



The Massachusetts Youth Diversion Program: Year Two Program Data

(JANUARY – DECEMBER 2023)

MAY 2024
THE COMMONWEALTH OF MASSACHUSETTS
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Introduction

The Massachusetts Youth Diversion Program (MYDP) is a multiphase state-funded youth diversion initiative that provides high-quality, evidence-based programming as an alternative to arresting youth or prosecuting them through the Juvenile Court. Currently, the MYDP is in the process of expanding, with the end goal of providing programming statewide. In year two of programming (January 2023 – December 2023), the program launched two new sites and ramped up operations at its three original pilot sites. This data brief analyzes program data from year two, and when applicable, makes comparisons to the previous year's data.^{1 2} The overarching goal of this brief is to report on the impact the program has had in year two and to continue to inform efforts for statewide expansion.

Background

Historically, access to evidence-based youth diversion programming has varied widely across the Commonwealth. In its [2019 report on diversion](#), the state's [Juvenile Justice Policy and Data \(JJPAD\) Board](#) found that there were no statewide standards or guidelines in Massachusetts regarding the use of diversion and recommended the creation of a statewide diversion program to ensure that youth across the Commonwealth had equitable access to high quality, state-funded diversion programming.

As a result of that report, with funding allocated by the Legislature in the state budget, the [Office of the Child Advocate \(OCA\)](#) partnered with the [Department of Youth Services \(DYS\)](#) to launch the MYDP in the Fall of 2021. In year one of the program (January – December 2022), three pilot sites, collectively called the "Learning Labs", were launched in:

- Essex (with diversion services provided by [Family Services of the Merrimack Valley](#))
- Middlesex (with diversion services provided by [NFI Massachusetts](#))
- Worcester (with diversion services provided by [Family Continuity](#))

In year two (January – December 2023), the Learning Lab phase ended, with the program expanding to provide services in:

- Plymouth County (with diversion services provided by [Old Colony YMCA](#))
- Hampden County (with diversion services provided by [Gándara Center](#))

¹ For more information on year one of implementation, see the OCA's report *The Massachusetts Youth Diversion Program: Impact Report Year One of Implementation* <https://www.mass.gov/doc/o-ca-report-on-the-massachusetts-youth-diversion-program/download>

² This report does not include information on the MYDP's program model or structure, as this was covered at length in the OCA's [report on year one of implementation](#).

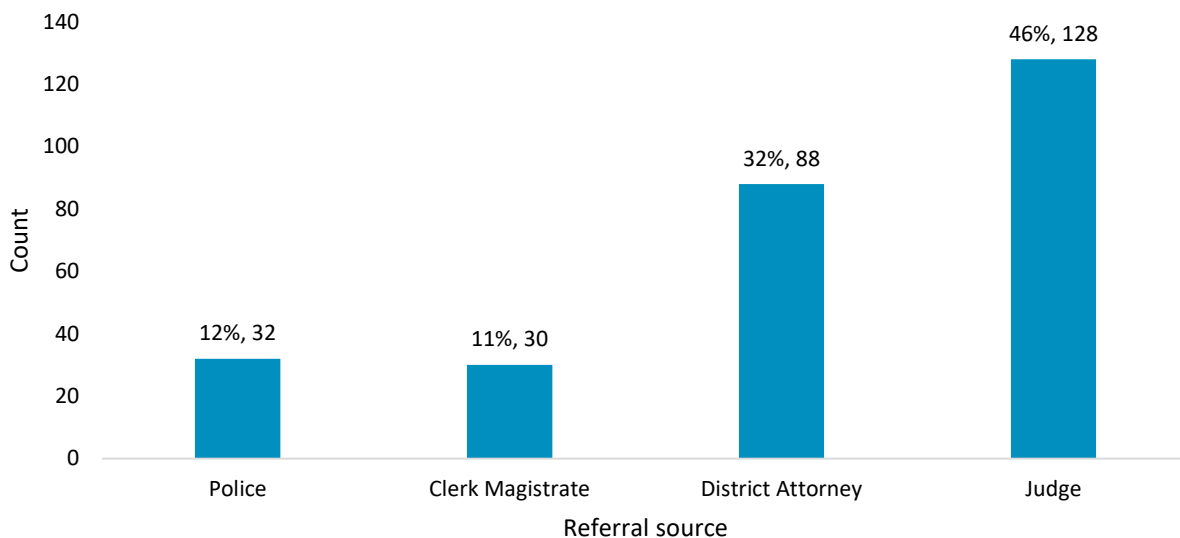
Program Data

The data presented in this memo is from Calendar Year 2023 (January 1, 2023-December 31, 2023). The data was collected monthly by the Diversion Coordinators and submitted to DYS. Data is presented by process point and includes state totals³ and comparisons to the prior calendar year (2022).⁴

Referrals

In year two of programming, 278 youth were referred to the program, representing an 119% increase from CY22 referrals and bringing the total number of program referrals to 405. Judges were responsible for a little under half of all referrals (46%, n = 128).

Figure 1:
CY23 referrals by referral source



Source: Data provided to the OCA by DYS' Department of Research

More than half (54%, n = 151) of referrals were for persons-related offenses,⁵ which aligns with trends seen in cases entering the Juvenile Court.⁶

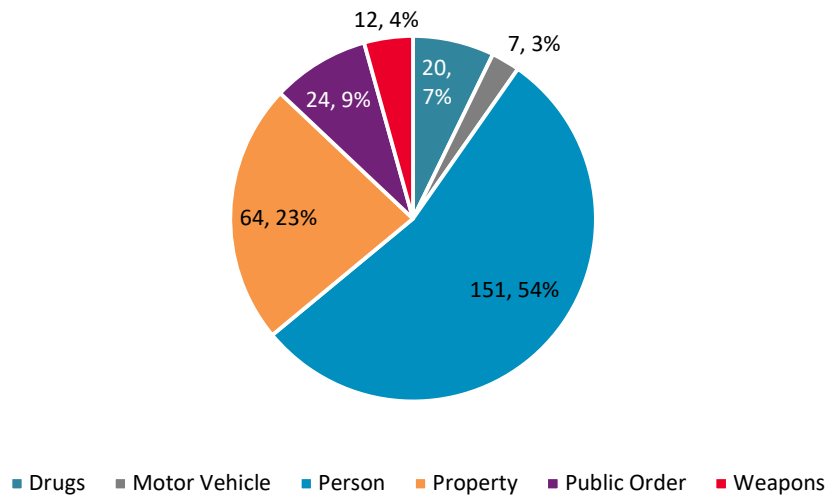
³ County sub-totals for select measures can be found in Appendix A.

⁴ Data from the program's first year of implementation (CY22) has been continuously updated as part of the program's commitment to quality data tracking. Therefore, year one totals presented in this report may be different than those reported previously.

⁵ Out of the 151 persons-related offenses, 134 were for assault and battery.

⁶ In FY23, persons related offenses represented 42% (n = 4,209) of all applications for complaint. [Massachusetts Juvenile Justice Data and Policy Board](https://www.mass.gov/doc/jipad-2023-annual-report/download). FY2023 Annual Report. <https://www.mass.gov/doc/jipad-2023-annual-report/download>

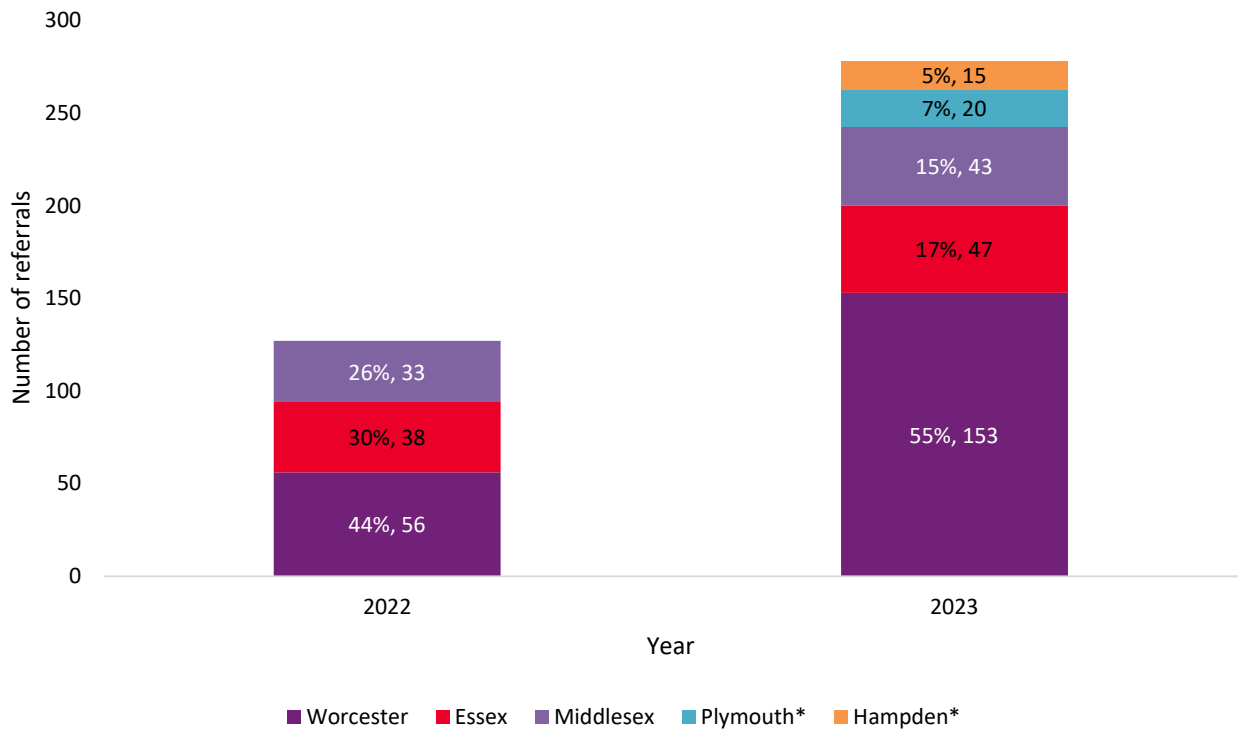
Figure 2:
Referrals by offense type (CY23)



Source: Data provided to the OCA by DYS' Department of Research

For the second year in a row, the Worcester site received the highest number of referrals, accounting for 55% (n = 153) of the state total. All three original "Learning Lab" sites saw year over year growth in referrals, however.

Figure 3:
Referrals by county (CY22-CY23)



*Plymouth and Hampden launched in 2023; Source: Data provided to the OCA by DYS' Department of Research

The large increase in overall program referrals is not only a testament to the program's success in terms of youth served, but also to the state's need for evidence-based diversion programming. After the passing of the 2018 Criminal Justice Reform Act, which created a judicial diversion option, practitioners reported that many judges stated that they experienced difficulty finding suitable local diversion services. The MYDP continues to help fill that gap.

Spotlight: Worcester County Referrals

Between CY22 and CY23 Worcester County saw an 173% increase in referrals and had an average of 36 active cases monthly, making Worcester an outlier when compared to the other program sites.

This increase in referrals can likely be attributed to:

- **Pre-existing relationships:** Family Continuity Inc, the diversion provider in Worcester County, had pre-existing relationships with several area police departments prior to the launch of diversion programming. That is likely why in year one (CY22), police began referring almost immediately after launch and represented the largest referral source (46%, n=26). Police continued to refer at a similar rate in CY23, making 25 referrals, but only accounting for 16% of total referrals.
- **Cultivating new relationships:** During CY22, MYDP staff worked to create new partnerships with potential referral sources in Worcester County by meeting with the district attorney's office and judges in the county to discuss the program model. This effort has paid off immensely – in CY22 Worcester received one referral from the district attorney and 16 from county judges. In CY23, the program received 51 referrals from the district attorney and 59 referrals from judges, accounting for a 5,000% and 269% increase respectively.

It's important to note that the juvenile justice system operates slightly differently across counties, with different relationships, processes, alternative diversion options, and even formal/informal power dynamics existing in each. These factors have a direct impact on referrals and make it difficult to compare one county's referrals numbers to another's. While Worcester County's success should be celebrated, it's important to note that there is great work being done in all MYDP counties to expand access to the program.

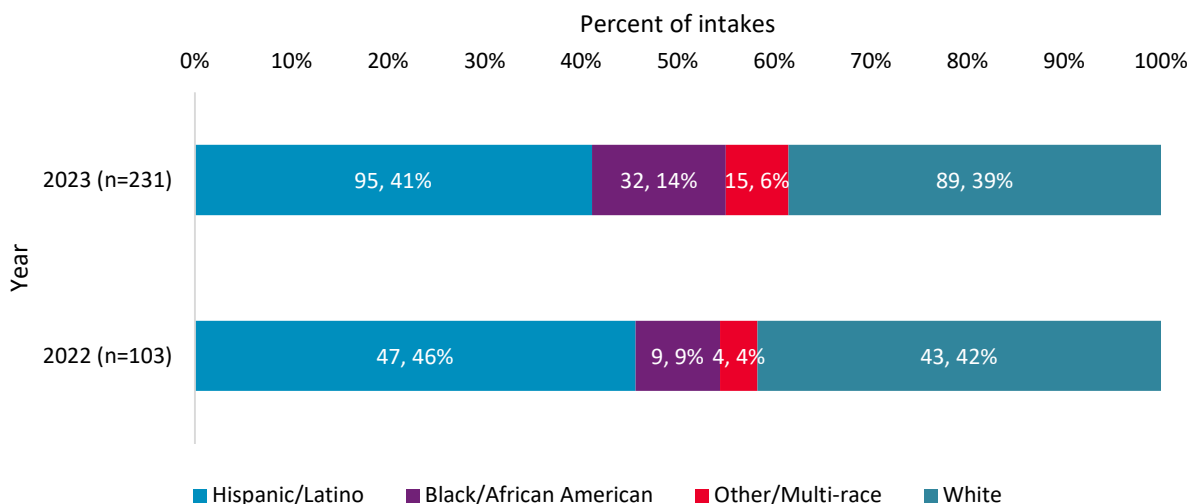
Intake, Process, and Demographic Data

239⁷ youth reached the intake stage of the diversion process in CY23.⁸ It is at this stage that demographic data is collected. Demographic data is self-identified by the referred youth; any “unknowns” have been omitted.

In CY23:

- 41% (n=95) identified as Hispanic or Latino, 39% (n=89) identified as White, 14% (n=32) identified as Black or African American, and 6% (n=15) identified as Other or Multi-racial
- 69% (n=160) identified as male, 29% (n=68) identified as female, and 2% (n=4) identified as non-binary
- 8% (n=19) identified as LGBTQ+⁹
- 23% (n=47) reported being involved with the Department of Children and Families (DCF)¹⁰
- 96% (n=205) reported English as their primary language

Figure 4:
MYDP youth intakes by race/ethnicity (CY22-CY23)



Source: Data provided to the OCA by DYS' Department of Research

⁷ This total includes 12 youth who were referred in CY22 and then reached in the intake stage in early 2023. 81% (n=227) youth referred in CY23 reached the intake stage. Of the remaining 51 referrals, 36 had agreed to participate and were in the process of scheduling their intake with the Diversion Coordinator at the time the data was pulled, and fifteen referrals did not reach a diversion agreement.

⁸ For more information on the intake process, see the “Intake, Process and Demographic” section of the OCA’s report *The Massachusetts Youth Diversion Program: Impact Report Year One of Implementation* <https://www.mass.gov/doc/o-ca-report-on-the-massachusetts-youth-diversion-program/download>

⁹ For comparison, 8% (n=12) of youth identified as LGBTQ+ at intake in 2022.

¹⁰ At time of intake. For comparison, 24% (n=30) of youth identified as having DCF involvement in 2022.

Compared to CY22, both Black and other/multiracial youth represented a larger percent of total youth intakes.¹¹ This is reassuring, as staff have been making intentional efforts to ensure that all youth in each county, particularly youth of color, have access to the MYDP, and that diversion programming does not worsen disparities. While there are limitations to the demographic data, including the relatively small sample size, this trend represents a small step towards the MYDP's goal of reducing disparities in the juvenile justice system.

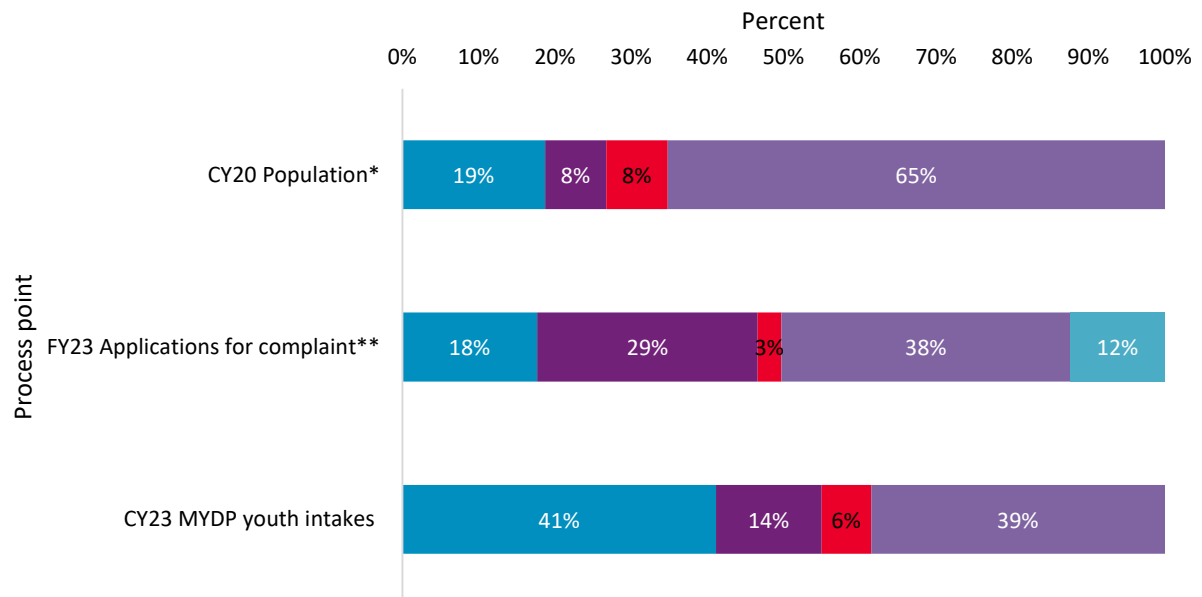
In FY23, Black and Latino youth remained overrepresented at each process point in the juvenile justice system.¹² Figure 5 compares the race/ethnicity of Learning Lab participants in FY23 to that of youth who were the subject of an application for complaint during the same year in those counties as well as to the general youth (12-17 years old) population in those counties. This comparison demonstrates that:

- **Black youth make up a significantly smaller percentage (14%) of MYDP intakes when compared to applications for complaint (29%), yet still a larger percentage than of the general population (8%).** This indicates that additional work is needed to ensure that Black youth in the counties served have equitable access to the diversion program. Additionally, it highlights the overrepresentation of Black youth in the traditional juvenile court system in MYDP counties, highlighting the need for diversion as a tool to reduce these disparities.

¹¹ Further comparisons of demographic data between CY22 and CY23 can be found in Appendix A.

¹² For more information on the racial and ethnic disparities documented in the Massachusetts juvenile justice system, see the "Specific Cohorts of Youth" section of the JJPAD's FY23 Annual Report <https://www.mass.gov/doc/jjpac-2023-annual-report/download>

Figure 5:
Race/ethnicity across process points



	CY23 MYDP youth intakes	FY23 Applications for complaint**	CY20 Population*
Hispanic/Latino	95	1,032	56,860
Black/African American	32	1,691	24,408
Other/Multi-race	15	181	24,553
White	89	2,217	198,114
Not known/Not reported	0	722	0

■ Hispanic/Latino
 ■ Black/African American
 ■ Other/Multi-race
 ■ White
 ■ Not known/Not reported

*Population data includes only youth 12-17 in MYDP counties

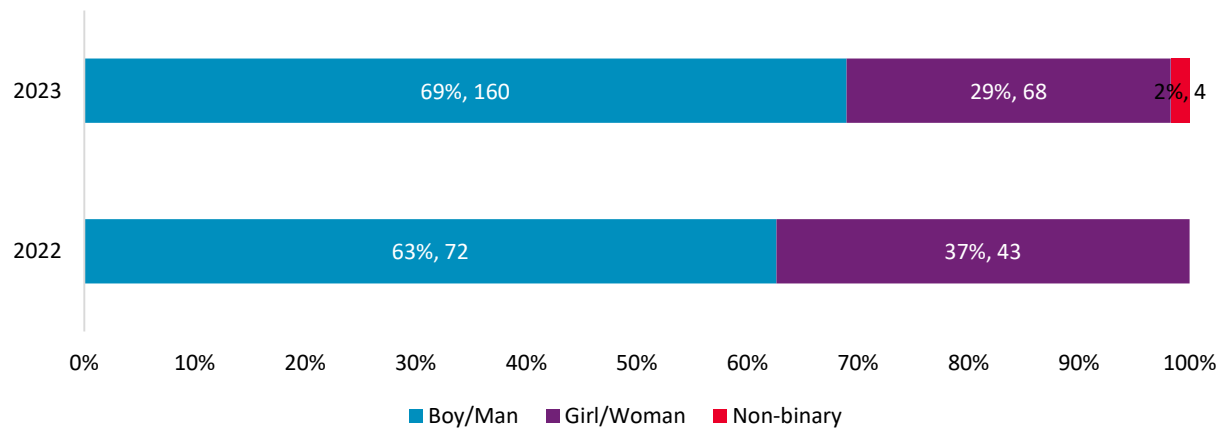
** Application for complaint data is for youth in MYPD counties

Source: MYDP data provided to the OCA by DYS' Department of Research, application for complaint data retrieved on 10/31/2023 from the Massachusetts Trial Court's Tableau Public page here:

<https://public.tableau.com/app/profile/drap4687/viz/DemographicsofSelectedJuvenileMatters/JuvenileMattersbyRaceEthn> , Massachusetts youth population data retrieved from EZAPOP here:

https://www.ojdp.gov/ojstatbb/ezapop/asp/profile_selection.asp

Figure 6:
MYDP youth intakes by gender identity (CY22-CY23)



Source: Data provided to the OCA by DYS' Department of Research

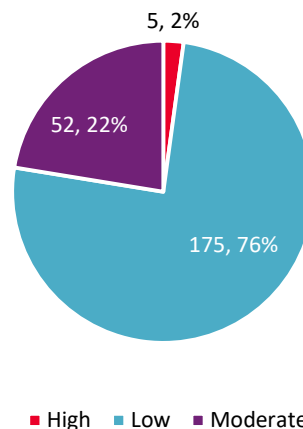
Compared to CY22, girls made up a smaller percent of total intakes.

Risk/Need and Behavioral Health Needs of Participants

During the intake process, Diversion Coordinators administer two screening instruments to inform the diversion agreement:¹³

- YLS/CMI:SV: an actuarial tool designed to provide an estimate of the level of risk for future antisocial behaviors, as well as an indication of areas of need for intervention to reduce that risk in youth alleged of committing a delinquent offense.
- MAYSI-2: a behavioral health screening tool that assists diversion staff in identifying youths' current behavioral health symptoms.

Figure 7:
CY23 risk/need level



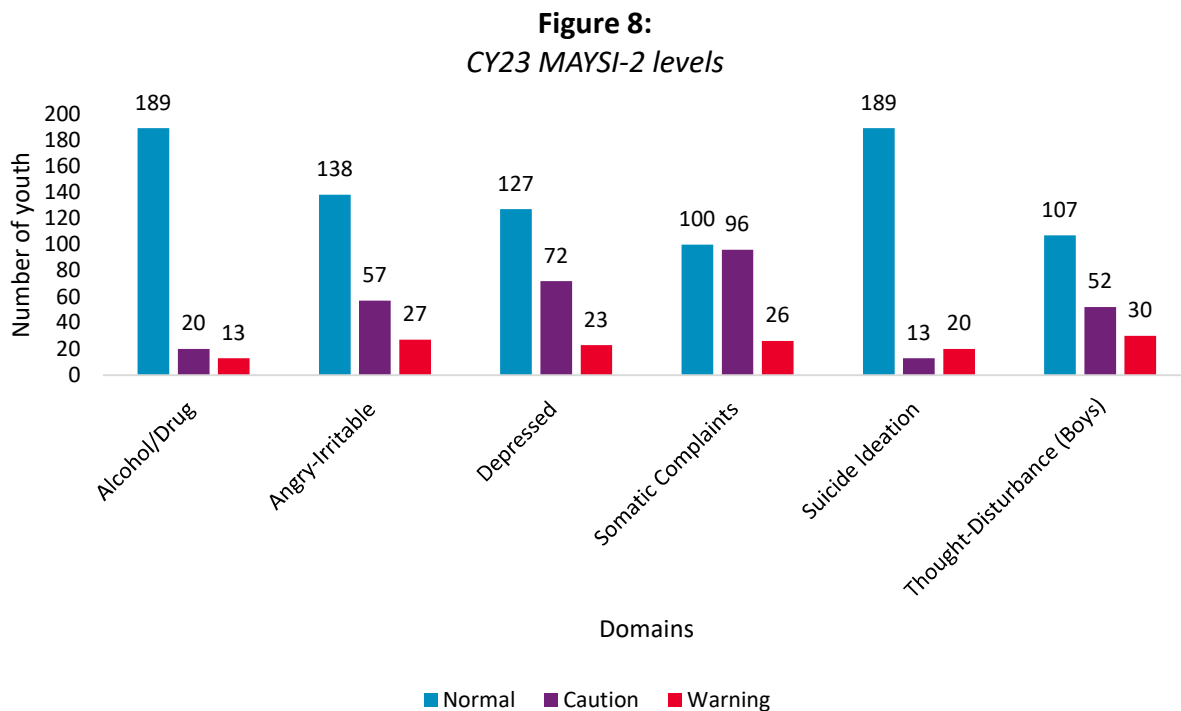
Source: Data provided to the OCA by DYS' Department of Research

¹³ More information on the intake process and diversion agreement can be found in the "Risk / Need Assessment" and "Behavioral Health Screening" sections of the OCA's report *The Massachusetts Youth Diversion Program: Impact Report Year One of Implementation* <https://www.mass.gov/doc/oca-report-on-the-massachusetts-youth-diversion-program/download>

Of the youth screened with the YLS/CMI:SV (n=232)¹⁴, the majority were reported as being at a “low” (76%, n=175) risk of future reoffending. This represents an increase from CY22, where 64% (n=71) were reported as being at a “low” risk.

222 MAYSI-2s were conducted. Based on results, Diversion Coordinators recommended:

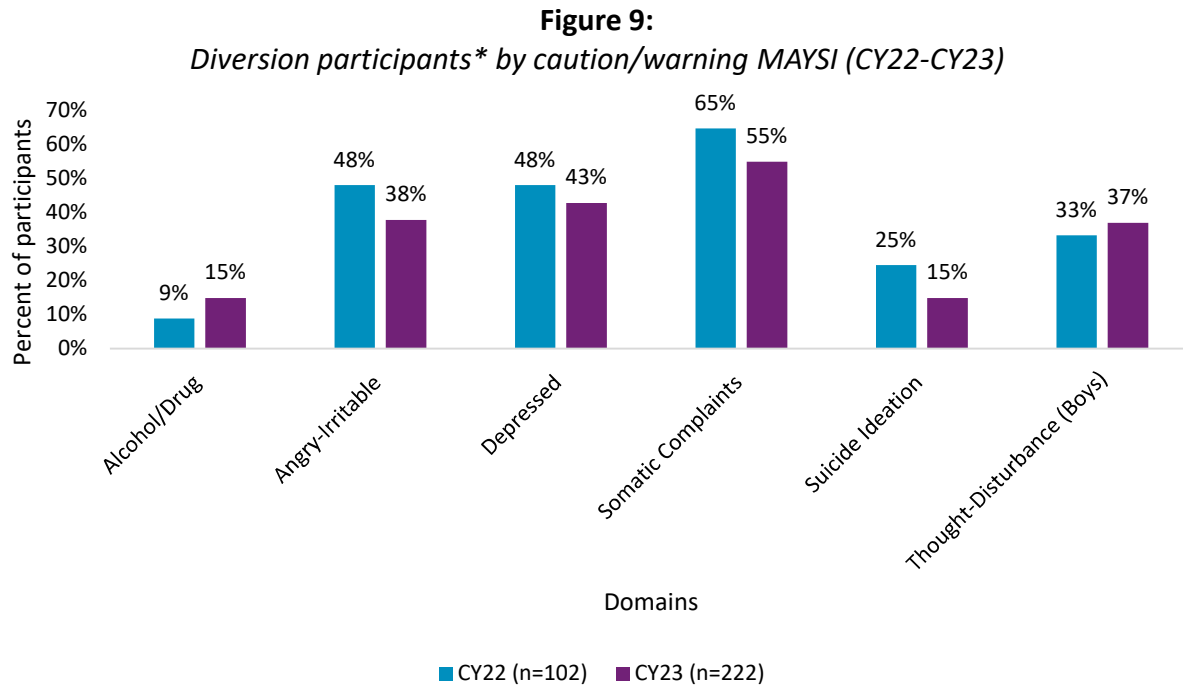
- 58 youth for a mental health evaluation and treatment;
- 33 youth for a substance use evaluation and treatment; and
- 64 youth for cognitive behavioral therapy (CBT).



Source: Data provided to the OCA by DYS' Department of Research

Compared to CY22, a higher percent of participants scored “caution” or “warning” in the thought disturbance and alcohol/drug domains.

¹⁴ At the end of CY23, there were 7 participants at the intake stage were in the process of scheduling their YLS screener.



*Participants captured include only those who had completed a MAYSI screening at time of data collection.

Source: Data provided to the OCA by DYS' Department of Research

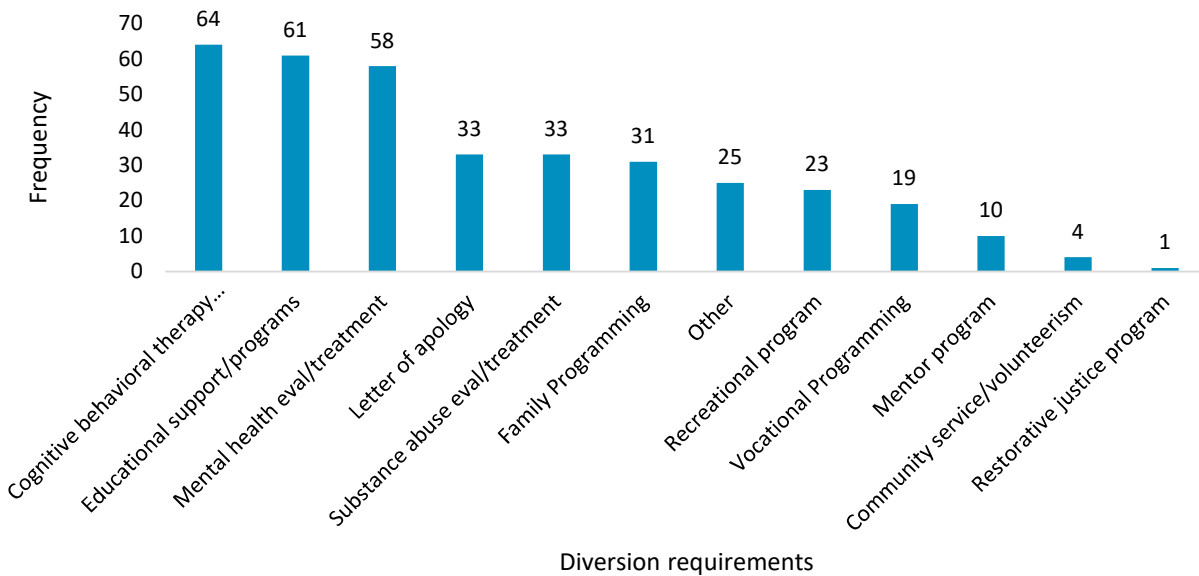
Diversion Case “Starts” and Diversion Requirements

Once a youth and their family agree to accept the diversion agreement, the diversion process officially begins. In CY23, there were 229 case “starts,” a 151% increase (n=91) from CY22.

Diversion agreements include general program rules and information about the youth and their case plan as well as the actions required to complete the diversion program, referred to as “diversion requirements.”

Diversion requirements are often a mix of addressing any behavioral health or educational needs, introducing youth to more prosocial activities, and/or helping youth take responsibility for their actions. In CY23, the three diversion requirements assigned most frequently were cognitive behavior therapy, educational supports/programs, and mental health evaluation and treatment. In CY22, mental health evaluations and educational supports/programs were the top two diversion requirements, with vocational programming the third most assigned. Cognitive behavioral therapy replacing vocational programming could be an indication that in CY23, the program saw an increase in referred youth with untreated behavioral health needs. This shift could also have been informed by a higher percentage of participants scoring “caution” or “warning” in the thought disturbance and alcohol/drug domains of the MAYSI screener (Figure 9).

Figure 10:
CY23 diversion requirements



Source: Data provided to the OCA by DYS' Department of Research

Spotlight: Diversion Requirements

Diversion agreements are designed to include actions required to complete the diversion program, referred to as “diversion requirements.” The diversion requirements help youth address any underlying needs identified in the intake process, while still holding youth accountable for their actions. To set each youth up for success, Diversion Coordinators take an individualized approach when matching youth to diversion requirements.

For example, one youth was referred with the recommendation that they complete 30 hours of community service. The intake assessments determined that the youth was “low” risk but currently struggling with their academics. Based on these results, the Diversion Coordinator felt matching the youth with educational supports would better address their underlying needs. The Diversion Coordinator shared the results of the assessments with the referrer, who agreed with the results and her recommendation.

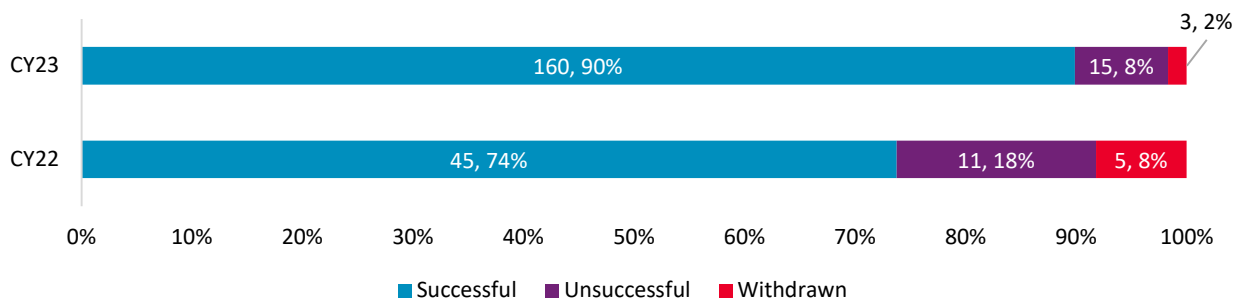
The Diversion Coordinator assisted the youth in applying for an academic mentoring program. The youth was accepted into the program and is currently meeting once a week with a mentor, while also receiving additional academic tutoring. It is clear based on the youth’s improved academic performance that this diversion requirement was successful in addressing the youth’s underlying need, rather than just acting as a “checked box.” The youth is currently on track to complete both the mentoring and diversion program successfully in the coming months!

Case Closures

In CY23, 178¹⁵ diversion cases closed:

- **160 (90%) were closed successfully, which mean:**
 - the youth made meaningful progress, as determined by the Diversion Coordinator, on/completed their diversion requirements, and
 - the youth avoided other unlawful activities.¹⁶
- **15 (8%) were closed unsuccessfully.** Reasons for an unsuccessful case closure can include:
 - the youth was arrested or charged with a new offense and the original referrer withdrew their referral;
 - the youth did not make meaningful progress on their diversion requirements;¹⁷ or
 - the youth/family stopped participating in program.
- **3 (2%) were withdrawn.** Cases are withdrawn (after a diversion agreement was reached) when:
 - the youth wishes to continue with traditional court process;
 - the referrer withdraws a case from the diversion process; or
 - the court dismisses the underlying case.

Figure 11:
Cases closures by status (CY22-CY23)



Source: Data provided to the OCA by DYS' Department of Research

¹⁵ In total, there were 193 referrals closed. However, fifteen of those referrals **did not reach a diversion agreement**, and therefore the referred case never opened as a diversion case. There were a number of reasons a case did not reach the diversion agreement stage, including the youth wishing to continue with the traditional court process, the referrer withdrawing the case prior to the diversion agreement stage, or the Diversion Coordinator being unable to contact the youth/family after multiple attempts through a variety of mediums to the extent possible (e.g. phone, email, letter to home).

¹⁶ If youth are re-arrested during their diversion participation, coordinators must alert the original referrer of the new arrest. Coordinators will also provide a recommendation to the original referrer on whether they recommend continued diversion participation for the original offense, or if diversion participation should be terminated. Referrers may recommend continuing with diversion or withdraw the case. If they continue, youth can still complete the diversion program successfully.

¹⁷ Coordinators make significant efforts to help youth make progress on their diversion requirements, which may include revising the requirements as needed. A case is only closed unsuccessfully after a youth has been given time, support, and encouragement but is still not actively engaging in services.

Compared to CY22, successful cases accounted for a larger percentage of closed cases.

Graduates from the program have reported a positive experience. Eighty-nine¹⁸ youth responded to a post program survey, in which:

- 93% (n=67) of youth reported feeling supported by the Diversion Coordinator throughout the process.
- 83% (n=57) of youth agreed that after completing the program, they felt they could stay out of trouble.
- 81% (n=58) noted that the program helped them reflect on any harm they may have caused.

Spotlight: Youth Survey Responses

Diversion is a program where they talk to you [about] how you can become better than yourself before, to help you grow from your mistakes.

[The diversion program helps] to get me on the right path and reflect on my actions.

Diversion is an opportunity to showcase who you really are and not let the mistakes define you.

Diversion is like a program where you can learn from your wrongdoings and they help you with so many other things such as finding jobs, mental awareness, just life in general.

Conclusion

In year two of programing, the MYDP was successful in expanding its reach by increasing referrals in the original three counties, launching two new sites covering two additional counties, and adding an additional Diversion Coordinator in Worcester County to meet growing demand. While this should be celebrated, there is still more work to be done to ensure that youth across the Commonwealth have access to equitable, evidence-based diversion programming.

¹⁸ Not all survey respondents responded to all 11 survey questions. All unknowns have been omitted from analysis.

Access to diversion programming is needed now more than ever. In its FY23 report, the JJPAD found that while there was an increase in use of the juvenile justice system compared to FY22, that increase was driven largely by cases involving youth alleged to have committed less-serious offenses. Further, the JJPAD also found that youth held at DYS had higher rates of behavioral health needs, educational challenges, trauma, and that there was a higher percentage who had concurrent child welfare involvement.

This increase in use of the juvenile justice system can have negative effects on youth and long-term public safety, as research shows that contact with the juvenile justice system can be harmful in and of itself.¹⁹ One of the JJPAD's continued recommendations is to identify more youth who can be diverted from the juvenile justice system – and in its most recent Annual Report, the JJPAD called for the state to act before the gains seen from the passing of the Criminal Justice Reform Act are lost.

The MYDP is poised to meet this need. The program is currently staffed with highly-skilled Diversion Coordinators who are trained to work with this specific population. The program successfully connects youth with underlying behavioral health needs to community-based programming every day. To date, 207 youth have engaged in services and completed the program successfully, with over 100 more currently on track to complete the program in the coming months.

What's more, the JJPAD has reported that racial and ethnic disparities (RED) are worsening in the Commonwealth, especially at the initial stages of juvenile justice system involvement.

Diverting more Black or African American and Latino youth could begin to reverse these disparities.

The program continues to mature and grow. In 2024, the program will expand to cover the Cape & Islands and Bristol County, bringing the MYDP to seven counties – just four away from being statewide. MYDP staff continue to integrate lessons learned from the first two years to strengthen the program and produce the best outcomes possible for referred youth.

Additionally, the OCA has partnered with ForHealth Consulting at UMass Chan Medical School to conduct an extensive evaluation of the program. This forthcoming evaluation will act as a more comprehensive review of the program and its impact.

¹⁹ Cauffman, E., et. al. (2020). Crossroads in Juvenile Justice: The Impact of Initial Processing Decision on Youth Five Years after First Arrest. Development and Psychopathology. <https://faculty.lsu.edu/pfricklab/pdfs/juvenilejustice-pdfs/dpcauffmanetalmaincrossroadsweb.pdf>

Appendix A: County Level Breakdowns

Table 1: CY23 Data by County					
	Essex	Hampden	Middlesex	Plymouth	Worcester
Referrals by referral source					
Police	0	2	1	4	25
Clerk Magistrate	0	0	12	0	18
District Attorney	3	12	9	13	51
Judge	44	1	3	3	59
Total	47	15	25	20	153
Referrals by offense type					
Drugs	3	0	4	3	10
Motor Vehicle	0	0	0	0	7
Person	28	12	29	11	71
Property	10	2	6	3	43
Public Order	5	1	2	3	13
Weapons	1	0	2	0	9
Participants by race/ethnicity^					
Black/African American	6	6	6	4	11
Hispanic/Latino	29	7	16	3	40
White	5	1	12	5	66
Other/Multiracial	2	0	6	1	6
Participants by gender identity^					
Boy/Man	26	5	25	12	92
Girl/Woman	15	8	14	1	30
Non-binary	0	1	1	0	2
Participants by "risk / need" level					
Low	21	9	32	7	106
Moderate	15	6	8	6	17
High	3	0	0	1	1
Case closures by status					
Successful	32	2	26	3	97
Unsuccessful	1	0	7	2	5
Withdrawn	2	1	0	0	0
^demographic data is self-reported by the youth at the intake stage; any "unknowns" have been omitted.					

Table 2: CY22 Data by County			
	Essex	Middlesex	Worcester
Referrals by referral source			
Police	3	3	26
Clerk Magistrate	0	3	13
District Attorney	0	15	1
Judge	35	12	16
Total	38	33	56
Referrals by offense type			
Drugs	2	1	
Motor Vehicle	1	1	2
Person	30	21	20
Property	3	4	18
Public Order	2	3	14
Weapons	0	3	0
Participants by race/ethnicity^			
Black/African American	2	7	4
Hispanic/Latino	23	13	11
White	8	14	33
Other/ Multiracial	2	2	1
Participants by gender identity^			
Boy/Man	13	25	27
Girl/Woman	20	3	15
Non-binary	0	0	0
Participants by "risk / need" level			
Low	16	13	30
Moderate	13	9	9
High	2	8	2
Case closures by status			
Successful	18	11	16
Unsuccessful	3	7	1
Withdrawn	1	3	1
^demographic data is self-reported by the youth at the intake stage; any "unknowns" have been omitted.			

Commonwealth of Massachusetts

Office of the Child Advocate



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