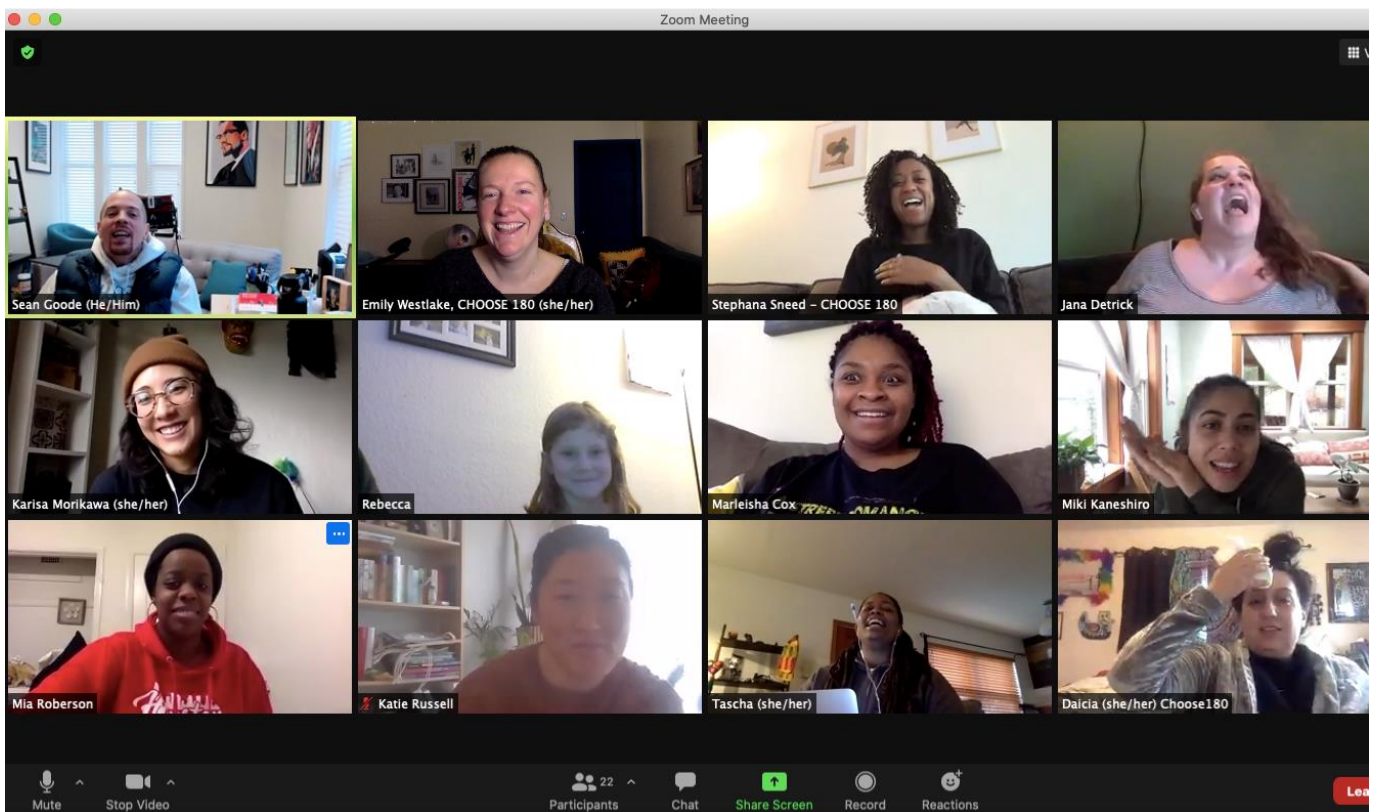


# Community Report

## Mainstream Pre-Filing Diversion Program for Young Adults

CHOOSE 180 in partnership with the Seattle City Attorney's Office  
and the Community Resource Center



Pictured : CHOOSE 180 staff in a virtual meeting during the pandemic.

**Statistics compiled by the Seattle City Attorney's Office. Please address inquiries to:**

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## **Overview**

The Seattle City Attorney's Office in partnership with a community non-profit organization, CHOOSE 180, began offering a Pre-Filing Diversion opportunity for 18-24-year-olds beginning in September of 2017. Pre-Filing Diversion offers young people the opportunity to participate in a 4-hour CHOOSE 180 Young Adult Workshop instead of being processed through the traditional criminal legal system. Those participants who complete the Workshop will not have criminal charges filed. This restorative practice approach aims to steer young people down a path of personal responsibility and redemption rather than into criminal charges with lifelong collateral consequences. The Workshop creates the space for participants to hear from people with shared backgrounds and experiences and encourages participants to identify the behaviors that have led them to their current circumstances, what has kept them from making positive change, and envision the path to make change. Throughout the Workshop participants are encouraged to identify what support they need to forge a new path, and during and after the Workshop participants receive continued support from CHOOSE 180 and a Resource Specialist from the Community Resource Center in Seattle Municipal Court.

Given the unprecedented year we have had with a global pandemic, CHOOSE 180 pivoted in March of 2020 to a virtual Workshop format. The Young Adult Workshop is still four hours in length, but now a CHOOSE 180 staff member works one-on-one virtually with each participant over the course of a week. CHOOSE 180 provides laptops, hotspot internet access and other technical assistance as needed.

CHOOSE 180 continues to honor their value of employing staff reflective of the population they serve. Currently 100% of CHOOSE 180's leadership staff, 88% of staff, and 62% of the board are BIPOC (black, indigenous, and people of color). All staff and board members were formerly involved in the legal system, have had relatives or family members that were involved in the legal system, or work with the legal system.

Since program inception in late 2017 through December 2020, CHOOSE 180 hosted nineteen in-person young adult diversion Workshops and ten months of virtual one-on-one Workshops. The City Attorney's Office has referred 1,051 young adults on 1,216 reports to diversion. Of the 1,051 young people invited to participate in diversion, 447 young people completed the program, and 481 reports were diverted.

## **2020 Mainstream PFD Program**

In 2020, the City Attorney's Office diverted 104 fileable cases involving 95 young adult participants across two in-person Workshops (Jan, Feb) and ten months of virtual one-on-one Workshops. Nine of the participants were diverted on more than one criminal case. Although 95 young adult participants completed diversion, we referred 210 young people on 245 reports. We are continually strategizing with CHOOSE 180 on program participation rates. As you can see below on page 7, almost a quarter of the people who complete the program reported having unstable housing. We anticipate that percentage to be much higher for the young people that never make the Workshop.

No one could have predicted the global events of 2020 and the far-reaching impact they would have on everyone's lives. Given the cessation of in-person gatherings, including all court hearings, CHOOSE 180 pivoted to a virtual Workshop model in March of 2020. They were able to do this within weeks of the lockdown, and there was no lapse in service for young adults. Rather than having their case delayed at the

Court due to closures, young adults were able to immediately participate in workshops and be connected with resources.

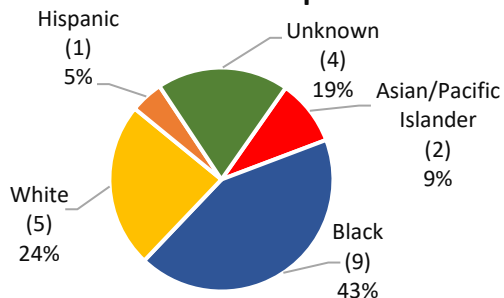
In May of 2019, in coordination with Seattle Municipal Court and King County Department of Public Defense, we began offering a post-file diversion opportunity to address equity concerns given the overwhelming number of young people using shelters as their addresses. Often, a lack of response to a pre-filing diversion letter was solely due to lack of receipt of the letter. A total of 17 young adults on 23 reports utilized this post-file option in 2020 to have their case dismissed.

In 2020 we made further adjustments to the program in light of our continued desire to reach communities most marginalized. In part of 2019 and 2020, the Seattle City Attorney’s Office (SCAO) broadened our Pre-Filing Diversion eligibility criteria to include some crimes against persons (typically minor Assaults and Harassments). To provide victims of person-crime incidents an opportunity to have their voice heard in the diversion process and to increase the number of young people who were able to engage in diversion, SCAO attempted to pilot a restorative justice add-on piece to the typical diversion workshop. Young people who had traditionally been ineligible would now be eligible if the victim approved. Unfortunately, the majority of victims did not approve of diversion.

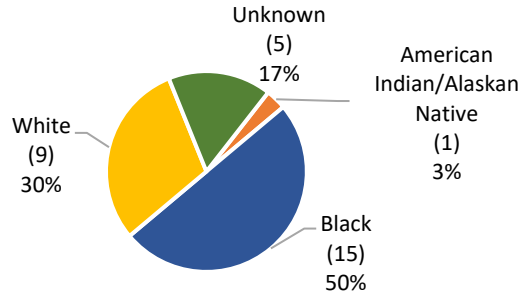
As shown below, persons of color disproportionately accounted for the number of person-crime incidents that were subject to the Person-Crime Victim Veto process.

**Person-Crime Incidents in 2019 Subject to Victim Veto in Pre-Filing Diversion Screening**

**Race of Diversion Participant**

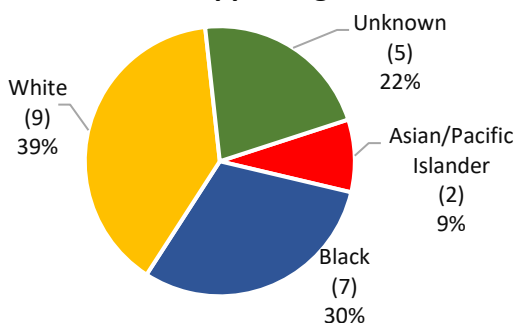


**Race of Person Where Veto Exercised**

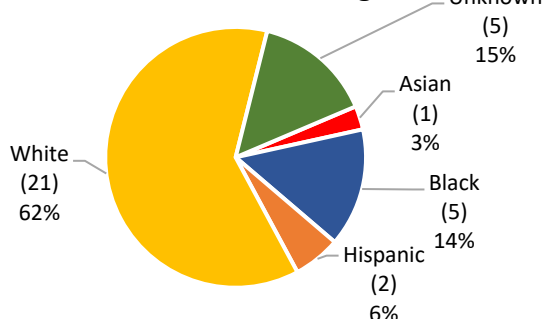


As shown below, there were also differences in the willingness to support diversion based on the race of the victim. The data suggests potential bias in that a disproportionate number of White victims vetoed diversion. Furthermore, none of the victims were willing to take part in a restorative justice response.

**Race of Victim Supporting Diversion**



**Race of Victim Exercising Veto**

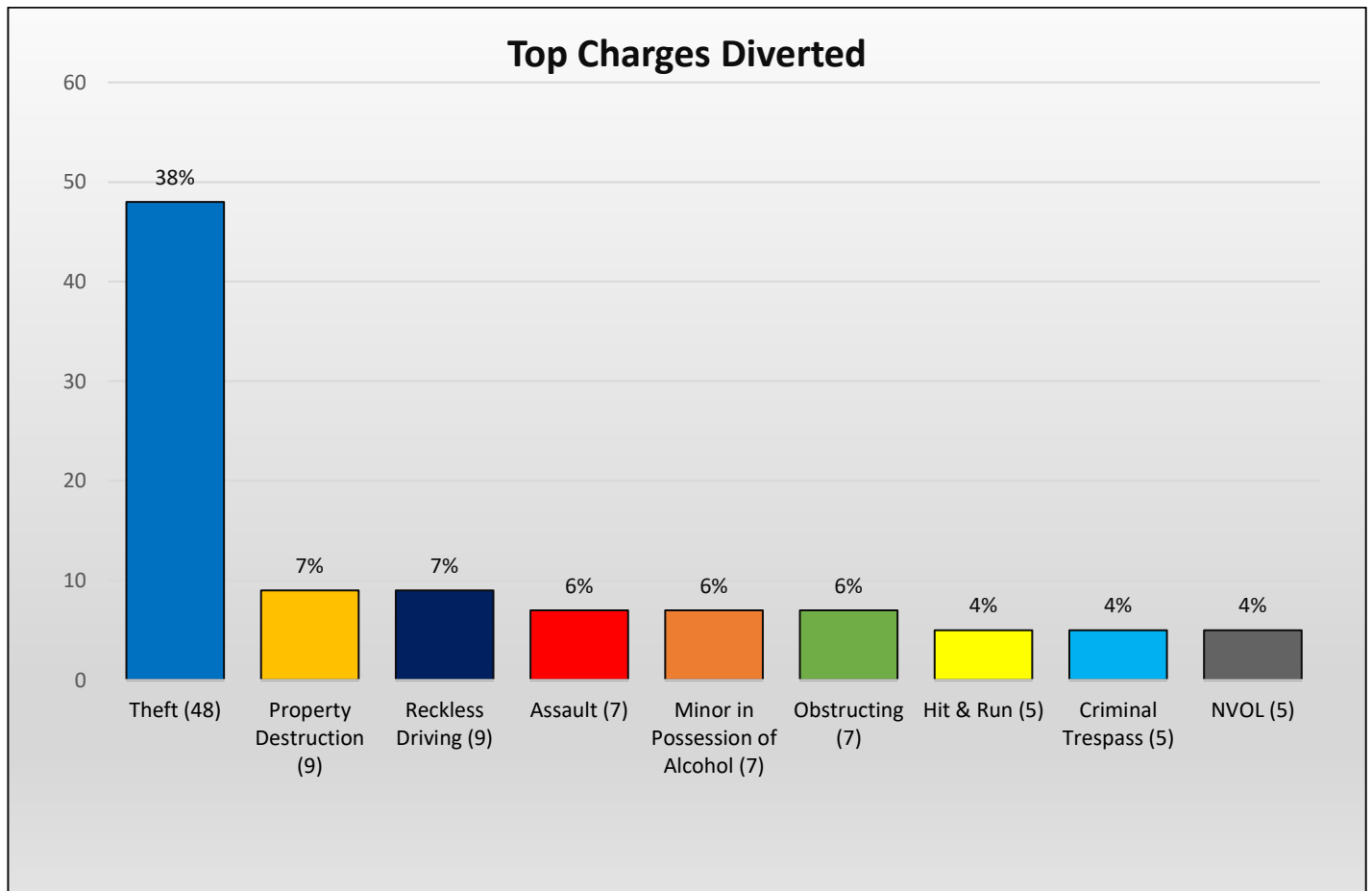


To combat inequity issues identified in the first pilot, SCAO and CHOOSE 180 have agreed to pilot a new CHOOSE 180 Plus for 2021. There is no longer a victim veto; however, as with every case, SCAO will consider any specific safety concerns raised by an alleged victim. Young adults accused of some person-crimes will be referred for a one-on-one Workshop even after CHOOSE 180’s operations return to the in-person workshop format. This individualized attention will allow CHOOSE 180 navigators ample opportunity to work with young adults in a heightened way to address barriers to their success.

As is true with every incident, the SCAO retains eligibility discretion and will consider the facts of the incident, including any alleged injury and any known history of violence and may deem an incident ineligible based on extraordinary circumstances.

**Charges Diverted**

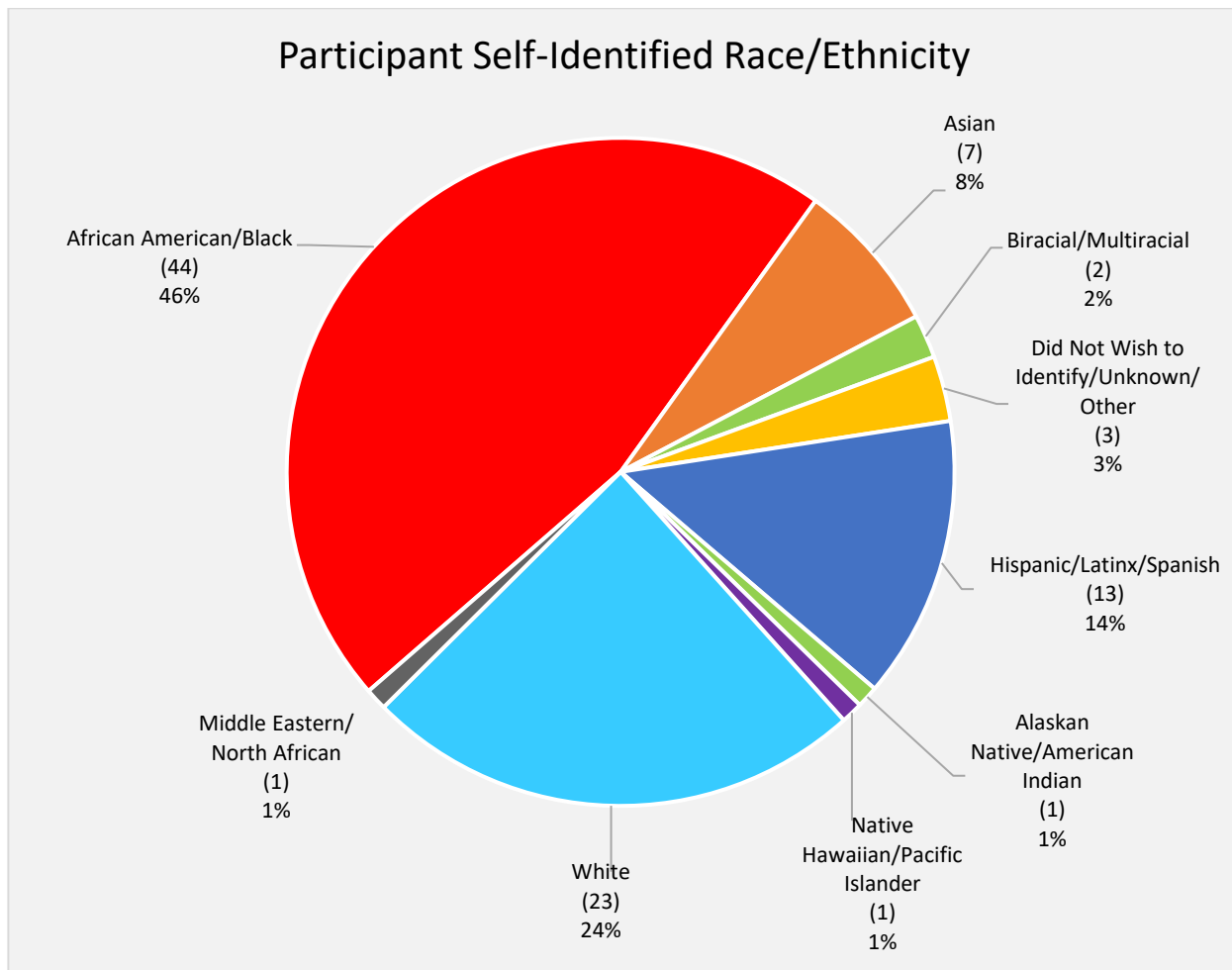
As for the charges diverted, 19 of the 104 incidents would have resulted in more than one charge for a total of 127 charges diverted (four cases had three charges, the rest had two). Theft has always been the top charge diverted in the program, and that remained true in 2020. These statistics reflect that at least one of the diverted charges would have been:



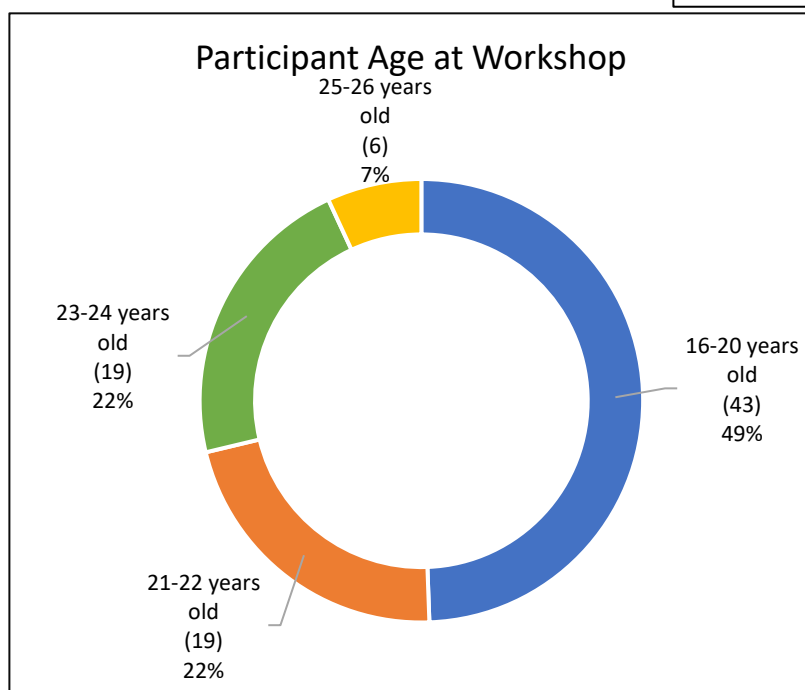
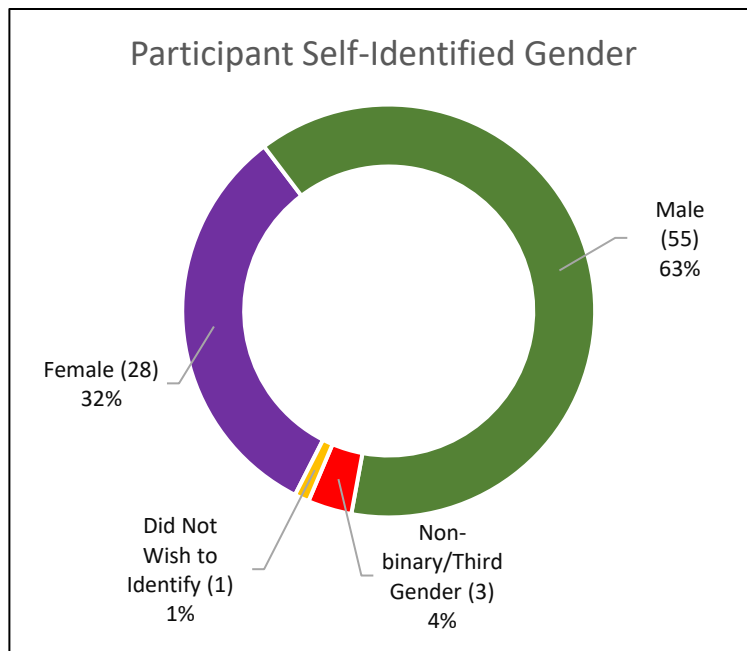
\*Percentages do not add up to 100% because 18% were all other charges not depicted in this graphic.

**Self-Reported Participant Data**

At each Workshop, CHOOSE 180 asks participants to complete a Participant Information Form that helps us better identify who is being served by diversion and what life challenges participants face. As shown in the figure below, *Participant Self-Identified Race*, a diverse group of young adults are utilizing Pre-Filing Diversion. We acknowledge that persons of color are disproportionately represented in diversion, just as they are disproportionately represented in the traditional criminal legal system. Greater diversity in diversion should result in less disproportionality in the traditional system.



As shown in the figure to the right, *Participant Self-Identified Gender*, 63% of the participants identified as male. According to Seattle Municipal Court Data from 2011-2015, 69% of defendants ages 16-24- years-of-age across all case types were male and 31% of defendants were female.<sup>1</sup> The gender gap decreases significantly when looking at the gender breakdown for defendants who enter the Pre-Trial Diversion program at Seattle Municipal Court which in 2015 was 53% male and 47% female.<sup>2</sup> Thus, we are particularly excited to see that so many young men continue to take advantage of the diversion with CHOOSE 180.



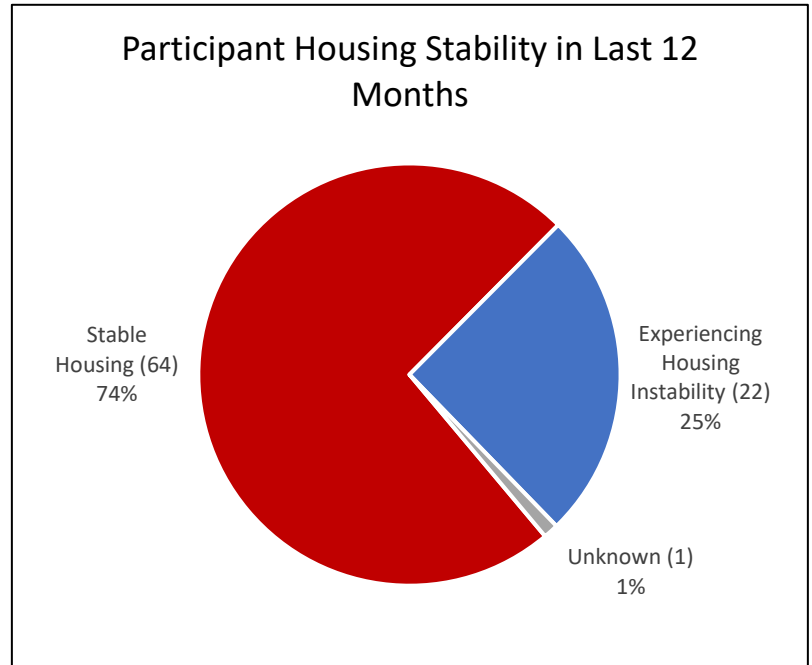
As shown in the figure to the left, *Participant Age at Workshop*, almost half of the participants were age 20 and under.

The City Attorney’s Office has misdemeanor jurisdiction for driving offenses committed by 16 and 17-year-olds and cases where the person has turned 18 by the time of prosecution. The King County Prosecutor’s Office handles the prosecution of all other juvenile offenses. In 2020, 6 participants were 16 or 17 years-old on the date of violation.

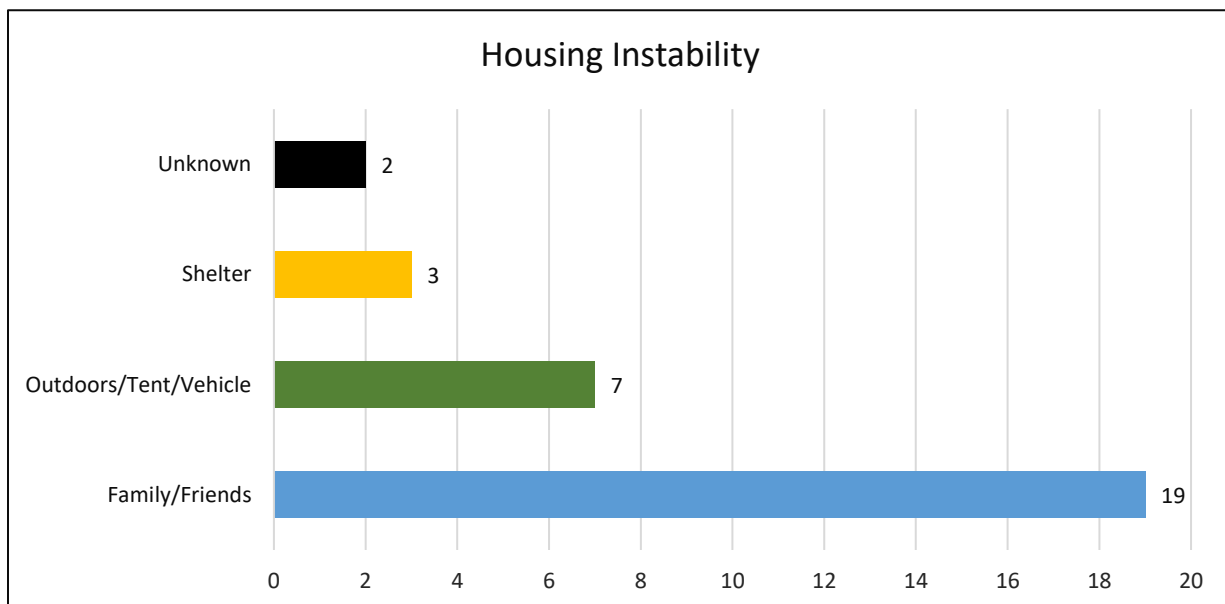
<sup>1</sup> Seattle Municipal Court 16 to 24 Year Old Defendants and Cases at SMC, with Violation Date from 2011 to 2015; Prepared by SMC Research Planning and Evaluation Group Staff; 1.2.18-12.28.17.

<sup>2</sup> Seattle Municipal Court Pre-trial Diversions between 2011 and 2015 by Incident Date at Seattle Municipal Court; Prepared by SMC Research Planning and Evaluation Group Staff; March 2017. It should be noted that the PTD data was all ages.

As shown in the figure to the right, *Participant Housing Stability in Last 12 Months*, 25% of attendees reported experiencing homelessness or unstable housing in the last 12 months.

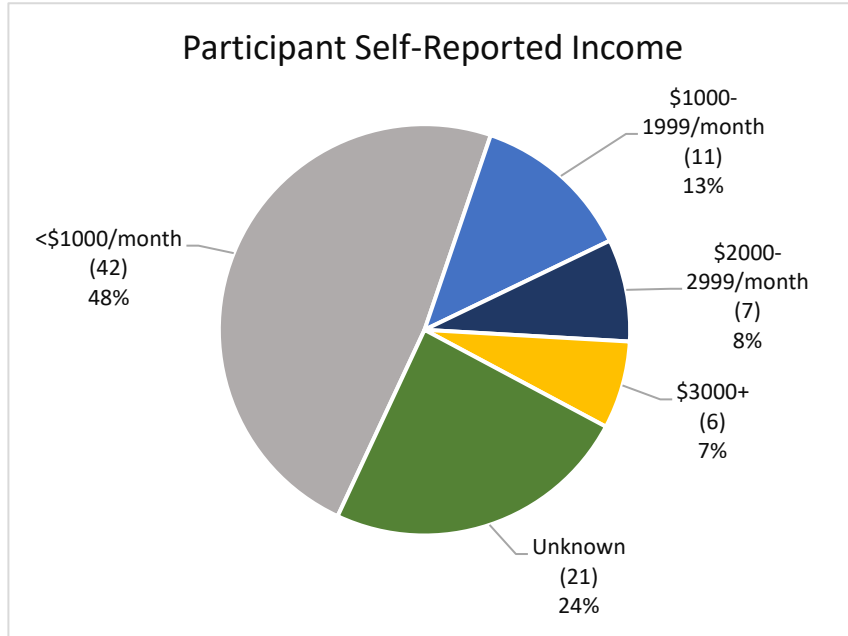
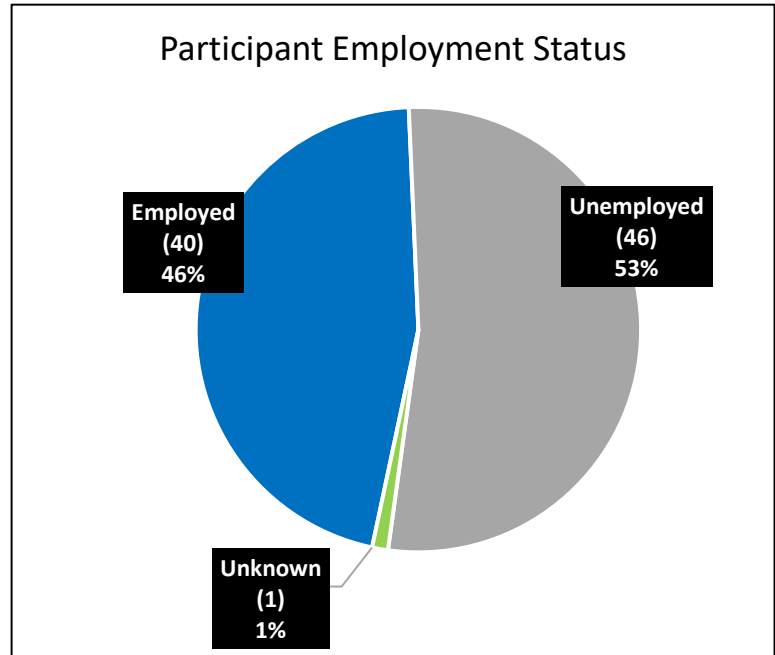


As shown in the figure below, *Housing Instability*, almost half of participants reported staying with family or friends when they were experiencing homelessness or unstable housing.



\* Total housing instability reported exceeds number of participants who reported experiencing homelessness/unstable housing (22) because some participants reported more than one alternative.

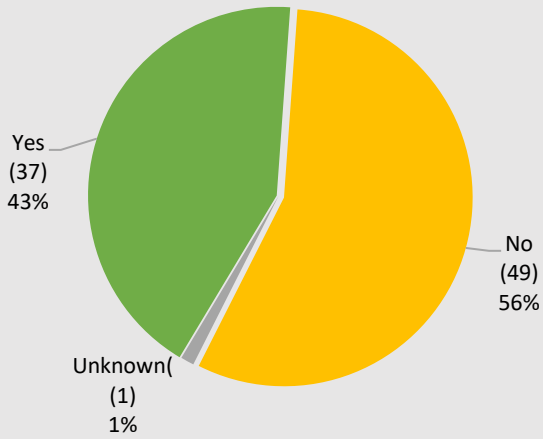
As shown in the figure to the right, *Participant Employment Status*, more than half of participants reported being unemployed.



In the figure on the left, *Participant Self-Reported Income*, about half of the participants earned less than \$1000/month.



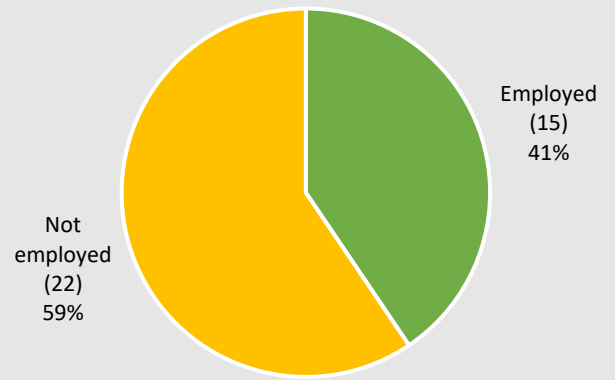
### School Enrollment Status of Participants



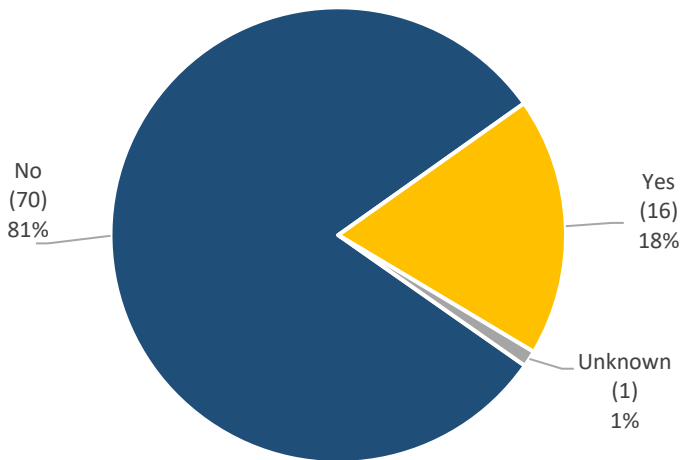
As shown in the figure to the left, *School Enrollment Status of Participants*, 43% of attendees are in school.

As shown in the figure to the right, *Employed Students*, more than half of participants who reported being in school also reported being unemployed.

### Employed Students



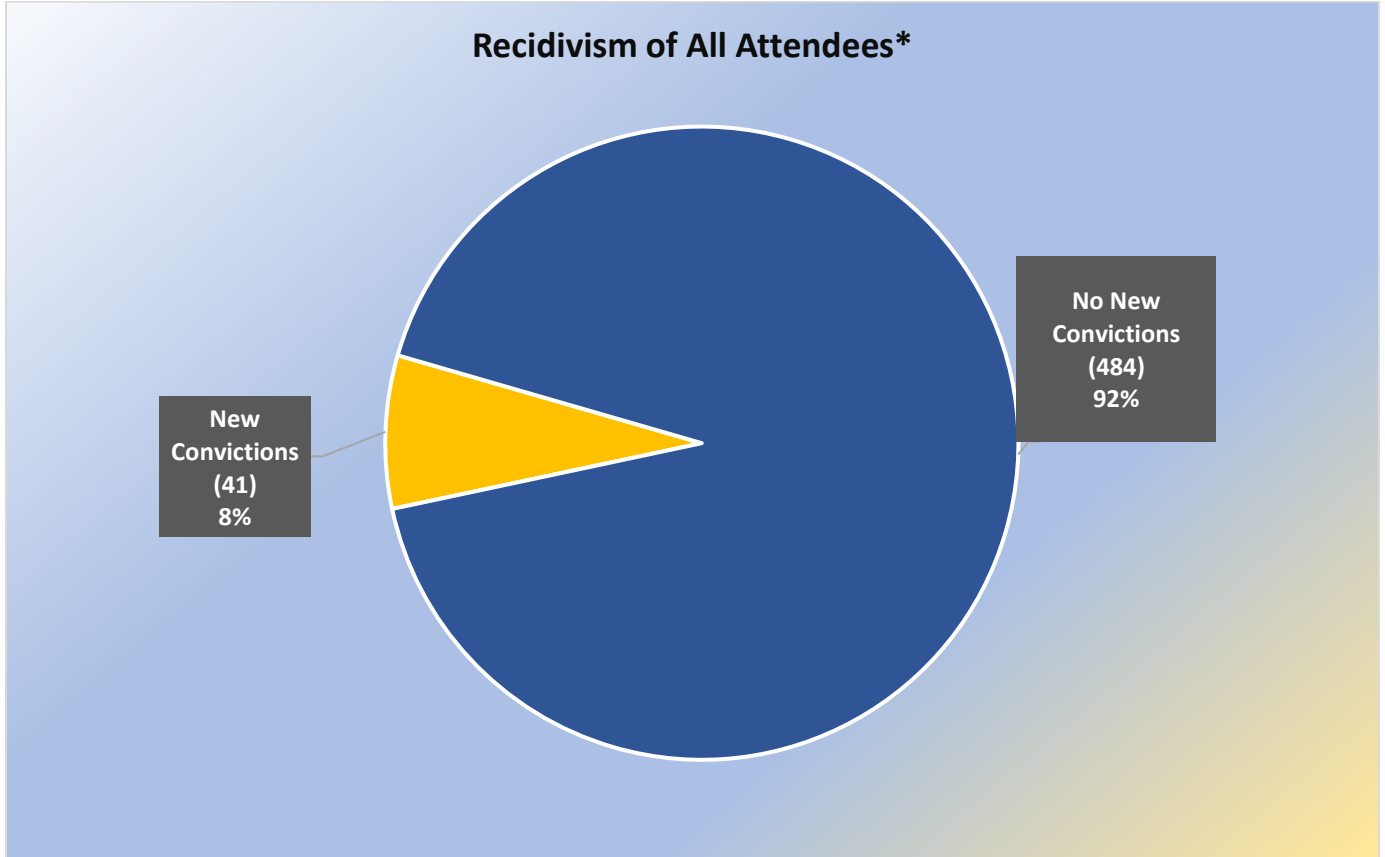
### Participants Supporting Children



As shown in the figure to the left, *Participants Supporting Children*, 16 of the participants report supporting children.

**Recidivism**

We are currently monitoring the in-state criminal history of all participants that completed the CHOOSE 180 Workshop at 3-month intervals. As of October 2020, 92% of the participants had no new criminal convictions.

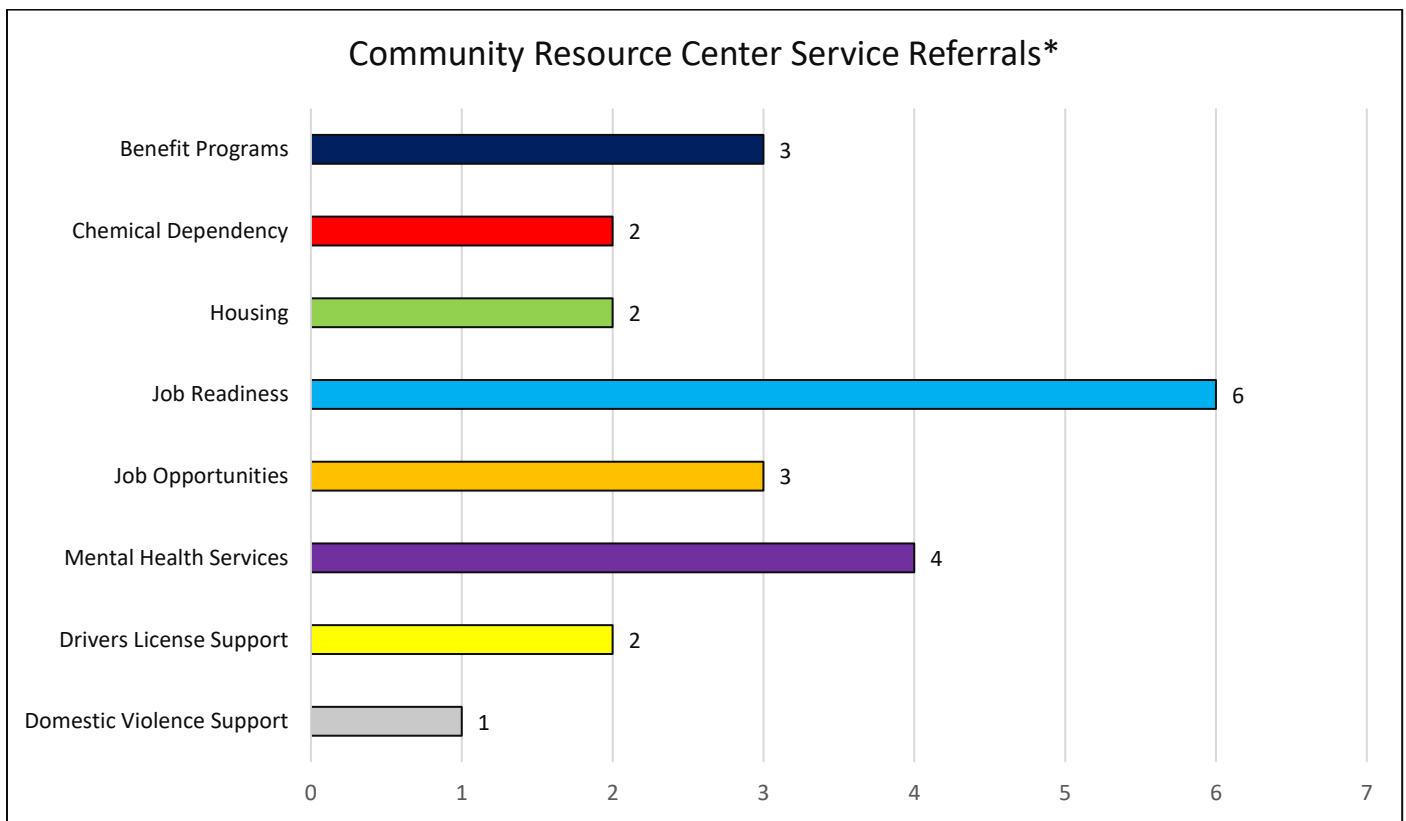


\*November/December 2020 participants not included in recidivism graph because it had been less than three months since Workshop when recidivism numbers calculated.

**Community Resource Center Partner**

The City Attorney’s Office also partners with Seattle Municipal Court’s Community Resource Center (CRC) to provide additional services and support to participants. Generally, before and after the Workshops, our CRC partner engages with participants and conducts social service screenings to determine areas of need and referrals to appropriate resources. During the pandemic, the CRC did not engage in the same way as they had when the Workshop was in person. Thus, the number of people served this year was significantly down from previous years.

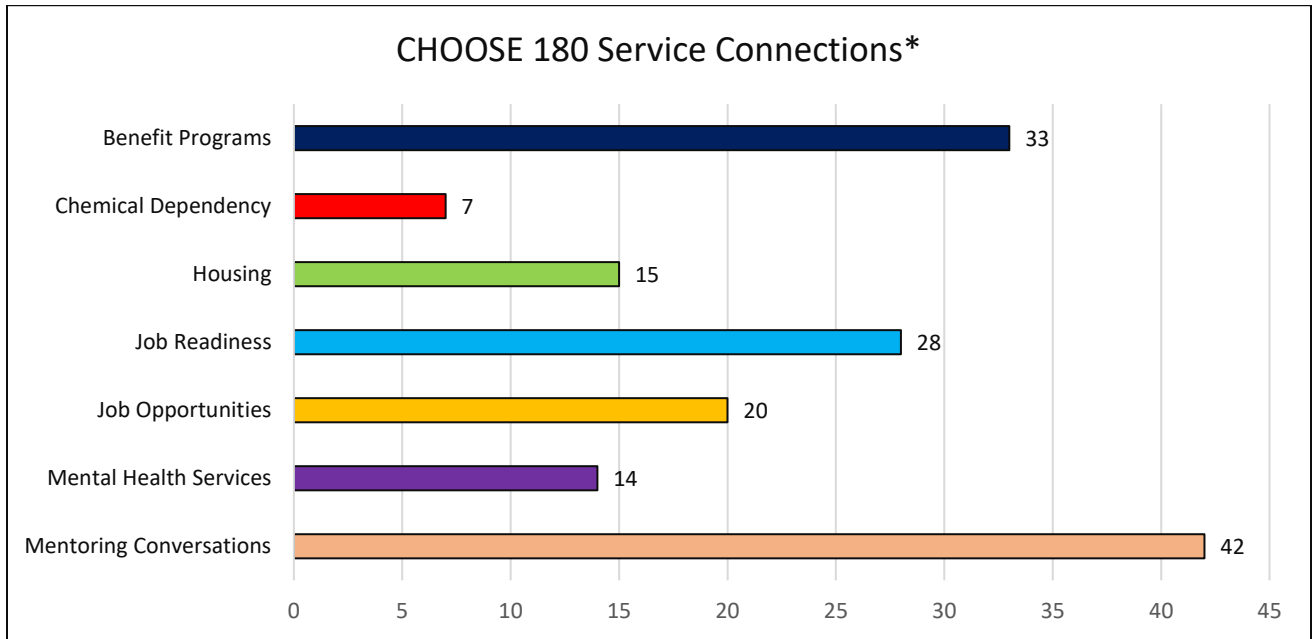
The CRC strives to support the participants and refer them to services that can help them transform their lives. The most highly sought-after services include, but are not limited to, job readiness, job opportunities, mental health services and access to benefit programs. The CRC partner historically attended the in-person Workshop and offered support for participants that met them where they were in their lives. During the pandemic, that support has mainly occurred before and after the virtual Workshop. As shown in the figure below, *Community Resource Center Service Connections*, information about the CRC was provided to every Workshop participant. Our CRC partner also directly connected with 14 young adults to conduct a social service screening and connected several of the participants to a variety of services.



\*Statistics reported by Community Resource Center.

### **CHOOSE 180 Support beyond the Workshop**

In keeping with the commitment to offer Workshop participants the opportunity to forge a new path, CHOOSE 180 is funded to provide participant support beyond the Workshop. As shown in the figure below, *CHOOSE 180 Service Connections*, CHOOSE 180 assists participants most frequently with mentoring, benefit programs, job readiness and opportunities, and housing.



\*Statistics reported by CHOOSE 180.

During the 4-hour virtual diversion Workshops, young adults are encouraged to envision what positive change looks like for them. They are asked to think through and identify the types of supports they will need in order to successfully maintain positive behaviors that lead to long-term change.

The CHOOSE 180 Pivot Point Specialist helps build relationships with outside organizations in order to connect young adult program participants with employment opportunities, housing, pro-social activities, education, health services and more. These aftercare supports are offered to program participants who have successfully completed the Workshop. Upon successfully completing the Workshop, every participant is contacted at one week, 3 month, 6 month, and 12 month increments post-workshop graduation. At any time during or beyond the participant's check-ins, CHOOSE 180 will offer additional support requested. The participant may decline services or contact CHOOSE 180 at any time.

In response to the pandemic, CHOOSE 180 digitized information forms and surveys, and adapted workshops from a 4-hour session to 4 1-hour session to better match participant's work schedules and availability. To ensure they were able to meet the needs of all participants, they received Chromebook donations and purchased WiFi hotspots that they loaned to young adults as needed. The way aftercare support was provided also had to pivot. Aftercare staff focused on text and video chats and masked/social distanced home visits as needed. They also expanded their

direct financial support budget for participants and have to-date provided over \$78,000 in rental and utility assistance to participants and families.

In 2020, CHOOSE 180 worked with 30 young adults to provide aftercare resources. As CHOOSE 180 transitioned to a virtual Workshop model, Byron Corzo, the Outreach and Engagement Specialist, was excited to see something new and different unfold for the participants. He quickly responded to challenges with the virtual model and was committed to ensuring the individuals he worked with felt safe and understood while participating in the program. Byron's commitment to the work led him to recognize that, in order to reach the young people he was working with, he had to be willing to be vulnerable himself. He would often share with the participants he was coaching about his own life and how he has learned to handle challenges. One particular portion of the Workshop discusses emotions and how to address them in a healthy way. Byron recalled one specific young adult who struggled during that section. Byron was able to talk about his own journey in understanding and expressing his feelings, which seemed to greatly help the young man. The one point of feedback that individual gave at the conclusion of the workshop was that he has learned a lot about how to control his emotions, and he was very appreciative to have had Byron as his coach.



### **2021 Program Goals**

#### **CHOOSE 180 Plus**

In 2021, the City Attorney's Office and CHOOSE 180 are expanding diversion opportunities to young people by expanding eligibility criteria and increasing eligible case types.

##### **a. Person-Crime Incidents**

As described on pages 3-4, young adults accused of some person-crime incidents will be referred for a one-on-one Workshop. This individualized attention will allow CHOOSE 180 navigators ample opportunity to work with young adults in a heightened way to address barriers to their success.

**b. Firearm Incidents**

CHOOSE 180 has developed curriculum focused to address the unique concerns associated with allegations of the misuse of firearms. SCAO will pilot referring young adults to CHOOSE 180 Plus for incidents involving firearms where the alleged crime is related to possession. Incidents involving the use of a firearm to threaten another will not be eligible for diversion.

**c. Significant Criminal History**

In reviewing recidivism statistics, SCAO noticed young adults with high levels of previous criminal history are disproportionately more likely to recidivate. SCAO will pilot referring young adults with the highest level of criminal history to CHOOSE 180 Plus.

**Continued Access to Diversion**

The City Attorney's Office and CHOOSE 180 are proud that there was no lapse in service in 2020 and we are committed to providing safe and accessible opportunities for diversion. In 2021, the workshops will continue to be offered virtually at least until the medical consensus concludes that it is safe to return to in-person gatherings.