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REVIEW OF OPERATION DE NOVO'S ADULT DIVERSION PROGRAM

CLIENTS WHO ENTERED PROGRAM IN 2001

**Presented by
The Council on Crime and Justice
October 2003**

REVIEW OF OPERATION DE NOVO'S ADULT DIVERSION PROGRAM: CLIENTS WHO ENTERED PROGRAM IN 2001

I. INTRODUCTION

In August 1999, the Hennepin County Attorney's Office requested that the Council on Crime and Justice (the Council) conduct a review of Operation De Novo's Adult Diversion Program (the Adult Diversion Program or the Program). The Council completed the evaluation, providing information on client type and client outcomes as well as suggestions for program improvements. In response to significant programmatic changes, in February 2001, the Hennepin County Attorney's Office again contracted with the Council to evaluate Operation De Novo's Adult Diversion Program. This is the second of the two reports to be provided. The purpose of this report is to provide information on the clients who began the Program in 2001 and their outcomes in 2002. The information presented in this report will be compared to the baseline created in the previous report on clients who terminated in 2001 (most of whom began the Program in 2000). Please note, this report does not evaluate the financial or managerial aspects of the Program, just the programmatic features.

Operation De Novo

Through its adult and juvenile diversion programs, Operation De Novo provides alternatives to the justice system while holding people responsible for their actions. This is accomplished by:

- Providing assessment, screening, counseling, support, and referral services,
- Cooperating and coordinating with the justice system, and
- Working with the community to help individuals achieve their goals.

Operation De Novo was developed in 1971 to provide pre-trial diversion services to local courts in Hennepin County. It was originally sponsored by the Urban Coalition of Minneapolis and was known as the Hennepin County Pre-Trial Diversion Project. Since its inception, the Program has operated with various funding sources including the Department of Labor, Hennepin County and local foundations. In 1974, the Program was incorporated as a private, non-profit agency. From 1975 to 1999, the Program's primary source of funding was through a purchase of service contract with the Hennepin County Community Corrections Department. In 1999, the purchase of service contract switched to the Hennepin County Attorney's Office.

Operation De Novo's Adult Diversion Program

Operation De Novo's Adult Diversion Program was developed to provide direct client services to adults diverted from Hennepin County District Court and its municipalities. The criteria for diversion are met when a client:

- Is charged with a property offense,
- Has prosecutorial approval,
- Has no prior felony convictions, and
- Is 18 years of age or older.

In the first year of its existence, the Program served only clients charged with misdemeanor offenses. In 1972, the intake criteria were expanded to accept people charged with felony offenses. In 2001, over 90 percent of the adult clients who entered Operation De Novo were charged with felonies.

Adults enter the Program through a referral by the County Attorney's Office or, occasionally, the City Attorney. A group intake is then conducted to assess the appropriateness of the referral. The intake process may include a restitution investigation, if warranted. When clients are found suitable for diversion and accepted into the Program, a Counselor is assigned to work with them throughout their time in the Program.

Typical conditions of diversion for a client include:

- Agreeing to voluntarily join the program,
- Waiving the right to a speedy trial upon legal advice,
- Meeting with the program counselor at agreed upon times,
- Paying restitution when applicable,
- Following chemical dependency requirements when indicated, and
- Following mental health requirements when indicated.

The Adult Diversion Program provides direct client services in the area of case management, group and individual counseling, chemical assessment, collection of restitution and community referrals. When clients have successfully completed the Program, a recommendation is made to the County Attorney's Office for a dismissal of the pending charge. Failure to complete the Program will result in the case being charged by the court system.

As mentioned, the Adult Diversion Program underwent significant programmatic changes in 2001. The four most significant changes involve instituting fees, implementing a community service component, adding four educational classes, and changing the way restitution payments are handled. First, clients who can afford to do so now pay a fee for the Adult Diversion Program's services (previously the Program was free to clients). The amount of the fee depends on the level of the admitting offense. A felony results in a fee of \$150. A gross misdemeanor results in a fee of \$100. A misdemeanor results in a fee of \$50. When clients demonstrate an inability to pay the fee, alternative arrangements are made.

Second, clients now participate in a sentence to service program (previously there was no such program). Clients are now sentenced to two or five days of community work service depending on whether or not they have a restitution obligation. Clients with restitution obligations serve two days; those without serve five.

Third, all clients now attend four group education sessions. The first session is focused on the consequences of crime. The second session is designed to help the client better understand the causes and consequences of their own criminal behavior. The third session teaches clients the impact of crime on their victims. The fourth session focuses on restitution, financial planning, and crime prevention planning.

Fourth, restitution is no longer paid directly by the client to the victim. The client now pays restitution to Operation De Novo. Operation De Novo, in turn, deposits the money in a bank account designated solely for restitution-related transactions and then cuts a check to the victim.

Other programmatic changes were also made. Operation De Novo now makes more referrals to outside agencies for additional services for its clients. Finally, clients now need to sign an affidavit admitting their guilt before entering the Adult Diversion Program.

II. EVALUATION DESIGN

Evaluation Period

The current contract between Hennepin County and the Council is for evaluation of services provided to clients who entered the Program in the calendar year 2001. It is during this year that the significant programmatic changes discussed earlier were implemented and new data elements were captured. These data, in particular outcome data on recidivism, were not available until June 2003 when 2001 clients had completed the 12-month Program and an appropriate follow-up period had lapsed.

The Hennepin County Attorney’s Office requested an initial evaluation report in September 2001. The Council and Operation De Novo, therefore, developed a design to accommodate the need for an evaluation in 2001 as well as for this analysis to evaluate outcomes associated with the programmatic changes implemented in 2001. (The September 2001 evaluation report is available at www.crimeandjustice.org).

Evaluation Content and Timeline

The following table summarizes the evaluation design for Operation De Novo’s Adult Diversion Program. This design allowed for a retrospective examination of clients who completed the Program in the two years previous to the first report (completion dates between 6/99 and 6/01). This design also allowed for a prospective analysis of clients who entered the Program in 2001 (the subject of this report). In Table 1, the major categories of outcome measures are identified along with the client group for which these data will be available. Finally, the dates of availability for these data are specified.

Table 1. Adult Diversion Program Evaluation Design

Outcomes	Cohort	Available
Terminations	a. Clients completing 6/99-6/01 b. Clients entering program in 2001	a. September 2001 b. December 2002
Restitution	a. Clients completing 6/99-6/01 b. Clients entering program in 2001	a. September 2001 b. December 2002
Referrals	a. Clients completing 6/99-6/01 (number and type only) b. Clients entering program in 2001 (number, type, and follow-through)	a. September 2001 b. December 2002
Client Information	a. Clients completing 6/99-6/01	a. September 2001

	b. Clients entering program in 2001	b. December 2002
Recidivism	Clients entering program in 2001	6-month data: June 2003
Fees	Clients entering program in 2001	December 2002

A. Client Termination

Operation De Novo currently collects data on client termination. Termination status is recorded as completed or non-completed. Reason for non-completion is also recorded. These reasons are grouped into four categories: 1) technical violation, which includes absconding or other violation of restitution or contract, 2) re-arrest, 3) withdrawn by the court, and 4) self-termination.

B. Restitution

Operation De Novo has collected information on restitution in the past and will continue to do so. Data include number and percent of clients with restitution obligations, range of the amount of restitution owed, and the amount collected. These data are used to calculate the rate of restitution collection (overall and for client sub-groups) and the total amount of restitution collected.

C. Referrals

Data on the type and number of referrals to additional services has been collected. In addition, information is now available on client follow through.

D. Client Information

Operation De Novo has collected several categories of client information in the past and will continue to do so. Data elements include: number of clients served, race, gender, age at intake, education at intake, employment status at intake, admitting offense and level, and prior adult criminal record.

E. Fees

Operation De Novo has collected information on the amount of fees assessed and the amount paid.

III. RESULTS

Program Clients

In 2001, 552 clients entered Operation De Novo’s Adult Diversion Program. Information was collected on clients’ gender, race, age, education, and employment status. Clients were almost evenly split between men and women (51.8% were male and 48.2% were female). Clients were predominantly Caucasian (45.1%) and African American (36.1%). American Indians made up only .9% of clients, Latinos were 4.7%, and Asians were 7.4% of clients. Taking into consideration race and gender, the largest client group was Caucasian men. The second largest client group was African American women followed by Caucasian women and then African American men.

The average age of clients was 29 years old. Ages ranged from 18 to 61 years old. Eighty percent of clients were between the ages of 18 and 36 years old.

While the majority of clients had completed high school, over a quarter (29.2%) of clients had not. Over one-third (40.2%) of clients had at least some post-secondary education. The highest grade completed, on average, was 12th grade. Under half (45.9%) of clients were employed at least part time. A little under one-third (33.0%) of clients were employed full time. Over half of clients (54.1%) were unemployed.

Information also was collected regarding the type and level of clients' admitting offenses as well as clients' previous records. For over half (52.2%) of the clients, the admitting offense was theft. Check forgery was the next most frequent admitting offense (14.9%). A little over 10% of clients' admitting offense was government fraud. For 90.5 percent of clients, the admitting offense was a felony. Fifteen percent of clients had a previous adult record; no one had a previous felony conviction. Two percent of clients reported a previous juvenile record.

Demographics of clients who entered the Program in 2001 are very similar to the baseline data¹. No significant differences were found.

Length of Time in Program

Clients who are referred to the Adult Diversion Program are admitted into the Program after an intake process. The median length of time between referral and intake is 21 days. Ninety percent of clients complete the intake process within 34 days of their referral to the Program.

For clients who successfully completed the Program, the median length of time in the Program was 364 days with 73% of clients completing within one year. This is a decrease from the previous year when 80% of clients completed in one year.

For clients who terminated the Program unsuccessfully, the median length of time in the Program was 349 days. This is significantly longer than time spent in the Program by those who unsuccessfully terminated in the previous year (266 days). Slightly over 80% of clients who terminated did so after at least six months in the Program (up from 72.5% in the previous year).

Program Fees

As mentioned, clients are now required to pay a fee for participating in the Adult Diversion Program. The amount of the fee depends on the level of the admitting offense. A felony results in a fee of \$150. A gross misdemeanor results in a fee of \$100. A misdemeanor results in a fee of \$50. When clients demonstrate an inability to pay the fee, alternative arrangements are made.

Of clients who entered the program in 2001, 1.9 percent were charged a fee of \$50, 6.7 percent were charged a fee of \$100, and 85.7 percent were charged a fee of \$150. Approximately, 5 percent of clients were not charged any fee presumably because of inability to pay.

Of clients who owed fees, 81.8 percent of clients paid their entire fee. Ninety percent paid at least part of what they owed. The average amount paid was 86 percent.

¹ Baseline clients are those who terminated the Program in 2001.

Referrals to Outside Services

Operation De Novo offers several in-house services including individual and group counseling. The Program also refers to outside programs. In 2001, the Program set as a goal to increase the number of outside referrals it provides. Slightly less than one quarter (24.9%) of clients who entered in 2001 were referred to employment counseling (as mentioned, over half of clients were unemployed)². This is lower than the 29.9% of clients in the baseline who received employment referrals. Of current clients who received an employment referral, 95.1% entered employment counseling and had either completed it (68.5%) or were still in counseling (26.6%) at the time of data collection.

Only 9.2 percent of clients were referred for assistance in obtaining their GED although 29% had not completed high school. While, this number appears low, it is significantly higher than the 4% of referrals made to baseline clients (who had an equal high school completion rate). Of current clients who received a GED referral, 86.8% entered a GED program and had either completed it (22.6%) or were still in the program (60.0%) at the time of data collection.

Only 4.9% of clients who entered in 2001 received a referral for chemical dependency assistance. This is higher than the 2% of baseline clients who received such a referral. Of current clients who received a chemical dependency referral, 89.3% entered counseling and had either completed it (42.9%) or were still in counseling (46.4%) at the time of data collection.

In total, 18.3 percent of clients received a referral to financial counseling. Baseline information is not available. Of current clients who received a financial counseling referral, 92.3% entered counseling and had either completed it (77.1%) or were still in counseling (15.2%) at the time of data collection.

Program Completion

Of clients entering in 2001, 442 clients, or 80.1 percent of clients successfully completed the Adult Diversion Program. This is a slightly higher completion rate than for the baseline group (77.9%). The percent of sub-groups of clients to successfully complete the Adult Diversion Program are presented in Table 2.

² Not all referrals made were recorded during this timeframe so percentages may under-represent actual number of referrals made.

Table 2. Successful Completion of Program by Client Sub-Group

Client Sub-Group	Number who Successfully Completed Program	Percent who Successfully Completed Program
Gender		
Men	226	79.0
Women	216	81.2
Race		
Caucasian	214	85.9
African American	143	71.9
Native American	4	80.0
Hispanic	19	73.1
Asian	35	85.4
Other	27	84.4
Race by Gender		
Caucasian Women	88	84.6
African American Women	88	77.2
Caucasian Men	149	86.9
African American Men	55	64.7
Education		
Completed High School	323	82.6
Did Not Complete High School	119	73.9
Employment		
Employed (at least part-time)	213	84.2
Unemployed	229	76.6
Charge		
Theft	231	80.2
Check Forgery	40	80.0
Financial Transaction Card Fraud	61	74.4
Damage to Property	36	92.3
Receiving Stolen Goods	15	88.2
Government Fraud	53	81.5
Previous Record		
Previous Adult Record	56	65.9
No Previous Adult Record	386	84.6
Restitution Amount Ordered		
More than \$3,000	58	65.9
\$3,000 or less	384	82.7

In examining Table 2, one important question is whether members of certain sub-groups were more likely to successfully complete the Program than members of other sub-groups. Data analysis found the following:

- Women and men were not significantly different in their likelihood to successfully complete the Program. This differs from the previous year when women were significantly more likely than men to successfully complete the Program.

- Caucasians and Asians were significantly more likely than African Americans to successfully complete the Program. Other racial groups were too small to make meaningful comparisons.
- African American men were significantly less likely than Caucasian women, African American women, and Caucasian men to successfully complete the Program. Caucasian men had a significantly higher rate of completion (86.9%) than the baseline (79.2%). Caucasian women had a slightly lower completion rate (84.6%) than the baseline (88.9%). Rates of completion for the other racial groups held no significant difference between this group and the baseline.
- Clients who completed high school were significantly more likely to successfully complete the Program than clients who did not complete high school.
- Clients who were employed at least part time were significantly more likely to successfully complete the Program than clients who were unemployed.
- Clients whose admitting offense was damage to property were significantly more likely to successfully complete the Program than clients with other charges.
- Clients without a previous adult record were significantly more likely to successfully complete the Program than clients with a previous adult record.
- Clients who had \$3,000 or less in restitution obligations were significantly more likely to successfully complete the Program than clients who had more than \$3,000 in restitution obligations.

Unfortunately, not all clients successfully completed the Program. Of those who did not complete the Program

- 50% were terminated due to a technical violation
- 26.4% did not have the reason for termination recorded
- 20.9% were re-arrested
- 1.8% were self-terminated
- 0.9% were withdrawn by the court

Restitution Ordered

The total amount of restitution ordered of clients who entered the Adult Diversion Program in 2001 was \$700,479.19. The amount of restitution ordered ranged from \$32.00 to \$9,850.00. The average amount of restitution ordered was \$1,913. The median amount of restitution ordered was \$1,115, significantly more than the \$365 median of the previous year.

Restitution collected differed significantly between clients whose admitting offense was government fraud and clients whose admitting offense was not government fraud and between clients who successfully completed the Program and clients who terminated unsuccessfully.

- Clients whose admitting offense was government fraud had restitution obligations, in total, of \$275,070. The average amount ordered was \$4,231. The median amount ordered was \$3,926. The average and median amounts are decreases from the baseline, where the average amount was \$5,094 and the median amount was \$4,837. Clients whose admitting offense was not government fraud had restitution obligations, in total, of \$425,409. The average amount ordered was \$869. The median amount ordered

was \$400. This is a major change from the baseline, when the average amount ordered was \$1,374 and the median amount ordered was \$197.47.

- Clients who successfully completed the Program were ordered to pay, in total, \$480,815. The average amount ordered was \$1,087. The median amount ordered was \$410. This is a slight decrease in average amount from the baseline (\$2,192) and a slight increase in the median amount from the baseline (\$314.50).
- Clients who unsuccessfully terminated the Program were ordered to pay, in total, \$219,664. The average amount ordered was \$1,996. The median amount ordered was \$1,191. The median amount ordered increased from the baseline (\$533).

Two-thirds of clients who entered the Adult Diversion Program in 2001 had a restitution obligation. The percent of client sub-groups that entered the Program with a restitution obligation can be found in Table 3.

Table 3. Percent who Entered with a Restitution Obligation by Client Sub-Group

Client Sub-Group	Number Ordered to Pay Restitution	Percent Ordered to Pay Restitution
Gender		
Men	193	67.5
Women	173	60.0
Race		
Caucasian	168	67.5
African American	131	65.8
Race by Gender		
Caucasian Women	69	63.5
African American Women	72	49.7
Caucasian Men	99	86.8
African American Men	59	69.4
Employment		
Employed (at least part-time)	171	67.6
Unemployed	195	65.2
Charge		
Theft	188	65.3
Check Forgery	37	45.1
Financial Transaction Card Fraud	34	68.0
Damage to Property	32	82.1
Receiving Stolen Goods	8	53.3
Government Fraud	61	93.8
Previous Record		
Previous Adult Record	58	68.2
No Previous Adult Record	308	66.0
Completion		
Successfully Completed	276	62.4
Unsuccessfully Terminated	90	81.8

From Table 3, it can be seen that significant differences in the percent of clients who owed restitution were found between several client subgroups.

- A significantly greater percent of clients whose admitting offense was damage to property had higher restitution obligations than all other admitting offenses except government fraud.
- A significantly greater percent of clients whose admitting offense was government fraud had restitution obligations than had clients whose admitting offense was not government fraud.
- A significantly smaller percent of clients whose admitting offense was check forgery had restitution obligations than all other admitting offenses except receiving stolen goods.
- A significantly greater percent of clients who terminated unsuccessfully had restitution obligations than had clients who completed successfully.

No significant differences were found between men and women, between Caucasians and African Americans, between clients who were employed and clients who were unemployed, or between clients with a previous adult record and clients without one. Differences between groups by age and race appear relatively large between Caucasian men and all other groups but were not statistically significant.

Restitution Collected

The total amount of restitution collected from clients who entered the Adult Diversion Program in 2001 was \$358,240.65, or 51 percent of the amount ordered. This is up from 42.5 percent collected from baseline clients. The amount of restitution collected ranged from \$0 to \$5,892. The average amount of restitution collected was \$979. The median amount of restitution collected was \$655. The average percentage of restitution collected was 72 percent. This is also up from 64 percent for baseline clients.

Clients who were not charged with government fraud paid in total and on average significantly more of their restitution obligation than did clients charged with government fraud.

- Clients charged with government fraud paid 32% of their restitution obligations. This is a significant increase from the 22% collected from baseline clients. The average percent paid was 35.4%. This is up from the 26.4% baseline.
- Clients not charged with government fraud paid 63.0% of their restitution obligations, a small increase from the 61.8% collected from baseline clients. The average percent paid was 79.8%. This is slightly higher than the 73.5% baseline.

The average percent and amount of restitution collected from sub-groups of clients whose admitting offense was not government fraud can be found in Table 4.

Table 4. Average Amount and Percent of Restitution Collected by Sub-Group of Clients whose Admitting Offense was not Government Fraud

Client Sub-Group	Average Amount of Restitution Collected	Average Percent of Restitution Collected
Gender		
Men	574.71	78.2
Women	540.21	81.8
Race		
Caucasian	690.56	83.9
African American	416.76	70.9
Race by Gender		
Caucasian Women	678.42	85.2
African American Women	400.08	77.3
Caucasian Men	699.24	83.1
African American Men	437.15	64.1
Employment		
Employed (at least part-time)	687.84	80.5
Unemployed	456.19	79.5
Charge		
Theft	623.51	81.0
Check Forgery	349.76	68.0
Financial Transaction Card Fraud	494.06	77.2
Damage to Property	761.06	88.6
Receiving Stolen Goods	321.78	87.5
Previous Record		
Previous Adult Record	N/A ³	N/A
No Previous Adult Record	573.49	82.1
Completion		
Successfully Completed	625.90	97.0
Unsuccessfully Terminated	284.47	27.7
Restitution Amount Ordered		
More than \$3,000	1831.52	46.7
\$3,000 or less	458.94	84.2

As seen in Table 4, significant differences were found in the percent of restitution obligations paid between sub-groups of clients.

- On average, Caucasian clients paid a significantly greater percent of their restitution obligations than did African American clients.⁴
- On average, African American men paid a significantly lesser percent of their restitution obligations than did Caucasian men and women.⁵

³ No one had an adult record who both owed restitution and was not charged with government fraud.

⁴ Notably, this difference no longer exists when only those clients who successfully completed the Program are considered (see p. 12 of this report).

- On average, clients who successfully completed the Program paid a significantly greater percent of their restitution obligation than did clients who terminated unsuccessfully.
- On average, clients who owed \$3,000 or less paid a significantly greater percent of their restitution obligation than did clients who owed over \$3,000.
- On average, clients who were charged with check forgery paid a significantly lesser percent of their restitution than clients charged with theft, damage to property, and receiving stolen goods.

No significant differences were found between any other sub-groups of clients.

Clients who successfully completed the Program paid 91.1 percent of the total \$328,240.65 restitution collected. The total amount of restitution collected from clients who successfully completed the Program was \$326,278, or 68 percent of the amount owed by this group. This is up from the 49.5 percent collected from successful completers in 2001. For clients who successfully completed the Program and owed restitution, restitution collected ranged from \$0 to \$5,892. The average amount of restitution collected was \$1,182.17. The median amount of restitution collected was \$808.29. This is a significant increase from the median amount of \$244.71 collected from the baseline. The average percent of restitution collected was 87.6 percent. This is also a significant increase from the baseline where 77% of restitution was collected.

Of clients who owed restitution and successfully completed the Program, 273 or 98.9 percent paid at least part of their restitution obligation. Sub-Groups of clients did not differ significantly in the percent that paid at least part of their restitution obligation. Few (2.2%) clients who successfully completed the Program paid less than 10 percent of what they owed. This is significantly lower than the 7.8 percent of baseline clients who paid less than 10 percent of what they owed. Eighty percent of clients paid all of what they owed. This is significantly higher than the two-thirds (67.6%) of baseline clients who paid all of what they owed.

Of those clients who successfully completed the Program, clients whose admitting offense was not government fraud paid in total and on average significantly more of what they owed than did clients whose admitting offense was government fraud.

- The percent of restitution collected from those charged with government fraud was 38 percent. Again, this is a significant increase from the 24.2 percent collected from baseline clients. The average amount of restitution collected was 42 percent up from a baseline of 28.6 percent.
- The percent of restitution collected from those not charged with government fraud was 93 percent. This is significantly higher than the 78.6 percent collected from baseline clients. The average amount of restitution collected was 97 percent up from a baseline of 91.5 percent.

⁵ Notably, this difference no longer exists when only those clients who successfully completed the Program are considered (see p. 12 of this report).

The average amount and percent of restitution paid by sub-groups of clients who successfully completed the Program and whose admitting offense was not government fraud can be found in Table 5.

Table 5. Average Amount and Percent of Restitution Collected by Sub-Group of Clients who Successfully Completed the Program and whose Admitting Offense was not Government Fraud

Client Sub-Group	Average Amount of Restitution Collected	Average Percent of Restitution Collected
Gender		
Men	672.58	98.3
Women	574.93	95.4
Race		
Caucasian	737.82	96.1
African American	524.95	96.9
Race by Gender		
Caucasian Women	724.37	94.4
African American Women	437.84	94.4
Caucasian Men	747.22	97.3
African American Men	659.58	100.0
Employment		
Employed (at least part-time)	727.07	95.2
Unemployed	531.93	98.5
Charge		
Theft	688.87	97.8
Check Forgery	395.80	93.6
Financial Transaction Card Fraud	584.82	94.5
Damage to Property	812.40	97.0
Receiving Stolen Goods	364.68	100.0
Restitution Amount Ordered		
More than \$3,000	3196.25	82.2
\$3,000 or less	507.80	98.2

Clients who were ordered to pay \$3,000 or less paid a significantly greater percent of their restitution obligations than did clients who were ordered to pay more than \$3,000. Notably when the sample is limited to successful completers who were not charged with government fraud, other significant differences previously found between client sub-groups no longer exist.

Recidivism

Hennepin County SIP records were reviewed to determine the recidivism rate for Adult Diversion Program clients. Recidivism was defined as being convicted of or having a case pending for any new crime while in the Program or within at least 6 months after completion of

the Program⁶. The recidivism rate for all clients was 12% which means 88% of clients did not recidivate. For clients who successfully completed the program, the recidivism rate was 6%. Or put another way, 94% of clients who successfully completed the program did not recidivate. In contrast, 40 percent of clients who terminated the program unsuccessfully were convicted of or had a pending case for a new crime. Sixty percent did not recidivate. Of clients who were terminated for reasons other than re-arrest, 32.7% recidivated post-termination. Of these clients, 67.3% did not recidivate.

Notably, clients who successfully completed the program also were convicted of lower level offenses than clients who unsuccessfully terminated the program. Specifically, the majority of successful completers were convicted of a misdemeanor or gross misdemeanor. The majority of clients who unsuccessfully terminated the program were convicted of a felony.

IV. Summary

Operation De Novo's Adult Diversion Program was developed to provide direct client services to adults diverted from Hennepin County District Court. In 2001, 552 clients entered the Program. The Program served a diverse clientele. Clients were almost evenly split between men and women. Most clients were either Caucasian or African American. The Program is serving primarily clients whose admitting offense was felony level theft. Other demographic information is available in the body of this report.

Eighty percent of clients successfully completed the Adult Diversion Program. African Americans were significantly less likely to successfully complete the Program than Caucasians. Hispanics were also less likely than Caucasians to complete the Program although the small size of this group made statistical comparisons impossible. While most clients of color do successfully complete the Program, more work may be needed to make the Adult Diversion Program's services culturally appropriate for these clients.

The data also clearly show that not having a high school degree, not having a job, having over \$3,000 in restitution, having a previous adult record and being charged with government fraud each make successfully completing the Adult Diversion Program less likely. Clients will likely benefit if the Program considers specific ways to support clients with these issues.

Most clients who successfully completed the Program did so within one year. Notably, the median length of time in the Program for clients who terminated the Program unsuccessfully was 349 days compared to 284 days for baseline clients. Almost 80 percent of clients who terminated unsuccessfully did so after six months in the Program compared to 75% of clients in the baseline group. Almost all clients appear to be committed to the Program early on. While clients who are going to drop out are staying longer, they are still not completing the Program. It may be worth examining why clients who are unsuccessful in the Program are having difficulty so far into the Program and what additional supports might be provided to help clients during this time.

⁶ Recidivism data was collected in June 2003. For clients who entered the Program early or mid 2001, this meant that recidivism data actually included longer than 6 months post-program. The longest recidivism data was collected for was 18 months post-program.

One additional support provided to clients is referrals to external services. Operation De Novo has recently implemented a plan to increase the number of referrals to outside services it provides to clients. The data analyzed for this report supports the continued need for this change. Slightly less than one quarter (24.9%) of clients who entered in 2001 were referred to employment counseling (as mentioned, over half of clients were unemployed)⁷. This is lower than the 29.9% of clients in the baseline who received employment referrals. Only 9.2 percent of clients were referred for assistance in obtaining their GED although 29% had not completed high school. While, this number appears low, it is significantly higher than the 4% of referrals made to baseline clients (who had an equal high school completion rate). Only 4.9% of clients who entered in 2001 received a referral for chemical dependency assistance. This is higher than the 2% of baseline clients who received such a referral. While referrals for GED programs and chemical dependency counseling are increasing, the number of referrals does not yet appear to meet client need. Given the large number of clients the Adult Diversion Program serves and the reduced resources, outside referrals need to become an increasingly important part of its services.

Another important component of the Adult Diversion Program is restitution recovery. Restitution recovery has increased from the baseline data collected. For clients who entered the Adult Diversion Program in 2001, 51% of the restitution ordered was collected. In the baseline sample, only 42.5% was collected. The average percent collected from clients was 72 percent, up from a 64 percent baseline. The percent of restitution increases when one focuses on clients who were not charged with government fraud and who successfully completed the Program. Specifically, 93 percent of restitution was collected from this group. This is a significant increase over the 78.6 percent baseline. The average restitution collected from this group was 97.0 percent, up from the 91.5 percent baseline. Overall, restitution recovery is increasing for the Adult Diversion Program.

The more a client owed in restitution, the lesser the percent she or he likely paid. For example, overall clients of the Adult Diversion Program paid 51.0 percent of the restitution ordered to them. In contrast, clients who were ordered \$3,000 or less in restitution paid 77.8 percent of what they owed. Notably, Project Remand in Saint Paul limits program eligibility to clients who owe \$3,000 in restitution or less. Presently, the Adult Diversion Program accepts clients who owe up to \$5,000 to private victims and up to \$10,000 to the government. Operation De Novo could increase its collection rate by decreasing its limits on the amount of restitution a person can owe in order to be eligible to enter its program. Alternatively, more effective strategies need to be implemented to help those with high-end restitution orders to fulfill their obligations.

Recidivism was assessed for all Program clients. Recidivism was defined as being convicted of or having a case pending for any new crime while in the Program or within at least 6 months after completion of the Program. The vast majority of clients (93.7%) who successfully completed the Adult Diversion Program did not recidivate. Approximately 6% of clients who successfully completed the Program were convicted of or had a pending case for a new crime. The majority of successful completers were convicted of a misdemeanor or gross misdemeanor. In contrast, 40 percent of clients who did not complete the Program were convicted of or had a

⁷ Not all referrals made were recorded during this timeframe so percentages may under-represent actual number of referrals made.

pending case for a new crime, generally at the felony level. Of clients who were terminated for reasons other than re-arrest, 32.7% recidivated post-termination. In sum, those who complete the Adult Diversion Program are less likely to recidivate and when they do, are likely to commit lower level offenses.

In conclusion, Operation De Novo's Adult Diversion Program is providing an important service to the Hennepin County District Courts. Most clients are successfully completing the Program and paying a substantial part of the restitution ordered to be paid. In addition, for those who complete the Program, the recidivism rate is low. Improvements noted in this report, such as the significant increase in restitution recovery, are especially significant in light of recent budget cuts.