**Racial Justice Improvement Project**

**New Orleans, Louisiana**

**Outcome Evaluation Plan- Track 1 Revised August 25, 2015**

As its reform, New Orleans introduced a new track of diversion programming (titled Track 1) that is shorter in nature (nine to twelve months) than the original diversion program (two years) and will not be treatment driven. The new program has the following components:

 4-8 week assessment period;

 Regular face-to-face meetings with a diversion counselor for the first four weeks;

 Weekly drug testing for the first four weeks;

 One of the following:

 Completion of 40 hours of community service;

 Enrollment and attendance in a GED program; or

 Consistent employment and payment of restitution; and

 Sliding scale fee for service of $25- $200, plus drug testing costs.

Eligibility requirements for the program include:

 Arrest for certain enumerated property offenses;

 No prior felony convictions;

 No more than two non-violent misdemeanor convictions;

 No arrests for crimes of violence, according to the Louisiana State Code, within the last 7 years;

 No mental health counseling needs; and

 No drug treatment needs.

Upon successful entrance into the program, the District Attorney will dismiss the criminal case. The purpose of the program is to provide low-level felony offenders an opportunity to divert out of the traditional criminal justice processing without having to complete a treatment-heavy, lengthy diversion program. The goal is that with the new shorter program, more individuals will opt in, will receive more targeted diversion, and will successfully complete diversion, resulting in fewer felony convictions.

Following is a brief description of the proposed evaluation plan for the New Orleans Track 1 diversion program.

***Quantitative Analyses:***

Track I diversion staff are tracking multiple variables to be used in future evaluation efforts. Those variables include:

1) Number of eligible participants;

2) Number of actual participants;

3) Number of participants who successfully completed the program;

4) Number of participants who failed to complete the program;

5) Participants’ charge(s);

6) Participants’ gender and race;

7) Participants’ criminal histories, including convictions and arrests;

8) Participants’ compliance with drug testing;

9) Participants’ compliance with weekly and monthly check-ins;

10) For those participants who successfully completed the program, length of time it took them to complete program requirements (e.g., community service, enrollment in a GED program, and/or maintenance in employment) is tracked; and

11) For those participants who failed the program, reason(s) for non-completion.

12) Participants with no treatment needs, who would have otherwise been placed either in the

Track 2 program or been ineligible for diversion.

These variables will be collected both manually and, when a database is created, electronically. All data will be entered into a statistical analysis program, regardless of the method of data collection. Thirty individuals who successfully completed the Track 1 program, thirty who did not successfully complete, and thirty who were deemed ineligible will constitute an adequate sample for the assessment of the pilot program.

A series of nonparametric statistical analyses (chi-square, frequencies, and descriptives) will be conducted to determine differences between groups (e.g., gender, successful versus unsuccessful completion, etc.) on variables such as compliance with program requirements.

***Qualitative Analysis:***

Telephone interviews will be conducted with participants in the Diversion Track 1 program to explore their perceptions of the program and how it impacted both their cases and their lives. Approximately 15 individuals will be interviewed using a mostly close-ended questionnaire.

***Summary:***

While these analyses will not produce an exhaustive outcome evaluation, they will inform future iterations of the project, as well as any replications of the program. Future evaluation efforts should include an examination of recidivism rates between those who successfully completed and those who did not, as well as interviews with participants at specified intervals upon completion of the program.

**NEW ORLEANS, LOUISIANA**

**RACIAL JUSTICE IMPROVEMENT PROJECT:**

**TRACK 1 DIVERSION PROGRAM**

**YEAR 2 EVALUATION FINDINGS**

**August 25, 2015**

**Introduction and Background**

***Introduction:***

 4-8 week assessment period;

 Regular face-to-face meetings with a diversion counselor for the first four weeks;

 Weekly drug testing for the first four weeks;

 One of the following:

 Completion of 40 hours of community services;

 Enrollment and attendance in a GED program; or

 Consistent employment and payment of restitution; and

 Sliding scale fee for service of $25- $200 plus drug testing costs.

Eligibility requirements for the program include:

 Arrest for certain enumerated property offenses;

 No prior felony convictions;

 No more than two nonviolent misdemeanor convictions;

 No arrests for crimes of violence, according to the Louisiana State Code, within the last 7 years;

 No mental health counseling needs; and

 No drug treatment needs.

Upon successful completion of the program, the District Attorney will dismiss the criminal case. The purpose of the program is to provide low-level felony offenders an opportunity to divert out of the traditional criminal justice processing without having to complete a treatment-heavy, lengthy diversion program. The goal is that with the new shorter program, more individuals will opt in, will receive more targeted diversion, and will successfully complete diversion, resulting in fewer felony convictions.

Please see **Appendix C** for the Track 1 Diversion Program Client Manual.

**Methods**

***Sample***

As of July 20, 2015 there are 54 active participants in the Track 1 program. Of these participants, 48 are from racial minority groups. The table below shows the racial composition of the current Track 1 Diversion program.

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  | Caucasian | African American | Hispanic | Asian | Bi-Racial |
| Male | 6 | 32 | 0 | 1 | 1 |
| Female | 1 | 13 | 1 | 0 | 0 |
| Total | 7 | 45 | 1 | 1 | 1 |

Additionally, as of July 20, 2015 Track 1 has had 154 program participants. The table below shows the racial breakdown of this group.

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  | Caucasian | African American | Hispanic | Asian | Bi-Racial |
| Male | 18 | 82 | 1 | 2 | 0 |
| Female | 10 | 40 | 1 | 1 | 0 |
| Total[[1]](#footnote-1) | 28 | 122 | 2 | 3 | 0 |

At the time of initial program evaluation in January 2014, in order to assess if Track 1 was serving more minority groups than Track 2, the first sixty Track 1 participants were compared with 60 Track 2 participants, all of whom were diversion clients between the dates of July 1, 2012 and April 30, 2013.[[2]](#footnote-2) The 60 intervention group members comprised the entire universe of members of the Track 1 program; the comparison group members were a randomly selected group from 593 members taking part in the Track 2 program during the previously noted dates.

Due to the low number of non-white/non-Black participants, sample group members from other racial/ethnic groups were omitted from both the intervention and comparison samples. Three Hispanic/Latino(a) participants were deleted from the Track 2/comparison group (yielding a final sample size of 57), and two participants from Track 1/intervention (one of Chinese background, and one labeled “other”) were eliminated. Thus, total sample size was 115: 58 from Track 1, and 57 from Track 2.

In general, the two groups had several distinct differences. While Track 1 had more females in the sample than did Track 2, this number was not statistically significant. Track 1 did serve significantly more Blacks/African Americans than did Track 2. Further, Track 1 participants were significantly less likely to have had prior arrests than did those in Track 2. Neither samples included individuals arrested for sex offenses. Please see Table 1 for additional detail.

Table 1. Sample characteristics by Track.

|  |  |  |  |
| --- | --- | --- | --- |
|  | **Track 1/Intervention**  **N (%)** | **Track 2/Comparison**  **N (%)** | **Total**  **N (%)** |
| **Gender** |  |  |  |
| **Male** | 34 (59%) | 42 (74%) | 76 (66%) |
| **Female** | 24 (41%) | 15 (26%) | 39 (34%) |
| **Race \*** |  |  |  |
| **Black/African American** | 50 (86%) | 33 (58%) | 83 (72%) |
| **White/Caucasian** | 8 (14%) | 24 (42%) | 32 (28%) |

|  |  |  |  |
| --- | --- | --- | --- |
| **First Arrest\*\*** | **Track 1/Intervention**  **N (%)** | **Track 2/Comparison**  **N (%)** | **Total**  **N (%)** |
| **Yes** | 41 (71%) | 20 (35%) | 61 (53%) |
| **No** | 10 (17%) | 29 (51%) | 39 (34%) |
| **Missing** | 7 (12%) | 8 (14%) | 15 (13%) |
| **Prior Arrest Count** | | | |
| **Zero** | 11 (18%) | 4 (7%) | 15 (13%) |
| **One** | 38 (66%) | 41 (72%) | 79 (68%) |
| **Two** | 9 (16%) | 6 (10%) | 15 (13%) |
| **Three** | - | 2 (4%) | 2 (2%) |
| **Four** | - | 1 (2%) | 1 (1%) |
| **Missing** | - | 3 (5%) | 3(3%) |
| **Status of Case at Analysis Phase** | | | |
| **Open** | 29 (51%) | 40 (76%) | 69 (63%) |
| **Closed** | 28 (49%) | 13 (24%) | 53 (38%) |

\* Track 1 participants were more likely to be Black/African American than were Track 2 participants *(p=.001)*

\*\* Track 1 participants were significantly more likely to have no prior arrest compared to Track 2 participants *(p <*

*.000).*

There was also a significant difference between Track 1 and Track 2 participants in the number of weekly and monthly obligations that were expected. Track 1 had significantly more weekly obligations, while Track 2 had significantly more monthly obligations. Overall, Track 2 had significantly more obligations than did Track 1.[[3]](#footnote-3)

Obligations included, but were not limited to the following activities:

 Attending educational programs;

 Paying restitution;

 Completing community service requirements; and

 Attending treatment services.

Table 2. Number of weekly and monthly obligations by Track.

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
|  | Track 1/  Range | Intervention  Mean | Track 2/  Range | Comparison  Mean | Total  Range | Mean |
| Weekly  Obligations\* | 4-166 | 20.8 | 0-117 | 51.2 | 0-166 | 35.49 |
| Monthly Obligations\*\* | 0-5 | .6 | 0-96 | 5.0 | 0-96 | 2.67 |

\*Total weekly obligations were significantly higher for Track 1 participants than for Track 2 participants (*p<.000).*

\*\*Total monthly obligations were significantly higher for Track 2 participants than for Track 1 participants ( *p =*

*.006).*

***Procedures***

Diversion staff tracked multiple variables for both Track 1 and Track 2 participants. Those variables include:

1) Number of eligible participants;

2) Number of actual participants;

3) Number of participants who successfully completed the program;

4) Number of participants who failed to complete the program;

5) Participants’ charge(s);

6) Participants’ gender and race;

7) Participants’ criminal histories, including convictions and arrests;

8) Participants’ compliance with drug testing;

9) Participants’ compliance with weekly and monthly check-ins;

10) For those participants who successfully completed the program, length of time it took them to complete program requirements (e.g., community service, enrollment in a GED program, and/or maintenance in employment) is tracked; and

11) For those participants who failed the program, reason(s) for non-completion.

These variables were collected both manually and electronically. All data were entered into a statistical analysis program, regardless of the method of data collection. Data was collected by staff at the Orleans District Attorney Office on a regular basis. This data was entered into several databases, which were merged to create one large statistical database for analysis. Following are the results of those analyses. Program participants were also interviewed to gain their perception of diversion.

Please **Appendix A** for the interview protocol.

**Results**

Of the 154 past participants of the program, 55 had their case returned for prosecution. 26 participants were moved to Track 2 in order to receive additional treatment services. Lastly, 62 individuals successfully completed the program.

The table below shows the racial composition of the 62 successful participants

|  |  |  |  |
| --- | --- | --- | --- |
|  | Caucasian | African American | Asian |
| Male | 7 | 35 | 1 |
| Female | 3 | 15 | 1 |
| Total | 10 | 50 | 2 |

The table below shows the racial composition of the 55 participants that were returned for prosecution.

|  |  |  |  |
| --- | --- | --- | --- |
|  | Caucasian | African American | Hispanic |
| Male | 7 | 32 | 1 |
| Female | 0 | 12 | 3 |
| Total | 7 | 44 | 4 |

The primary reason participants fail out of Track 1 is for failing to maintain contact with the program. When removing the participants that were flagged and moved to Track 2 to receive additional treatment services, the sample size becomes 117 and Track 1 has a 52% success rate.

*Participant Interviews*

In general, participants stated that diversion was a benefit to them personally and to the outcome of their case. Further, even if the program had been more stringent, requiring additional activity, the majority of interviewees would have chosen to participate in the diversion program.

Table 5. Results of participant interviews.

**Survey question Yes No**

**If the Diversion Program was 2 years long in length, would you still have chosen to participate in the Program?**

**If the Diversion Program required you to attend weekly office visits for the first 3 months of the Program, would you still have chosen to participate in the Program?**

**If the Diversion Program required you to drug test weekly for the first 3 months of the**

**Program, would you still have chosen to participate in the Program?**

**If the Diversion Program required individual and group counseling, would you still have chosen to participate in the Program?**

**Do you believe the outcome of your case is better off because you were offered**

**Diversion?**

**Do you believe your experiences in the Diversion Program have been and will continue to be helpful to you?**

10 3

11 2

11 2

11 2

11 2

12 1

Interviewees were also asked to provide explanations for why they believed that the diversion program was a benefit to them. Several respondents stated that they liked their social worker and felt they had a good relationship with her/him. Unsurprisingly, others appreciated the opportunity to participate in the program instead of serving a jail sentence.

Please see **Appendix B** for a list of all narrative comments to the diversion participant survey.

**Summary of Results and Recommendations**

Initial data found that Track 1 was able to serve 86% African American arrestees. The other diversion program, Track 2, served 52% African American arrestees. Track 1 participants were less likely to have prior arrests, with 71% entering the program following their first arrest, compared to 35% of arrestees participating in Track 2. The addition of Track 1 as a diversionary alternative to incarceration also led to a significant increase in the number of diverted individuals in New Orleans. In 2008, prior to the implementation of Track 1, 300 arrestees participated in the diversion program. This number increased to 940 participants in 2013 post implementation. It is worth mentioning that of these new Track 1 participants, 86% were African American and 31% were female. Such data is a clear indication of NOTF progress in addressing racial disparity.

To continue with the successes and address the issue of participants losing contact with the program, the primary cause for lack of diversion success, case management is an essential component that should be thoroughly assessed and included. Case management can be defined as a collaborative process of assessment, planning, facilitation, care coordination, evaluation, and advocacy for options and services to meet an individual's and family's comprehensive needs through communication and available resources to promote positive outcomes. In the context of diversion, case management can take many forms and can ensure participants both initiate and complete the process, while also assessing factors that may have caused the need for diversion in the first place. Successful incorporation may drastically increase diversion success rates and mitigate factors that may leave racial minority groups at a disadvantage when it comes to diversion opportunities, such as lack of support. While Track 1 was able to show progress in addressing racial disparities in New Orleans, the addition of case management services would create an environment to foster the short and long-term success of participants.

**Diversion Expansion**

Prior to and during their initial work with RJIP, the Orleans Parish District Attorney’s Office had no intentions to add or alter diversion programs in Orleans Parish. Following negotiations with the New Orleans Task Force (NOTF), the Track 1 Diversion Program was developed in order to supplement the pre-existing Track 2 Diversion Program. However, following the implementation of the Track 1 Diversion Program, two new diversion programs were initiated: Adult Diversion Post Plea and Adult Misdemeanor Diversion.

The Adult Misdemeanor Diversion Program supplements the existing Track 1 and Track 2 Diversion Programs, targeting those charged with: possession of marijuana (first offense); possession of paraphernalia; simple battery; criminal damage; assault; criminal mischief; criminal trespass; theft; shoplifting; possession of stolen property; gambling; or disturbing the peace (non-domestic violence). In addition to one of the above charges, the victim of the crime must approve of participation, the individual must not have more than one non-violent felony conviction, must not have more than two non-violent misdemeanor convictions, and must not have been arrested for a crime of violence in the past five years.

The Adult Misdemeanor Diversion Program should take participants 3-12 months for completion and has numerous requirements, though arguably less stringent than those of the other diversion programs offered by the Orleans Parish District Attorney.[[4]](#footnote-4) Participants must complete weekly drug testing for the first eight weeks, followed by random drug testing for the duration of their participation. In addition, weekly in-person check-ins are required for the first four weeks of participation. Finally, participants must complete forty hours of community service with a designated community organization, enroll in and maintain attendance in a GED program, or maintain employment. Upon successful completion of all program requirements, including sixty days of negative drug screens, enrollment in an academic or vocational program or gainful, consistent employment, attendance at all appointments, maintenance of stable living arrangements, payment of the program fee and any restitution associated with the charges, and meeting all treatment goals set, the case will be dismissed and the participant will be eligible to apply for expungement of their relevant arrest.

The Adult Diversion Post Plea Program differs from Track 1, Track 2, and the Adult Misdemeanor Diversion Program in that individuals must first enter a guilty plea for their charges. The sentencing for these charges is deferred and will not occur unless the participant fails to comply with program requirements, fails to successfully complete the program, or withdraws from the program. In order to successfully complete the program, participants must comply with numerous requirements for the 24-month program period: remain drug and alcohol free, shown through at least 90 days of negative drug screens; be enrolled in an academic or vocational program or obtain gainful and consistent employment; maintain attendance at all treatment, office, and other appointments required by the Diversion Counselor; maintain a stable living arrangement; pay the $200 program fee and/or any restitution associated with the case; meet all treatment goals set in treatment plan; complete a final drug test and final visit, including an exit interview. Upon completion of the program, individuals may be permitted to withdraw their guilty plea and the case may be dismissed. In the event that a participant fails to comply with the program requirements, including testing positive for drugs, a Diversion Counselor may order an increase in reporting to the Diversion Counselor, increased drug testing, implementation or alteration of a curfew, community service hours, alteration in treatment schedule, extension of program length, and/or returning of the case for prosecution by the District Attorney.

This program is beneficial to the community because it, like the three other diversion programs in Orleans Parish, allows individuals an opportunity for rehabilitation and meaningful change in their life. In addition, due to the fact that participants are all facing felony charges, this program allows highly motivated individuals an opportunity to potentially avoid the negative consequences of felony convictions, such as inability to obtain a professional license, ineligibility for public housing or student financial aid, and difficulty obtaining employment.

By offering two additional diversion programs, Orleans Parish is not only recognizing the impact that diversion programs can have on both communities and individuals, but they are showing that RJIP efforts can spark reform beyond the scope of the task force’s initial work. Despite early apprehension and resistance by the District Attorney’s Office, the new programs were developed freely and unsolicited. Enthusiasm for reform and willingness to continue and expand the work is likely to be an essential factor in the successful implementation of long-term racial justice reform.

**Appendix A**

**NEW ORLEANS RACIAL JUSTICE IMPROVEMENT PROJECT DIVERSION TRACK I PROGRAM PARTICIPANT SURVEY**

***SURVEY SCRIPT***

Hello. My name is and I am calling on behalf of the Racial Justice Improvement Project Grant. This grant helped to develop the current District Attorney’s Diversion Program that you are participating in. I understand from the Diversion Program that you have agreed to answer few questions about your experiences in the Program thus far. We are trying to evaluate the effectiveness of the Diversion Program and your answers will be very helpful to us. Your answers will not be shared with your case managers at the Diversion Program. You answers will have no effect on your current participation in the Diversion Program. Your answers will only help us make the Program better as a whole.

Do you have any questions before we start?

Let’s get started. **I have ten questions for you.**

1) Are you currently participating in Diversion Track 1?

2) How long have you been participating in the Program?

3) When is your anticipated completion or graduation date?

4) If the Diversion Program was 2 years long in length, would you still have chosen to participate in the Program?

5) If the Diversion Program required you to attend weekly office visits for the first 3 months of the

Program, would you still have chosen to participate in the Program?

6) If the Diversion Program required you to drug test weekly for the first 3 months of the Program, would you still have chosen to participate in the Program?

7) If the Diversion Program required individual and group counseling, would you still have chosen to participate in the Program?

8) Do you believe the outcome of your case is better off because you were offered Diversion?

9) Do you believe your experiences in the Diversion Program have been and will continue to be helpful to you?

10) How so? Please explain.

Thank you so much for your time and cooperation

**Appendix B**

**Participant Interview Comment**

***Question: Do you believe your experiences in the Diversion Program have ben and will continue to be helpful to you? How so? Please explain.***

- I believe that because some individuals do not have drug problems, it is a waste of time and money to perform drug testing. They should give us the choice to do community service instead.

- I am not a drug user, I don't drink, I was referred to Diversion because of less serious offense and it worked out for me. I enjoy my counselor, she's really great.

- The fact that I didn't go to jail period definitely helped me, it is a lot of work for me to do the program because I am in New York so it taught me a big lesson about making better choices in the future.

- Better as a person.

- Counselor helps with problems by talking.

- My social worker is very understanding, we talk about jobs and going to school, I really feel that I can open up to her.

- It allows for a diversified payment plan, and the cost of a lawyer was too much to defend, and the cost to put it behind me vs. the cost to fight it, it made it easier without having to plea for a lower charge but still being on my record, this was a way to not put it on my record.

- The conversations with the counselor have helped in keeping me grounded

- At the end of the day anybody would rather do the diversion program than go to jail.

- Rather do diversion than jail.

- Because you get counseling, you get to talk to someone about your problems.

- This kind of program when you hire a lawyer they never tell you about this kind of program, and I don’t have that kind of money, so this program allows you to get help without an expensive lawyer.

**Appendix C**

**Client Manual**

**C L I E N T M A N U AL**



Orleans Parish District Attorney’s Office

Leon A. Cannizzaro Jr.

District Attorney

Mission Statement

Introduction Program Description Program Benefits

Special notes regarding the Pilot

Program Successful Completion Process

The Orleans Parish District Attorney’s Office Diversion Program provides a positive alternative to the criminal court process for motivated non-violent offenders. The program is designed to meet the needs of these offenders in an attempt to deter any future criminal behavior. Diversion offers an alternative to traditional prosecution, protecting the community with appropriate supervision, rehabilitation, and education through a focused intervention model. We create opportunities for change with an emphasis on accountability and growth.

**WEL C O M E T O T H E O R L E A N S PA R I S H**

**D I S T R I C T ATT O R N E Y’S ADULT D I V E R S I O N P RO G R A M .**

While all criminal conduct is corrosive to our community, the District Attorney firmly believes that the safety of our community is best served by allowing some non-violent offenders to participate in an intensive rehabilitative program in lieu of prosecution.

Our Program is dedicated to the intervention, treatment and recovery of non-violent offenders who choose to create meaningful change in their lives. The goal of Diversion is to promote individual community stability and responsible living while maintaining public safety.

This handbook is designed to answer your questions, provide over-all information about the program, and explain what will be required of you as a diversion participant. As a participant, you will be expected to comply with program rules, follow the instructions given and comply with the treatment plan developed for you by your diversion counselor. All participants are encouraged to share this handbook with family and friends.

Please read this handbook carefully. It is your responsibility to be familiar with its contents. The information in this handbook may change from time to time, without prior notice, and should not be considered a binding agreement between you and the Diversion program. Not every question can be answered in this booklet, so it is your job to ask questions when you are unsure of issues about your treatment plan. Each phase

of this program will address changes in your lifestyle. If you have questions, please ask your Diversion Counselor.

We are happy to welcome you into the program and wish you every success.

**P RO G R A M D E S C R I P T I O N**

Defendants charged with crimes in Orleans Parish that may be diversion eligible are screened by the District Attorney’s office. During the screening process, a defendant’s file is reviewed, including a review of his/her criminal record, to determine if s/he qualifies for the program. Admission to the program is at the discretion of the District Attorney’s office. A full psychosocial is completed on each client to determine his or her treatment plan. The Diversion Track 1 Program will take 9-12 months to complete and can include drug testing, counseling, substance abuse treatment, group therapy, education and soft skills job training.

**1) The following persons will be eligible for Diversion Track I Program:**

a. Arrested for a property offense 1, including but not limited to, simple criminal damage to property, unauthorized entry, simple burglary, theft, unauthorized use of a moveable, illegal possession of stolen things, access device fraud, issuing worthless checks, and monetary instrument abuse.11

b. No prior felony convictions;

c. No more than two nonviolent misdemeanor convictions;

d. No arrests for crimes of violence under La. R.S. 14:2 for the past seven (7) years;

e. No mental health counseling needs; and

f. No drug treatment needs.

**2) If admitted to Diversion Track I Program, each participant must:**

a. Participate in the 4-8 weeks of initial assessment conducted by counselors and social workers in the District Attorney’s Diversion Office;

b. Weekly drug testing for the first four (4) weeks of initial assessment;

*i.* If a participant tests positive during any of the first four (4) weeks, s/he must participate in a 12-week drug education group run by diversion counselors at the diversion office in Tulane Towers; and

11 Ineligible property offenses are as follows: unauthorized entry of a home; aggravated burglary; and unauthorized entry or burglary of a pharmacy. Individuals charged with the above may be eligible for the Diversion Treatment Program, Track 2.

*ii.* During those 12-weeks, participants may be asked to take random drug tests by his/her counselor.

*iii.* If a participant fails to remain drug-free, s/he will either be offered to participate in the Diversion Treatment Program, Track 2, or terminated from the program.

c. Weekly in-person reporting during the first four (4) weeks of initial assessment to a counselor in the District Attorney’s Diversion Office;

*i.* If a participant fails to report during any of the first four (4) weeks, weekly reporting may be extended up to 6-8 weeks/

*ii.* Failure to report for consecutive two weeks without a verifiable good cause explanation may result in termination from the program.

*iii.* After the initial four (4) weeks, participants must maintain monthly contact with their counselors until the completion of the program by monthly

office visits. Monthly phone check-ins may be permitted with pre-approval from counselor; and Failure to report for consecutive two monthly check- ins without a verifiable good cause explanation may result in termination from the program.

d. Participants must complete 40 hours of community service with a designated community service organization ; OR

e. For those who do not have a high school diploma or a GED, must enroll in and maintain regular attendance at a GED Program; OR

f. Maintain employment and make timely restitution payments.

g. All participants of the program may be subject to random drug testing during the course of their participation as determined by their case managers.

h. Indigency will be determined by Magistrate Judge and Commissioners at First

Appearances with the assistance of New Orleans Pretrial Services.

Participants of the Diversion Track I Program must attempt to complete the above- noted requirements in 9 months or less, but the program will allow participants up to 12 months to complete the program. Participants with one or more misdemeanor convictions must remain in the program for a minimum of 12 months. Participant making restitution payments will remain in the program beyond the 9-12 months until the restitution payments have been paid in full.

Upon successful completion of the program your case will be dismissed. You will be eligible to apply with the clerk’s office for an expungement of your arrest.

District Attorney Leon Cannizzaro believes that the diversion program promotes public safety in two important ways. First, it allows motivated individuals to receive meaningful rehabilitation without the negative collateral consequences of a criminal conviction, which reduces recidivism and increases the likelihood that participants become more productive members of our community. Second, the cases of the participants do not drain the limited resources of the criminal justice system. As such, the program assists the District Attorney’s office in focusing its prosecutorial resources on violent criminals.

All participants in Adult Diversion Program have been arrested for a felony offense. The case against you may result in adjudication (being found guilty of a criminal offense). You should be aware that adjudication is likely to have an impact upon your life beyond the immediate punishment you may

receive as a result of this case.

Your ability to obtain professional licenses, enter into educational programs, obtain student financial aid, apply for public housing and obtaining employment, are examples of issues that may be impacted by this criminal offense. Entering and successfully completing the Diversion Program will result in your having no record of adjudication or for the pending criminal case referred to the Diversion Program. This in turn may increase the possibility that you will be able to pursue personal and professional goals in your

future and should be considered in making the decision to enter and remain in the Diversion Program.

During the pilot phase of the Diversion Track I Program, the first four weeks of weekly drug testing fee for indigent participants will be fully covered by the RJIP grant money. The indigent participants must drug test at a pre-approved drug testing location such as drug testing lab located at the Orleans Parish Criminal District Court or Tulane University.

RJIP grant money will not be responsible for paying for any participants’ random drug testing ordered by counselors during the course of their program participation.

During the pilot phase of the Diversion Track I Program, participants will be responsible for paying for the program fee by no later than the end of the program. Depending on participants’ indigency and financial ability to pay, a sliding scale ranging from $25-$200 will be applicable. Andree Mattix, Director of Social Services of the District Attorney’s Office, will determine for each participant what s/he must pay to participate.

Must have negative drug screens for at least 120 consecutive days. No show for a drug test is considered a positive drug test.

• Must be enrolled in academic/vocational training or have obtained gainful, consistent employment.

• Must maintain consistent attendance at all counseling appointments.

• Must be maintaining a stable living arrangement.

• Must have paid all fees and/or restitution.

• Must have met all treatment goals required in your treatment plan.

1. One participant self-identifies as biracial, however his official paperwork identifies him as white. As a result, this individual is counted in two categories. [↑](#footnote-ref-1)
2. This date range represents the time during which Track 1 was accepting participants. [↑](#footnote-ref-2)
3. This is probably an artifact of the longer duration of the Track 2 program. [↑](#footnote-ref-3)
4. Participants with any prior misdemeanor or felony convictions must stay in the program for a minimum of 9-12 months. [↑](#footnote-ref-4)