re-offending by 8% in the United States” (Black, 2016, p. 151).

A logical programmatic response to the research that incarcerating juveniles is in itself criminogenic would be to divert more youth from juvenile justice system involvement and detention. While the “tough on crime” attitudes and policies of the 1980s and 1990s resulted in increased use of juvenile detention (Macallair & Males, 2004), since 2000, juvenile detention across the country has actually been on a downward trajectory (Sickmund et al., 2019). Part of the decrease in juvenile incarceration is indeed due to the increase in juvenile diversion programs which are increasingly recognized as a reasonable and viable alternative to traditional juvenile justice system responses (Development Services Group, 2017).

The evidence points to juvenile diversion’s effectiveness in preventing further justice involvement. Studies show that juvenile diversion programs can reduce the risk of future offending compared with traditional justice system entrenchment (McCord et al., 2001; Hodges et al., 2011), and that programs that remove youth from detention and then provide intensive services and supports in the community are particularly effective (Dryfoos, 1990; Sheldon, 1999). A meta-analysis considering 45 juvenile diversion studies, reporting on 73 programs, and assessing 14,573 diverted youth and 18,840 comparison youth who remained in the traditional justice system, found strong, compelling, and consistent evidence that juvenile diversion programs help to reduce the risk of recidivism (Wilson & Hoge, 2013). The analysis also showed that programs targeting medium/high-risk youth offenders and those targeting low-level offenders both reduced the risk of recidivism, although those targeting medium/high-risk youth had *greater* reductions in recidivism. The diversion programs that were most effective for medium/high-risk youth were those that offered interventions and supports, while the programs that were most effective for low-risk youth were those that diverted youth with a simple “caution.”

The Risk of Net-Widening

Policy makers are sometimes warned of the potential for diversion programs to “widen the net,” increasing rather than decreasing the reach and control of the justice system on low-level, low-risk youth (Blomberg, 1980; Macallair & Males, 2004; Mears et al., 2016). Research shows that individuals with fewer risk factors are more likely to successfully complete diversion programs (Loeb et al., 2015), which could lead some programs to “screen out” higher-risk youth. Screening out higher-risk youth may create the appearance of a high success rate, but would really reflect a situation where the clients’ risk of reoffending started low and remained low, irrespective of program enrollment (Sullivan et al., 2007). Juvenile diversion programs that focus on lower-end clients run the risk of expanding and deepening social control over youth who, if the program did not exist, would likely have been returned to the community without any further court involvement.

This idea is also echoed in the “risk principle” of the risk/need/responsivity (RNR) model, which suggests that intensive services should be reserved for system-involved youth who demonstrate high criminogenic risk, and that intervention and system-involvement for lower-risk youth should be minimal or non-existent (Andrews & Bonta, 2010; Andrews et al., 1990). Applying this principle to juvenile diversion programs would also suggest that youth identified as low-risk be diverted with little-to-no supervision or intervention, and that youth with higher risk scores be diverted with case management services.

Previous Research on DDAP

In September of 1999, an evaluation of DDAP appeared in the Office of Juvenile Justice and Delinquency Prevention’s (OJJDP’s) Juvenile Justice Bulletin (Shelden, 1999). This analysis considered 271 DDAP clients and a comparison group of 271 San Francisco juvenile justice system-involved youth who were not in a diversion program. The comparison group in the 1999 study had more members that were female and more who were under 14, both factors associated with lower risk. However, all members of both the DDAP and the comparison group had been assessed for risk of “engaging in subsequent delinquent activity,” according to a risk assessment instrument developed by the National Council on Crime and Delinquency (NCCD) (Wiebush et al., 1995). Because only “high risk” youth were admitted to DDAP, DDAP group members were “significantly more likely” to have a score of indicating high likelihood of causing harm or absconding – 84% of DDAP clients versus 59% of comparison group members. The analysis found that participants in DDAP were nearly half as likely to recidivate as comparison group members. Overall, 60.1% of the comparison group recidivated, compared with 34.3% of the DDAP group, and 45.8% of the comparison group had "serious recidivism" (defined as a receiving a felony referral), compared with 23.6% of the DDAP group.

This research helped establish DDAP as a model for juvenile diversion and prompted the replication of the model in other jurisdictions (Feldman & Kubrin, 2002). The current study, over two decades later, aims to reprise the question of DDAP’s impact on recidivism.

Evaluation Design

DDAP provided a dataset of DDAP participants to enable the evaluation to consider a number of client characteristics, including demographics, referral source, and program participation length. The primary data source for the evaluation, however, is a dataset obtained via court order from the San Francisco Juvenile Probation Department. This dataset includes 76 DDAP clients, marked as such, as well as records for hundreds of non-DDAP system-involved youth. From these hundreds of records, the evaluator constructed a comparison group of 76 non-DDAP clients who were similarly-situated to DDAP clients in the 76-person sample. Comparison group members were

	Comparison	DDAP
Number	76	76
Gender (% male)	75%	75%
Age at First Arrest (mean)	14.82	14.68
Year of First Arrest		
2017	41	36
2018	21	22
2019	12	15
2020	2	3
Pre-Intervention/Non-Intervention # of Counts	8.18	8.77
Pre-Intervention/Non-Intervention # of Felony Counts	4.82	5.80

identified by matching them to the following DDAP participants’ characteristics: 1) first serious or felony charge, 2) age at first juvenile justice system referral, and 3) gender. These factors are associated with differential likelihood of recidivism (DeLisi & Piquero, 2011; Moffitt, 1993). Furthermore, in order to ensure that members of the two groups were not differentially affected by legal or procedural changes,¹

¹ For example, California’s Senate Bill 1391, passed in 2018, which protects 14- and 15-year-olds from transfers to the adult criminal justice system and Senate Bill 439, passed in 2018, which set a minimum age of 12 years of age for prosecution.

we also attempted to match comparison group members roughly on the year they were first arrested (between 2017 and 2020). Table 1 shows how the two groups compare on these factors.

It was our aim to make a fair comparison between DDAP youth and similarly-situated non-DDAP youth, so our methodology includes building in a non-intervention point-in-time to correspond with the intervention point-in-time for DDAP clients. To do this we took the average number of quarters between DDAP clients’ first arrest and DDAP referral for each year (2017, 2018, 2019, and 2020), and extrapolated that to the non-DDAP-referred individuals in order to designate a “non-intervention quarter” that roughly corresponds to when in their pathways DDAP clients were referred (the “intervention quarter”).

Calculating the average number of charges and felony charges for both groups during the pre-intervention/non-intervention period shows that each group has a relatively high number of justice system referrals before either being or not being engaged in the DDAP program. Between the two groups, the average pre-intervention/non-intervention counts is in fact higher among DDAP clients, suggesting that DDAP clients as a whole constitute a slightly higher-risk group than the comparison group.

We use data subsequent to the intervention/non-intervention point-in-time as the period for recidivism consideration. Recidivism outcome variables are as follows:

- 1) Binary Recidivism: Did the members of the two groups receive any additional justice system referrals after the intervention/non-intervention?,
- 2) Binary Felony Recidivism: Did members of the two groups receive any additional felony referrals after the intervention/non-intervention?,
- 3) Number of Post-Intervention/Non-Intervention Referrals: How many justice system referrals did members of the two groups receive after the intervention/non-intervention?, and
- 4) Number of Post-Intervention/Non-Intervention Felony Referrals: How many felony referrals did members of the two groups receive after the intervention/non-intervention?

DDAP Client Data

DDAP client data for the current analysis obtained from CJCJ are listed in Table 2. These data reveal that the majority of DDAP clients served from 2017 through 2020 are originally referred by publicly-funded panel attorneys who are usually assigned because of a conflict of interest (i.e., co-defendants in a case

Referral Source	
Public Defender	27%
Panel Attorney (publicly funded)	66%
Probation	7%
Court Decision	
Release to DDAP	75%
Detention	25%
Length of Case Management	
Minimum/Maximum	9 days/ 1.35 years
Average	16 weeks

may not be represented by the same counsel). During its first ten years, DDAP was housed within the Juvenile Public Defender’s office. Now, however, the San Francisco Public Defender’s office, which pioneered the use of in-house social workers, has reduced its reliance on community-based partners for case management. As a result, the Public Defender’s office now refers to

DDAP less frequently than court-appointed panel attorneys do. Additionally, a small percentage of DDAP clients are referred by probation. Table 2 also shows that most DDAP-developed release plans are accepted by the judges. These young people are released to DDAP, whereupon they begin case management, which lasts an average of 16 weeks.

Recidivism Analysis Findings

The data presented in Tables 3-6 and Figures 1-3 display the four outcome analyses, using justice system and felony referral data for both the comparison group and the DDAP groups, subsequent to the intervention point-in-time for DDAP, and subsequent to the non-intervention point-in-time for the comparison group. On all of the outcome measures, the DDAP group has significantly better results than the comparison group.

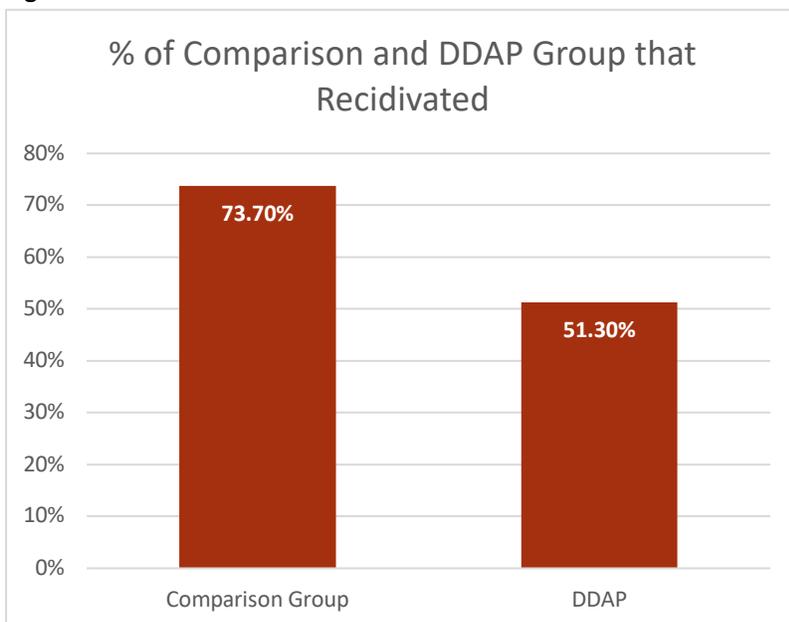
Binary Recidivism

Binary recidivism was operationalized as whether or not each individual had *any* justice-system referrals after the designated point of intervention/non-intervention. All individuals with no subsequent referrals were designated “Did Not Recidivate,” while all individuals with one or more subsequent referrals were designated “Recidivated.” A chi-square analysis was then run to determine if differences between Comparison group and DDAP group recidivism rates were statistically significant.

Group	Did Not Recidivate	Recidivated	Total
Comparison Group	26.3% (20)	73.7% (56)	100.0% (76)
DDAP	48.7% (37)	51.3% (39)	100.0% (76)
Total	37.5% (57)	62.5% (95)	100.0% (152)

($p < .001$)

Figure 1



The analysis shows that approximately 51% of DDAP clients recidivated versus nearly 74% of comparison group members. In other words, comparison group members were approximately 1.44 times more likely than DDAP clients to recidivate, in spite of being comparable in terms of their initial crimes, previous justice involvement, age, gender, and timeline for arrest and intervention/non-intervention.

The chi-square analysis shows this difference to be statistically significant ($p < .001$).

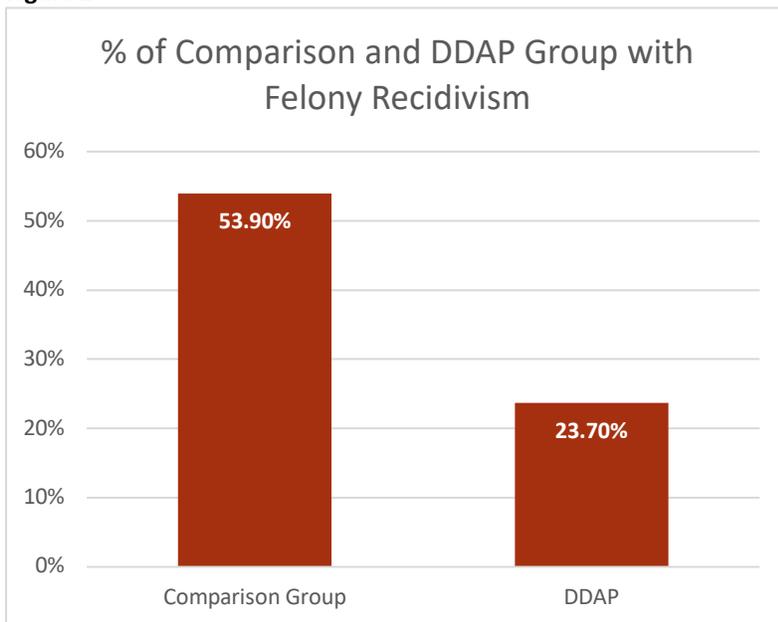
Binary Felony Recidivism

Binary felony recidivism was constructed similarly, measured as whether or not each individual had any felony referrals after the designated point of intervention/non-intervention. In the table below, all individuals with no subsequent felony referrals are classified as “Did Not Recidivate F,” while all individuals with one or more subsequent felony referrals were designated “Recidivated F.” Again, a chi-square analysis was run to determine if differences were statistically significant.

Group	Did Not Recidivate F	Recidivated F	Total
Comparison Group	46.1% (35)	53.9% (41)	100.0% (76)
DDAP	76.3% (58)	23.7% (18)	100.0% (76)
Total	61.2% (93)	38.8% (59)	100.0% (152)

($p < .001$)

Figure 2



The analysis shows that just under 24% of DDAP clients had one or more subsequent justice system referrals for a felony charge, after DDAP intervention, versus approximately 54% of comparison group members (after designated non-intervention point). In other words, comparison group members were approximately 2.27 times more likely than DDAP clients to receive subsequent felony referrals.

The chi-square analysis shows this difference to be statistically significant ($p < .001$).

Number of Post-Intervention/Non-Intervention Referrals

The actual number of justice system referrals that members of each group accumulated after the intervention (or designated non-intervention point-in-time) was averaged across the two groups. T-tests were conducted to determine if the mean difference between the DDAP group and the comparison group was statistically significant.

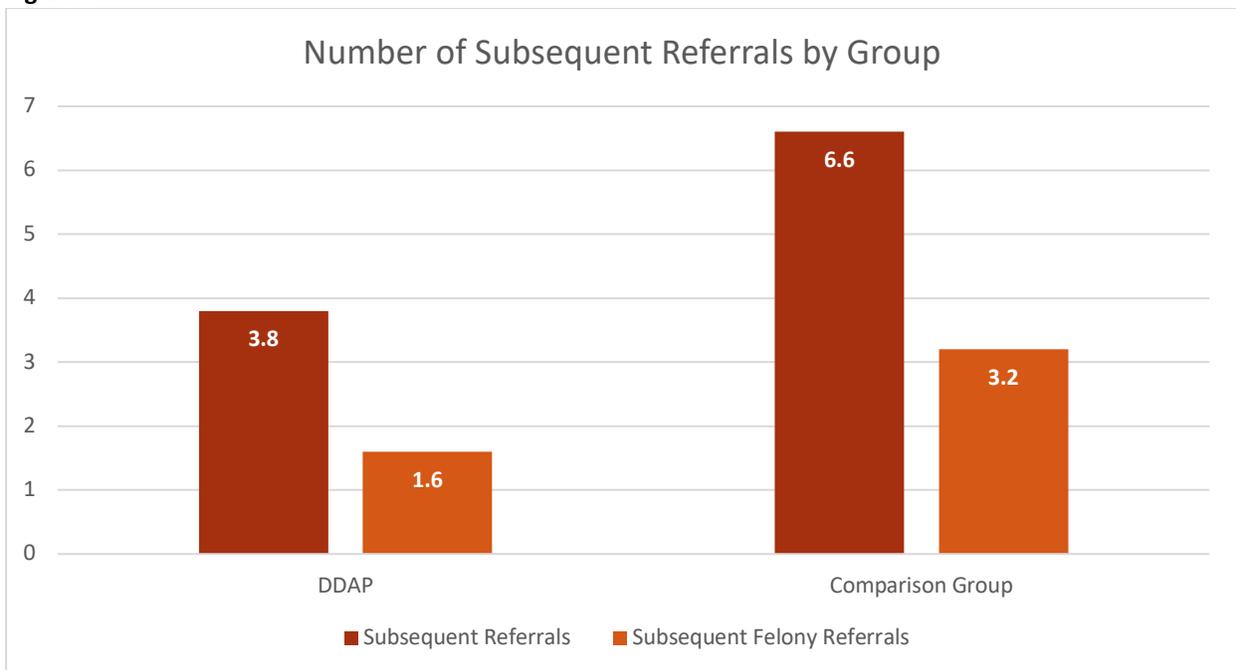
Group	Mean	Std. Deviation	Std. Error Mean	t	Sig. (2-tailed)	Mean Difference	Std. Error Difference
DDAP	3.816	6.8171	.7820	-2.358	.020	-2.7500	1.1663
Comparison	6.566	7.5442	.8654				

The same analysis was conducted looking at the average number of subsequent referrals for a felony that each group accumulated.

Group	Mean	Std. Deviation	Std. Error Mean	t	Sig. (2-tailed)	Mean Difference	Std. Error Difference
DDAP	1.605	4.2177	.4838	-2.219	.028	-1.6184	.7295
Comparison	3.224	4.7598	.5460				

Figure 3 below lays out the average cumulative number of justice system referrals and felony referrals for both the comparison group and the DDAP group. This visual representation shows the dramatic difference between the two groups.

Figure 3



Discussion & Conclusion

The findings very clearly indicate that DDAP participants had a lower likelihood of any subsequent justice referrals and of any subsequent felony referrals as compared with a similarly-situated set of non-DDAP-served youth. The data also show that the DDAP group had lower cumulative justice and felony referrals post-intervention/non-intervention. Results of this study demonstrate the effectiveness of DDAP in particular, affirming findings from the 1999 evaluation of the program (Shelden, 1999). They further support the viability of pre-adjudication diversion for high-risk youth facing serious charges, in general.

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