

Preventing Youth Arrests through Deflection

Best Practices and Recommendations

As Chicago revises its “JISC” model, and other communities in Illinois consider development or expansion of deflection strategies, the Illinois Juvenile Justice Commission has collected research-informed best-practices in crafting effective deflection policy and programs.

THESE DEFLECTION STRATEGIES can transform the way communities, law enforcement, social service agencies, and youth interact with and perceive each other and have the potential to reduce the overrepresentation of Black and brown youth in the juvenile court system. Improved deflection strategies can also reduce the trauma of arrest and enable law enforcement and juvenile courts to reserve resources to address the most serious crimes. In light of the profound racial disparities evident in our state’s juvenile systems and the growing body of research on fair and effective practices, getting this right has never mattered more than it does today.

“Deflection” refers to policies, practices, and programs that prevent youth arrest and court involvement and link youth to supportive services in the community, if needed. Ideally, deflection occurs instead of arrest, which in and of itself is a traumatic and humiliating experience for a young person.

“Diversion” on the other hand, refers to the redirection of a youth’s legal case from further processing in the legal system at any point following arrest

Key Pillars of Effective Deflection Models

1. Effective deflection occurs **INSTEAD** of, not **FOLLOWING**, arrest.
2. The decision between “counsel and release” or referral to services must be informed by research, guided by clear criteria and developed with an explicit focus on addressing racial disparities in arrest, deflection and referral to services.
3. Services must be voluntary, high-quality and focused on positive youth outcomes.
4. Services must be provided and managed by a human-services entity in the youth’s local community and not by law enforcement agencies.
5. Law enforcement decisions to arrest or deflect, as well as subsequent service provisions, should be transparent to ensure effective programmatic oversight and accountability.

Recommendations

1. End the use of police diversion programs like the JISC that incorporate programmatic features that have been ineffective. Leverage findings from the City of Chicago Office of Inspector General audit report (February 2020) and the guidance in this memo as the foundation for a new approach to deflection in Illinois.
 - a. Deflection occurs **INSTEAD** of, not **FOLLOWING**, arrest;
 - b. The decision between “counsel and release” or referral to services is informed by research and guided by clear criteria;
 - c. Services are voluntary, high-quality and focused on positive youth outcomes;
 - d. Services are managed by a human-services entity in the youth’s local community and not by law enforcement agencies; and
 - e. Law enforcement decisions to arrest or deflect, as well as subsequent service provisions, should be transparent to ensure effective programmatic oversight and accountability.
2. Identify metrics for ongoing monitoring and evaluation. A new approach to deflection should be based on a logic model that articulates the manner in which counsel and release as well as service strategies can minimize harm and reduce court involvement while still promoting accountability. This will help identify program outputs as well as the short- and long-term outcome indicators that can gauge the success of the deflection efforts. Tracking, measuring and sharing data regarding the impact of deflection strategies on racial disparities is imperative. To overcome challenges in previous deflection efforts and ensure accountability and effectiveness, it will be essential to carefully monitor program functioning as well as an array of youth outcomes.
3. Build and maintain infrastructure to support ongoing community dialogue as well as transparent data monitoring to demonstrate accountability and outcomes. This means that workgroups and governance bodies will need to include community representation and engage in frequent communication and analysis. Additionally, municipalities will need to utilize technological systems that support service referrals and the documentation of engagement and outcomes.