

DIVERSION PROGRAM CHECKLIST

The following checklist was created by the Diversion Committee of the National Association of Pretrial Services Agencies as an aid to maximizing participant success. This is a follow up to the *Pretrial Adult Diversion Checklist* created by the Pretrial Services Resource Center for their evaluation of the Merrimack County (NH) Diversion Program. The first draft of the Diversion Program Checklist was presented at a workshop at the 2000 NAPSA conference. After incorporating feedback from that workshop, the second draft of the checklist was presented at the 2001 Professionals in Pretrial Services Conference. Feedback from workshop attendees was integrated into the Checklist, as were comments from the Diversion Committee, resulting in this final version.

The goal of this instrument is to look at the smaller, everyday practices that impact on our participants' success. There is a focus on program practices, as well as the participant's experience from the initial screening through service delivery. Although we do not address the NAPSA Diversion Standards directly, the checklist is based on best practices, and the items are a logical outgrowth of the standards.

This isn't a quiz, and there are no "correct" answers. Hopefully, it will give Diversion Programs a way to look at themselves in the search for maximizing success.

The Checklist is divided into three sections – Organizational Character, Referral and Screening, and Service Delivery.

I. Organizational Character

This underlies the entire client experience, and as a result, the success rate.

Staff:

Is staff diverse and reflective of the client base?

If not, is this achieved through the use of volunteers, resource people, interns or community groups?

Are staffing levels adequate?

Is staff adequately and competitively compensated?

Are issues of staff turnover addressed?

Is there a vehicle for staff to address their concerns about the organization?

Is staff input sought or is there communication with staff when establishing program goals and doing program planning?

Is staff adequately educated and trained?

Is training ongoing?

Does training include diversity training?

Are staff “cross-trained” in order to facilitate meeting participant and program needs?

Does staff have an opportunity to participate in professional organizations?

Are issues of “burnout” addressed?

Management:

Is there an organizational identity? Define.

Is there a mission statement and goals for the organization? Is this written and displayed?

Does this statement include reference to the participants served?

Is the mission statement referenced regularly and part of the organization’s culture?

Is the mission statement regularly reviewed and refined?

Does management practice what it preaches? Would all levels of staff, as well as outside entities say this is the case?

In agencies that provide services other than Diversion (e.g. probation), do the diversion workers have a “diversion mind set”?

Are there written operation manual and procedures?

Is the operation manual regularly reviewed and refined?

Does the operation manual include a system mapping of how cases flow, both ideally and in reality?

Is there a procedure for all interested parties to give input to the manual?

Is program planning continuous?

Does this include having back up people identified who can fill other job positions?

Is technology used as much as financially possible? Does the program drive the technology, rather than the programmer?

Is there continual program auditing and is this process detailed in the manual?

Is auditing done file by file?

Is there systematic tracking of participants in the program?

Is regular program evaluation and research conducted that looks at why participants succeed and fail?

Are program hours reasonable to assure participant attendance?

Is the program conveniently located? Is it near public transportation?

Does the program have adequate funding? Does it seek additional and/or alternative funding?

Who has control of programming – the program or the funding source?

How often does management interact with clients?

Is management adequately involved with client issues?

Does management interact with line staff on a regular basis?

Do all staff members (management, service providers and support staff) meet together on a regular basis?

Criminal Justice System and Community Issues:

Is there interaction between the agency and the community on a regular basis?

In dealing with the press, is there an identified chain of command?

Are all staff aware of the program policies regarding dealing with the press?

Does the agency have access to needed information?

Does the program have a voice in local issues that will affect its participants?

Does the program have a Board of Directors or an Advisory Board willing to advocate for program participants?

Does the program have a positive relationship with community resources?

Does the program regularly disseminate information about itself to the community?

Does the program have some type of written information it can distribute, e.g. a brochure?

II. Referral and Screening:

The referral and screening processes are the gateway to any Diversion program. If there are problems at this point, the entire program will be affected. Below are some questions to assist in examining the process, and possible roadblocks that may impede client success.

Referral process issues:

Who decides who will be referred to your program?

Is there a good line of communication and mutual respect between the program and the referring party?

Does the program make an attempt to educate and recruit both defendants and referral sources?

Is there a program mission statement and are referring parties aware of it?

Are the referrals appropriate? – What percentage of the time?

Are they possibly missing some eligible defendants? Playing it too safe?

Is there any inherent bias to referrals?

Do referrals represent the target population?

Is there a timetable as to when referrals can be made?

Does the program make it easy to refer participants, e.g. are forms readily available and easily understood?

Does the program have methods to deal with issues of prosecutor turnover, either by resignation or election?

Are new prosecutors provided with adequate training?

Screening process issues:

Criteria:

Are there objective criteria for acceptance to the program, and are they equitably applied?

Is this criteria written and readily available?

Is there an avenue to go outside the criteria, with supervisor's approval?

Is the defendant fully informed as to what will be required of him or her, including the costs and time necessary to complete the program?

Are respectful allowances made for problems with literacy and comprehension, either due to language or intellectual difficulties on the defendant's part?

Are trained, qualified interpreters available when needed?

In cases where a defendant is not a citizen, is diversion still an option?

Are personal and professional conflicts of interest between staff and defendants identified and dealt with appropriately?

Information:

Does the screener know with whom he is dealing?

Does the screener positively identify the referral?

Is there a complete and accurate criminal history available?

Are there means in place to recognize clients with special needs?

Is there a means to seek additional information on defendants with special needs?

Are the facts of the case readily accessible to the screener?

Is there a means to obtain necessary collateral information?

If you must contact a victim, how is their input handled?

Are there confidentiality policies and procedures in place, and are these reviewed with the defendant?

Screening Staff:

Are all screeners aware of the program's mission?

Are screening staff aware they represent the agency to the community and the criminal justice system, and do they act accordingly?

Are all screeners trained in interviewing techniques?

Do they approach referrals in a manner designed to establish rapport?

Are screeners respectful and non-judgmental?

Do they acknowledge cultural differences?

Is there consistency among screeners' recommendations?

Is the decision to accept to the diversion program timely?

III. Participant Service Provision:

This is the core of any Diversion Program, and represents an extended part of the participant's experience. It is vital not only to start the experience in a constructive way, but to continue it in the same manner.

Assessment:

Is the participant's first experience with the program a positive one?

Are they greeted appropriately and respectfully by the receptionist?

If it is unavoidable to keep a participant waiting, is there an explanation given to the participant?

Are phone inquiries handled politely and respectfully?

Are participants given an individual assessment if necessary?

Are standardized assessment tools used when indicated?

Do staff members have adequate training for the assessments they conduct?

Are staff members trained to identify participants with special needs?

Are the participant's support system and current life circumstances also evaluated?

Is a reasonable and realistic service plan developed with the participant's input?

Is there a balance in the service plan between the issue of the arrest and other needs the defendant may have?

Are staff members cooperative, rather than adversarial, with clients?

Services:

Are services rendered both in house and by contract agencies individualized?

Is the cookie cutter approach discouraged for all but minor offenses?

Is there a team process in dealing with the client?

Is an attempt made to make a good match between participants and staff? Between clients and outside services?

Are participant conditions changed once in the program, only when there are mitigating circumstances?

Are service plans altered to maximize client success?

Are clients automatically terminated upon re-arrest?

Are the necessary services available in the community?

Has every effort been made to establish contracts to deliver needed services to diversion participants?

Is there a means to examine the helpfulness and reliability of contract services?

Are contract services consistent with the Memorandum of Understanding?

Are participant's experiences with outside providers evaluated?

If specialized caseloads are in place, are these used appropriately?

General Issues:

Are participants surveyed regarding their experience with the program, from beginning to end?

Given physical constraints, is the program physical facility as pleasant as possible?

Are support and line staffs, as well as management staff, helpful and considerate?

Are support and line staffs, as well as management staff, trained in confidentiality, and in what might be discussed in the public areas of the agency?