



Adult Diversion Program Annual Legislative Report Fiscal Year 2022



Colorado Judicial Department

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EXECUTIVE SUMMARY

Over the past eight years, prosecutor-led pretrial adult diversion programs, pursuant to HB 13-1156, have become fundamental to operations of the criminal legal system in Colorado, offering an alternative to the traditional path of arrest, plea or trial, and sentencing. Applications for adult diversion funding have increased from 4 in FY15 to 14 in FY21. Diversion programs have gradually spread across the state, serving the legislative intent of crime prevention, reparation of harm to victims, including the payment of restitution, and reduction of the volume of criminal court cases. Other benefits of diversion include cost savings for jails, prosecutors, and courts, preservation of prosecutorial resources for cases that are inappropriate for diversion, preservation of competency evaluation and restoration services for cases that cannot be diverted, rehabilitation of individuals involved in or at risk of becoming involved in the criminal legal system, including those struggling with mental health or substance abuse treatment needs or other basic needs, and avoidance of consequences of conviction that jeopardize stable housing, employment, medical or mental health care, and family structure. Diversion balances individual accountability and community safety with providing rehabilitation and assistance for those who break the law.

The following outcome measures highlight FY22 successes of the adult diversion model:

- **Growth in Number of Programs:** 4 sites in FY15, 12 in FY21 and FY23, 10 in FY22.
- **Participant Enrollments:** Increased from 299 in FY15 to 1,592 in FY18, and 801 in FY22.
- **Successful Completion Rates:** 89% of participants successfully completed diversion, resulting in case dismissal or non-filing of charges and avoidance of collateral consequences of conviction;
- **Treatment Assessment and Initiation:** More than one-third of the 801 diversion participants were referred for treatment assessment. Eighty-two percent (82%) of people referred for a behavioral health treatment assessment in FY22 did enroll in treatment, representing 28% of all FY22 diversion enrollees.
- **1-Year Recidivism Rate:** Only 6% of individuals successfully completing diversion in FY21 had new misdemeanor or felony charges filed against them in the year following their exit from diversion;
- **Restitution Collection:** In FY23, diversion participants paid \$145,119.16 in restitution. Fifty-one (51%) of participants who exited the diversion program in FY22, whether successfully or unsuccessfully, had fully paid their restitution obligations at the time of exit.

The General Assembly appropriated \$400,000 annually for program operations from the first year of program funding, FY15, when it supported programs in 4 judicial districts, to FY20, when it supported programs in 10 districts. Budget cuts reduced this appropriation by 75%, to \$100,000, in FY21 and FY22, spread among 12 and 10 program sites respectively. The funding reduction limited allocations to existing programs and inhibited expansion to new ones.

STATUTORY REPORTING REQUIREMENT

House Bill 13-1156 created a mechanism for diverting individuals accused of statutorily eligible offenses away from traditional criminal legal system involvement. The bill, enacted in August 2013 and found in §18-1.3-101, C.R.S., defined the parameters of pretrial adult diversion and provided a mechanism to fund program operations. The Colorado Judicial Branch webpage, <https://www.courts.state.co.us/Administration/Unit.cfm?Unit=adultdiv>, houses program information, including past annual legislative reports.

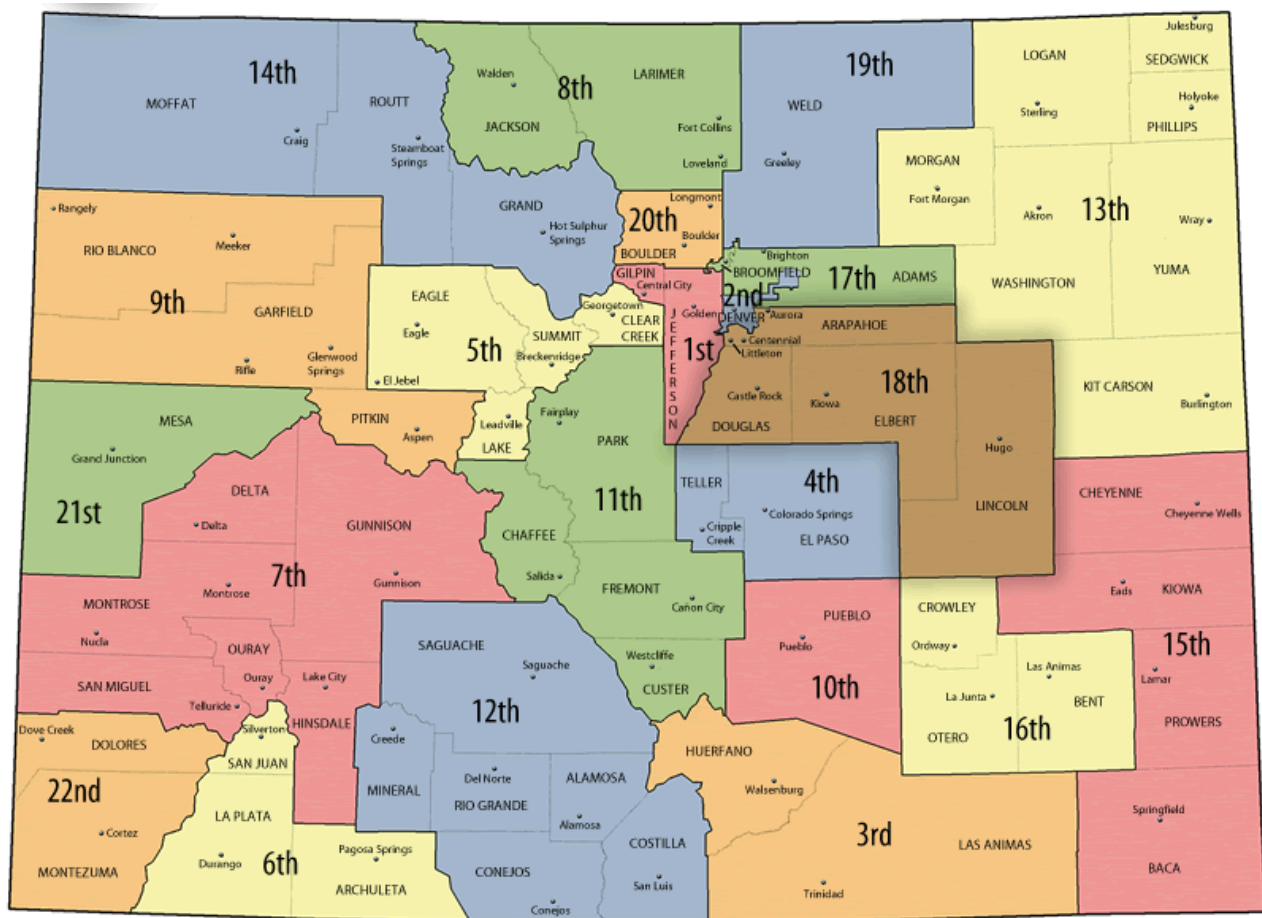
House Bill 13-1156 also established the Adult Diversion Funding Committee (Funding Committee). Funding Committee composition and duties, such as development of a funding application process, are set forth in §13-3-115, C.R.S. The Funding Committee invites annual applications from elected district attorneys and programs operating in partnership with them. Since October of 2013, the State Court Administrator's Office has coordinated the Funding Committee's work, assisting with application materials and processes, funding guidelines, and reporting obligations. The Funding Committee reviews funding requests annually and meets bimonthly to discuss program progress, review participant data, and manage the administration of program funds. Attachments I and II include application materials and funding guidelines. Table 1 identifies FY22 Funding Committee members.

Table 1, FY22 Adult Diversion Funding Committee Members		
Name	Agency Representing	Email
Bob Booth	Office of the Attorney General	bob.booth@coag.gov
Michael Allen	Colorado District Attorneys' Council	michaelallen@elpasoco.com
Megan Ring	Office of the Public Defender	megan.ring@coloradodefenders.us
Sarah Hofstetter	Office of the State Court Administrator	sarah.hofstetter@judicial.state.co.us
Joe Thome	Division of Criminal Justice Department of Public Safety	joe.thome@state.co.us

Program Sites

The original adult diversion funding recipients are the 6th (Archuleta, La Plata and San Juan Counties), 9th (Rio Blanco, Garfield and Pitkin Counties), 15th (Cheyenne, Kiowa, Prowers and Baca Counties), and 16th (Crowley, Otero and Bent Counties) Judicial Districts. The number of funded programs increased to 6 in FY17, with the addition of the 20th (Boulder County) and 21st (Mesa County) Judicial Districts, and to 9 in FY18, with the addition of the 2nd (Denver County), 4th (El Paso and Teller Counties), and 22nd (Dolores and Montezuma Counties) Judicial Districts. In FY19, the 7th Judicial District received funding to operate in Delta County, maintaining the number of funded programs at 9. The number of programs increased to 10 in FY20, adding a program in the 12th Judicial District (Alamosa, Conejos, Costilla, Mineral, Rio Grande and Saguache Counties), and to 12 in FY21, adding programs in the 5th (Clear Creek, Eagle, Lake and Summit Counties) and 14th (Grant, Moffat and Routt Counties) Judicial Districts. The number of programs funded in FY22 fell to 10, as the 9th Judicial District did not apply for funding and the 6th Judicial District obtained alternative county-based funding to support its program operations. The number of programs funded in FY23 returned to 12, with the return of the 9th Judicial District and the addition of the 8th Judicial District (Larimer and Jackson Counties).

Colorado Judicial Districts



During FY20, the Funding Committee procured a program evaluation design to address program improvement, best practices, and performance and outcome measure recommendations. Lack of funding prevented execution of the evaluation design. Since then, the Judicial Branch engaged the University of Colorado at Colorado Springs graduate students to undertake a program evaluation, an endeavor that will continue with a succession of students building on the work of their predecessors.

FY22 represented the eighth year of operation for ongoing programs launched following passage of the enabling legislation and initial round of program funding. Despite the upward trend in the number of funding applications and cumulative funding requests over the years, the pandemic interrupted service of participants, causing a decline in the number of participants and a reduction of funding by 75%, from \$400,000 to \$100,000 during FY21 and FY22. The programs adjusted their screening and assessment procedures, eligibility criteria, target population, array of services and interventions, and mode of providing supervision and access to services. Correctional Treatment Board funding remains consistent in the amount of \$169,000 annually as a supplemental resource for substance-abuse and co-occurring disorder treatment and related expenses.

This annual report addresses the requirements specified in §13-3-115(6), C.R.S., including

- The number of people screened and the number who met diversion program criteria;
- The number of people enrolled;
- Demographic information of program participants, including age, gender, and ethnicity;
- Participant status, the number of participants successfully completing the program, terminated from the program with the reason for termination, and remaining in the program; and

- An accounting of expenditures and unexpended funds at the fiscal year end.

PROGRAM AND PARTICIPANT DATA

Funding: Allocations and Expenditures

From passage of HB 13-1156 through FY20, the Adult Diversion Program received \$400,000 in General Funds for allocation among programs. The appropriation declined by 75% to \$100,000 during FY21 and FY22, due to the state budget crisis. In FY22, 11 District Attorney offices applied for \$852,620.18 in Adult Diversion funding and \$179,785.00 in Correctional Treatment Funding. The Funding Committee was unable to award the amounts requested, impeding the ability of local programs to fully implement program designs. Programs continued to operate on a reimbursement basis with allocated funds expensed by the end of the fiscal year. Table 2 shows the number of applicant programs, the amount of funding requests and awards, and participant enrollment since program inception.

Table 2, Overview of Adult Diversion Programs: Funding Requests, Awards and Participant Enrollment						
Fiscal Year	# Applicants for Adult Diversion Funding	# Programs Awarded Funding	Adult Diversion Funding ¹ Requested	Adult Diversion Funds Awarded	# Participants Enrolled	% Change in Participant Enrollment (from Prior Year)
FY23	12	12	\$2,031,657.40	\$1,900,000.00	Unknown	Unknown
FY22	11	9 ²	\$852,620.18	\$100,000.00	801	-37%
FY21	14	11 ³	\$1,137,954.00	\$100,000.00	1,275	+ 1%
FY20	11	9	\$890,761.95	\$400,000.00	1,259	-17%
FY19	9	9	\$748,454.78	\$400,000.00	1,518	-5 %
FY18	9	9	\$694,653.16	\$400,000.00	1,592	+ 90%
FY17	6	6	\$570,324.02	\$400,000.00	837	+ 67%
FY16	5	5	\$277,923.46	\$277,923.46	502	+ 68%
FY15	4	4	\$240,060.00	\$240,060.00	299	NA

Fiscal Year 2022 was the seventh consecutive year in which Adult Diversion grant requests exceeded available funds. With funded programs operational in approximately half of Colorado's judicial districts, lack of funding has been the primary barrier to program expansion and access. As shown in Table 2, the pandemic-related budget cuts in FY21 and FY22 heightened the disparity between grant requests and awards.

Among the various funding needs, compensation of personnel to administer local diversion programs is most critical. As shown in Table 3, personnel compensation is the primary expense for operating diversion programs. Generally, district attorney offices administer the program through program coordinators, deputy district attorneys, or other staff who oversee day-to-day program operations, reporting and billing. In some sites, district attorneys delegate these tasks to pretrial organizations.

¹ These amounts exclude Correctional Treatment Fund requests.

² Ten programs initially received awards, excluding the 2nd Judicial District, which only received a Correctional Treatment award. One program declined the Adult Diversion award, which was insufficient to support program operations, leaving 9 programs receiving Adult Diversion funding.

³ The 2nd Judicial District, which received Correctional Treatment funds but not Adult Diversion funds, is therefore excluded from this count in FY20, FY21, and FY22.

Table 3, Overall Adult Diversion Program Expenditures⁴ by Category

Fiscal Year	Personnel	Training	Consultants	Operating Costs	Non-Correctional Treatment	Other
FY22	98%	2%	0%	0%	0%	0%
FY21	94%	0%	0%	2%	0%	4%
FY20	91%	<1%	3%	3%	1%	2%
FY19	82%	8%	0%	7%	1%	3%
FY18	84%	1%	0%	4%	12%	0%
FY17	85%	2%	1%	8%	1%	3%
FY16	65%	2%	12%	8%	7%	6%
FY15	73%	1%	14%	10%	2%	1%

When Adult Diversion funding declined by 75% in FY21 and FY22, the available funding of \$100,000 was divided by the 12 and 10 programs respectively. Programs continued to prioritize compensation of personnel, as shown in Table 4, with their limited funding. Because the funding covered only a fraction of staff compensation, staff in many locations were limited in time available to support diversion programming. Nonetheless, all of the programs continued to operate.

Table 4, Adult Diversion FY 22 Expenses by Category and Program

JD	Adult Diversion Funds					Correctional Treatment Funds		
	Expense Categories			Adult Diversion		CTF Expenses	CTF Award	% of Award Expended
	Personnel	Non-Personnel	Combined	Award	% of Award Expended			
2						33,458.68	33,458.68	100%
5	15,500.00	0.00	15,500.00	15,500.00	100%			
7	13,564.91	0.00	13,564.91	15,500.00	88%	9,132.00	19,740.00	46%
12	9,284.78	862.09	10,146.87	15,500.00	65%	0.00	3,000.00	0%
14	15,500.00	0.00	15,500.00	15,500.00	100%	12,046.80	33,458.68	36%
15	15,500.00	0.00	15,500.00	15,500.00	100%			
16	15,500.00	0.00	15,500.00	15,500.00	100%	500.00	2,000.00	25%
20	0.00	996.98	996.98	1,000.00	100%	1,588.00	37,488.72	4%
21	1,000.00	0.00	1,000.00	1,000.00	100%	0.00	13,500.00	0%
22	5,000.00	0.00	5,000.00	5,000.00	100%	20,195.00	26,353.92	77%
Total	90,849.69	1,859.07	92,708.76	100,000.00	93%	76,920.48	169,000.00	46%

Correctional Treatment Funds are allocated pursuant to §18-19-103, C.R.S.

Financial support for other programming needs often remains unmet. Programs express the need to assist participants with basic needs - food, housing, medical or mental health care, transportation, and cell phones to support their stability and successful completion of diversion. Many programs seek external funding to address this shortfall. Participant supervision fees, shown in each of the program profiles, are a critical but inadequate source of supplemental funding. With diversion programs primarily located in more rural, impoverished Colorado communities, program participants often struggle to meet all but minimal payment requirements. These fees offset or support payment of external service providers to fulfill diversion agreement requirements. Unexpended fees contribute to future participant programming or offset funding shortfalls. Most programs offer fee reduction or waiver based on financial need, limiting the amounts collected.

⁴ Expenditures are rounded to the nearest percentage.

Funding for substance use disorder and co-occurring treatment from the Correctional Treatment Board, pursuant to §18-19-103, C.R.S., also supplements Adult Diversion funding. Table 5 shows a 6-year history of Adult Diversion and Correction Treatment Fund expenditures. The reduced expenditure in FY21 and FY22 is due to reduced General Fund appropriation of \$100,000 in Adult Diversion Funds, rather than \$400,000.

Fiscal Year	Expenses Incurred/Paid with Adult Diversion Funds	Expenses Incurred/Paid with Correctional Treatment Funds	Total Expenses Incurred/Paid
FY22	\$92,708.76	\$76,920.48	\$169,629.24
FY21	\$99,777.71	\$78,838.49	\$178,616.20
FY20	\$378,460.57	\$83,982.66	\$462,443.23
FY19	\$368,755.16	\$51,661.13	\$420,416.29
FY18	\$365,850.12	\$47,864.37	\$413,714.49
FY17	\$308,684.86	\$5,480.16	\$314,165.02

Diversion Participants

At the end of the eighth year of overall program implementation, adult diversion programs demonstrate similar patterns of success. As shown in Table 6, the number of individuals screened for diversion and successfully completing diversion has declined for the past three years, yet the rate of successful completion has remained at 89% for FY21 and FY22, resulting in the dismissal or non-filing of charges and avoidance of long-term collateral consequences of convictions.

	FY17	FY18	FY19	FY20	FY21	FY22
# People Screened for Adult Diversion	985	1712	1636	1,580	1,599	1184
# People Enrolled in Adult Diversion	837	1592	1518	1,259	1,273	801
# People Who Successfully Completed Adult Diversion	509 (79%)	826 (78%)	1176 (79%)	1,080 (85%)	1,029 (89%)	653 (89%)
# People under Diversion Agreements at Fiscal Year End	369	723	766	752	917	726
# People Who Did Not Successfully Complete Diversion	134	228	313	188	126	82
Reason for Termination from Diversion						
Did not Comply with Diversion Agreement	97	148	213	136	97	51
Committed New Offense during Diversion	24	47	70	30	29	19
Voluntarily Withdrew from Diversion	11	31	7	6	0	7
Absconded	0	24	21	16	0	2
Other Reason (e.g., death)	2	2	2	0	0	3
# Participants Referred for Treatment Assessment	178	380	381	410	420	272
# Participants Who Began Treatment after Assessment	172	301	280	318	322	222

The majority of participants terminated from diversion did not commit new offenses as the reason for program termination, but instead failed to comply with a diversion requirement. Those requirements vary from program to program and often from participant to participant, dependent on the type of offense and participant's criminogenic needs. Noncompliance may occur from lack of contact with the

diversion coordinator, failure to pay restitution, or failure to comply with another diversion requirement, such as completion of a class regarding theft or alcohol use or failure to obtain a substance abuse evaluation, for instance.

Table 7 shows completion rates by judicial district. Six of the ten sites have successful completion rates of 90% or higher. Although the number of successful participants decreased in FY22, the rate of successful completion remained 89% despite sparse program funding and other pandemic-related operational challenges.

Table 7, Completion Rates by Judicial District									
Judicial District	# of Participants Who Did Not Successfully Complete Diversion			# of Participants Who Successfully Completed Diversion			% of Participants Who Successfully Completed Diversion		
	FY20	FY21	FY22	FY20	FY21	FY22	FY20	FY21	FY22
2	3	3	24	29	76	88	91%	96%	79%
5	NA	5	6	NA	41	23	NA	89%	79%
6	51	51		156	158		75%	76%	
7	2	0	2	15	18	27	88%	100%	93%
9	2	0		88	30		98%	100%	
12	12	3	8	74	43	37	86%	94%	76%
14	NA	1	0	NA	0	11	NA	0% ⁵	100%
15	8	1	1	11	22	17	58%	96%	94%
16	13	6	8	32	42	34	71%	88%	81%
20	29	19	19	291	216	189	91%	92%	91%
21	61	11	10	213	123	121	78%	92%	92%
22	7	26	4	171	259	106	96%	91%	96%
Overall	188	126	82	1,080	1029	653	85%	89%	89%

⁵ The Adult Diversion program became operational in FY21, with successful completions first occurring in FY22.

Recidivism

For purposes of this report, the recidivism rate is defined as the number of former adult diversion participants, whether successful or unsuccessful in completing the diversion program, who have misdemeanor or felony charges filed within 1 year after program exit, divided by the total number of participants exiting the diversion program. Among individuals successfully completing diversion, only 6% were charged with a new misdemeanor or felony within one year of exit, compared with 24% of individuals terminated from diversion due to noncompliance with their diversion agreements or due to commission of a new offense. Table 8 shows 1-year recidivism rates by judicial district for successful and unsuccessful participants exiting diversion.

Judicial District	Participants Successfully Completing Diversion	Participants Unsuccessfully Completing Diversion (Terminated)	Total Exits from Diversion	Recidivism among Successful Participants ⁶ (Recidivism Rate)	Recidivism among Terminated Participants ⁷ (Recidivism Rate)	Recidivism among all Participants Exiting Diversion ⁸ (Recidivism Rate)
2	105	3	108	6 (6%)	3 (100%)	9 (8%)
5	41	5	46	1 (2%)	1 (20%)	2 (4%)
6	158	49	207	14 (9%)	13 (27%)	27 (13%)
7	17	0	17	3 (18%)	NA	3 (18%)
9	1	0	1	0 (0%)	NA	0 (0%)
12	43	3	46	2 (5%)	1 (33%)	3 (7%)
14	0	1	1	NA	1 (100%)	1 (100%)
15	22	1	23	2 (9%)	0 (0%)	2 (9%)
16	41	5	46	0 (0%)	1 (20%)	1 (2%)
20	212	16	228	8 (4%)	1 (6%)	9 (4%)
21	118	11	129	6 (5%)	2 (18%)	8 (6%)
22	254	26	280	20 (8%)	6 (23%)	26 (9%)
Total	1,012	120	1,132	62 (6%)	29 (24%)	91 (8%)

The value of recidivism information depends in large part on the sample size. Particularly for newer or smaller programs, commission of an offense by 1 or a few individuals can disproportionately skew the statistics. Caution is encouraged in drawing conclusions particularly regarding new and small programs.

⁶ The recidivism rate among successful participants is calculated as the number of successful participants divided by the number of successful participants charged with a new misdemeanor or felony within one year of exiting diversion.

⁷ The recidivism rate among unsuccessful participants is calculated by the number of participants terminated as unsuccessful divided by the number of unsuccessful participants charged with a new misdemeanor or felony within one year of exiting diversion.

⁸ The overall recidivism rate is calculated as the number of total exits, both successful and unsuccessful, divided by the total number of exiting participants charged with a new misdemeanor or felony within one year of exiting diversion.

Demographic Information

One purpose of collecting demographic information is to identify trends regarding success or unsuccessful program termination across demographic categories that may help identify areas of needed program improvements or attention. Another is to identify whether particular demographic groups are receiving opportunities to participate in alternatives to prosecution proportionate to their involvement in the criminal legal system, notwithstanding disproportionality in discretionary decision-making points that may adversely impact them prior to initiation of criminal charges. Accurate and consistent collection of demographic information continues to be a challenge, with variation among jail case management systems utilized from one jail to another and regarding Judicial Branch databases.

The Colorado Division of Criminal Justice within the Department of Public Safety addresses these challenges in their Community Law Enforcement Action Reporting Act Reports.⁹ The Community Law Enforcement Action Reporting Act Report, Colorado Division of Criminal Justice (Oct. 2020)¹⁰, provides the following data regarding population, summons or arrest, and court filings across four demographic groups, set forth in Table 9. The Community Law Enforcement Action Reporting Act Report, Colorado Division of Criminal Justice (Oct. 2020), reveals data that demonstrates Black and Hispanic people are less likely to received deferred judgments than White people and more likely to receive jail sentences.¹¹

Table 9, Criminal Legal System Involvement: Demographic Comparison							
Black				White			
Population	Arrest or Summons	Court Filings		Population	Arrest or Summons	Court Filings	
		District	County			District	County
4%	12%	11%	8%	72%	58%	56%	60%
Hispanic				Other			
Population	Arrest or Summons	Court Filings		Population	Arrest or Summons	Court Filings	
		District	County			District	County
19%	29%	30%	29%	5%	2%	3%	3%

The Funding Committee monitors program data and access to diversion by historically marginalized groups with respect to overrepresentation in the criminal legal system and underrepresentation in prosecution alternatives. While a number of historical and systemic issues contribute, for example, to the number of individuals arrested and/or charged, data regarding entry into and completion of adult diversion can nonetheless provide crucial information for equitable access, cultural responsiveness, and areas for improvement.

Adult diversion programs report participant demographic information upon program exit, rather than for ongoing participants. Efforts are underway to improve the quality of this data by uniformly capturing reasons for denial of program entry, which may range from non-prosecution to factors such as parole or probation status, non-local residence, program fit (e.g., severity of candidate needs), criminal history or level of criminogenic risk, among other factors. This information helps establish a baseline and measure improvements regarding access to diversion as a prosecution alternative across demographic groups.

⁹ To improve data accuracy of race/ethnicity designations below, the Division of Criminal Justice used a statistical model to predict whether individuals were Hispanic in the arrest and court data below.

¹⁰ Data from Community Law Enforcement Action Reporting Act Report, Colorado Division of Criminal Justice (Oct. 2020), <https://cdpsdocs.state.co.us/ors/docs/reports/2020-SB15-185-Rpt.pdf>, and presentation to Colorado Commission on Criminal Justice, https://cdpsdocs.state.co.us/ccjj/meetings/2020/2020-10-09_CY2019-CLEAR-Act-Rpt.pdf.

¹¹ The October 2020 CLEAR report is the most recent.

Table 10 shows program successful exits and terminations by race and judicial district. Terminations occur due to new misdemeanor or felony charges or due to noncompliance with diversion agreements. Presently, there is no standardized method of data collection on issues such as race and ethnicity, whether by self-report or officer description. The number of non-white diversion participants in non-metro area judicial districts is derived from low participant numbers and should be viewed with caution.

Race	2nd	5th	7th	12th	14th	15th	16th	20th	21st	22nd	Success/Termination Rate by Category
American Indian/ Alaska Native	1	0	0	2	0	1	0	3	1	18	26 (100%)
Successful	0	0	0	2	0	1	0	3	1	17	24 (92%)
Terminated	1	0	0	0	0	0	0	0	0	1	2 (8%)
Asian/ Pacific Islander	1	0	0	0	0	0	0	4	0	1	6 (100%)
Successful	0	0	0	0	0	0	0	4	0	1	5 (83%)
Terminated	1	0	0	0	0	0	0	0	0	0	1 (17%)
Black/ African American	30	2	0	1	1	0	0	8	0	3	45 (100%)
Successful	26	1	0	1	1	0	0	6	0	3	38 (84%)
Terminated	4	1	0	0	0	0	0	2	0	0	7 (16%)
Multi-Racial	2	0	0	0	0	2	0	7	0	0	11 (100%)
Successful	1	0	0	0	0	2	0	7	0	0	10 (91%)
Terminated	1	0	0	0	0	0	0	0	0	0	1 (9%)
Other/Unknown	0	0	0	4	0	0	0	15	0	10	29 (100%)
Successful	0	0	0	4	0	0	0	14	0	10	28 (97%)
Terminated	0	0	0	0	0	0	0	1	0	0	1 (3%)
White	78	27	29	38	10	15	42	171	130	78	618 (100%)
Successful	61	22	27	30	10	14	34	155	120	75	548 (89%)
Terminated	17	5	2	8	0	1	8	16	10	3	70 (11%)
Total	112	29	29	45	11	18	42	208	131	110	735 (100%)
Successful	88	23	27	37	11	17	34	189	121	106	653 (89%)
Terminated	24	6	2	8	0	1	8	19	10	4	82 (11%)

Table 11 shows program successful exits and terminations by ethnicity and judicial district.

Ethnicity	2nd	5th	7th	12th	14th	15th	16th	20th	21st	22nd	Success/Termination Rate by Category
Latinx/Hispanic	29	6	6	21	2	5	23	50	29	11	182 (100%)
Successful	23	6	5	17	2	5	17	46	27	10	158 (87%)
Terminated	6	0	1	4	0	0	6	4	2	1	24 (13%)
Non-Latinx/ Hispanic	83	21	23	21	9	13	14	148	102	96	530 (100%)

	Successful	65	17	22	18	9	12	12	134	94	93	476 (90%)
	Terminated	18	4	1	3	0	1	2	14	8	3	54 (10%)
Unknown		0	2	0	3	0	0	5	10	0	3	23 (100%)
	Successful	0	0	0	2	0	0	5	9	0	3	19 (83%)
	Terminated	0	2	0	1	0	0	0	1	0	0	4 (17%)
Total		112	29	29	45	11	18	42	208	131	110	735 (100%)
	Successful	88	23	27	37	11	17	34	189	121	106	653 (89%)
	Terminated	24	6	2	8	0	1	8	19	10	4	82 (11%)

Table 12 shows program successful exits and terminations by gender and judicial district.

Gender		2nd	5th	7th	12th	14th	15th	16th	20th	21st	22nd	Success/Termination Rate by Category
Female		42	7	16	15	3	9	21	57	67	37	274 (100%)
	Successful	35	6	15	14	3	9	17	49	62	35	245 (89%)
	Terminated	7	1	1	1	0	0	4	8	5	2	29 (11%)
Male		70	22	13	30	8	9	21	150	64	73	460 (100%)
	Successful	53	17	12	23	8	8	17	139	59	71	407 (88%)
	Terminated	17	5	1	7	0	1	4	11	5	2	53 (12%)
Other/Unknown		0	0	0	0	0	0	0	1	0	0	1 (100%)
	Successful	0	0	0	0	0	0	0	1	0	0	1 (100%)
	Terminated	0	0	0	0	0	0	0	0	0	0	0 (0%)
Total		112	29	29	45	11	18	42	208	131	110	735 (100%)
	Successful	88	23	27	37	11	17	34	189	121	106	653 (89%)
	Terminated	24	6	2	8	0	1	8	19	10	4	82 (11%)

Table 13 shows program successful exits and terminations by age group and judicial district.

Age		2nd	5th	7th	12th	14th	15th	16th	20th	21st	22nd	Success/Termination Rate by Category
18-25		40	17	10	28	5	5	17	114	66	28	330 (100%)
	Successful	30	12	10	20	5	4	14	108	63	26	292 (88%)
	Terminated	10	5	0	8	0	1	3	6	3	2	38 (12%)
26-40		49	3	10	11	3	7	17	51	28	37	216 (100%)
	Successful	38	2	8	11	3	7	13	42	24	36	184 (85%)
	Terminated	11	1	2	0	0	0	4	9	4	1	32 (15%)
41-60		19	7	4	6	1	3	8	33	21	30	132 (100%)
	Successful	16	7	4	6	1	3	7	29	21	29	123 (93%)
	Terminated	3	0	0	0	0	0	1	4		1	9 (7%)
61+		4	2	5	0	2	3	0	10	16	15	57 (100%)
	Successful	4	2	5	0	0	3	0	10	13	15	52 (91%)
	Terminated	0	0	0	0	2	0	0	0	3	0	5 (9%)
Total		112	29	29	45	11	18	42	208	131	110	735 (100%)

Successful	88	23	27	37	9	17	34	189	121	106	653 (89%)
Terminated	24	6	2	8	2	1	8	19	10	4	82 (11%)

Offense Data

Programs divert an array of case types, ranging from petty offenses to felonies and drug felonies. Most programs divert at least some felonies. Offenses diverted varies among districts, generally reflecting local diversion program priorities and policies. Increased competition for limited funds prompted the Funding Committee to develop the priorities to guide funding application review, consistent with §18-1.3-101, C.R.S., and in the absence of a more specific statutory mandate:

- To promote the statutory focus on diversion of crimes, funding should not be used to divert civil infractions.
- To promote the legislative intent of repairing harm to victims, including payment of restitution, diversion of crimes involving victims harmed and/or owed restitution is a higher priority than diversion of victimless crimes.
- In reference to the statutory emphasis on rehabilitation and reintegration, the diversion of cases involving such services is a higher priority than diversion not involving such interventions.
- In reference to the statutory recognition of collateral consequences of conviction, offenses with more serious collateral consequences are considered higher priority for diversion.

Community Impact: Restitution and Participant Narratives

The Adult Diversion Funding Committee receives both quantitative data and participant narratives or anonymous feedback surveys to better understand the program impacts and benefits.

Restitution

The prospect of avoiding criminal convictions and obtaining dismissal of charges are effective incentives for the payment of restitution, benefitting victims and diversion participants alike. As shown in Table 14, restitution collected statewide amounted to \$145,119.16 in FY22, compared to \$191,720.75 in FY21, \$103,499.85 in FY20, and \$69,791.39 in FY19.¹² In order of the amount collected, collections were highest in the 2nd, 20th, 5th, and 16th Judicial Districts.

Table 14, Restitution Collected from Adult Diversion Participants during FY22	
Judicial District	Amount Collected
2	\$76,214.00
5	\$20,840.98
7	\$2,411.86
12	\$1,154.40
14	\$563.39
15	\$1,757.00
16	\$16,806.02
20	\$22,580.00
21	\$1,100.00

¹² Prior year restitution data likely represent an under-calculation based on variations in programs, with some programs providing participant data only upon exit and others including data regarding ongoing participants. All programs confirmed the amounts reflected in Table 11.

22	\$1,691.51
Total	\$145,119.16

As shown in Table 15 and in furtherance of the legislative intent of restoring victims of crime and facilitating restitution payment, 87 diversion participants completing diversion in FY22 were required to pay restitution as a condition for successful completion of diversion. Of all individuals exiting diversion, whether successfully or unsuccessfully, 44, or 51%, fully satisfied their restitution payment obligations.

Table 15, FY22 Adult Diversion Exits Involving Restitution

Judicial District	Exits Requiring Payment of Restitution	Exits in which Restitution was Fully Paid
2	19	8 (6 of 19 terminated due to noncompliance or new offense)
5	10	4 (2 of 10 terminated due to noncompliance or a new offense)
7	0	NA
12	12	3 (3 of 12 terminated due to noncompliance, new offense, or voluntary withdrawal)
14	0	NA
15	2	1 (1 of 2 terminated due to a new offense)
16	11	11
20	13	11 (2 of 13 terminated for noncompliance)
21	10	2 (1 of 10 terminated due to a new offense)
22	10	4 (2 of 10 terminated as unsuccessful)
Total	87	44 (17 of 87 terminated from diversion)

Participant Narratives

While on diversion, this client successfully completed an inpatient treatment program for a meth addiction. He described his pre-diversion self as “one of those people pushing a shopping cart on Colfax,” regarding his homelessness and meth addiction. With a history of extreme childhood trauma and abuse, he used substances to attain numbness and cope with life. Through diversion, he successfully completed probation through another county, maintained full sobriety, held full time employment, and attended weekly AA meetings. He lives in his own apartment, purchased his first ever vehicle, and was able to travel on his first airplane flight to his first visit to a beach. He reports, “Being in the diversion program has helped by keeping me accountable for regular check ins and also helped me figure things out about myself! It helped me realize that focusing on my mental health is key to a successful life. I have continued on my path of sobriety, and I have not looked back.”

The client, who struggled with addiction, homelessness, and food instability, spent time with people involved in committing crime. She took accountability to pay the monthly diversion fee, checked in regularly with the diversion coordinator, and proactively sought resources needed for her stabilization. Through diversion, she attended counseling, achieved sobriety, and maintained employment for three months. She developed confidence in herself, and continues to check in with the diversion coordinator and expressed gratitude for the assistance that helped get her life back on track.

Facing charges of trespass and criminal mischief after an incident in which he was intoxicated, the client broke down the door to a home. During diversion, he committed himself to addressing the high-risk substance use that contributed to his offense by participating in intensive counseling. Counseling led him to abstain from all substances and reconnect with his family. Through restorative justice

practices, he engaged with the residents of the home he entered, the homeowner, the police officer who responded to the incident, and a member of the community and in so doing, realized the trauma his actions caused. He took full responsibility, answered all questions asked of him, apologized, and agreed to purchase a home security system for the victims. Both the client and the direct victims reported that the restorative justice conference was helpful, and the victims asked that he install the security system he purchased to physically and symbolically repair the sense of safety he took from them. He maintained a full course load at CU while on diversion. He completed diversion with a low assessed risk of reoffending.

The client, who struggled with substance abuse, entered diversion to resolve a DUI charge. His evaluation led to a first-time diagnosis of schizophrenia. Through diversion, he was supported with a short residential treatment program that provided access to needed medications. He stabilized, ceased relying on substances, and is progressing with overall life and employment stability.

FY23 Program Forecast

Two successful bills in Colorado's 2022 legislative session impacted the future of adult diversion in Colorado. First, SB22-10 encouraged diversion of people with behavioral health disorders out of the criminal legal system and into community treatment programs, providing direct legislative intent and guidance for the provision of treatment as part of diversion. Passage of this legislation preceded the automatic statutory repeal of the pilot Mental Health Diversion Program, Sec. 18-1.3-101.5, C.R.S., that lost funding during its pilot period as a pandemic-related budget cut. Although SB22-10 did not provide funding for diversion or for behavioral health services, SB22-196 appropriated \$4 million in American Rescue Plan Act of 2021 funds to adult diversion programs, with \$1.8 million of the funds to be allocated to grant programs that divert people with behavioral health disorders. SB22-196 permits expenditures during FY23 or FY24, without further appropriation, authorized expenditure of up to 5% of the award for administrative costs, and required data collection and reporting regarding the number of people screened for behavioral health treatment and referred for such treatment.

This infusion of federal dollars restored funding lost during the pandemic and provided a secure source of two-year funding for program expansion. The Adult Diversion Funding Committee elected to administer half of the federal funding in FY23, with the remainder reserved for FY24. To date, the 5% authorized for administrative expenses have not been utilized, leaving \$1.9 million for distribution to programs for each FY23 and FY24. Table 16 shows FY23 Adult Diversion requests of \$2,031,657.40 and Correctional Treatment requests of \$272,589.00, followed by FY23 awards.

Table 16, FY23 Adult Diversion and Correctional Treatment Requests and Awards

Judicial District	Adult Diversion Funds		Correctional Treatment Funds	
	Requested	Award	Requested	Award
2	346,200.00	338,950.00	60,500.00	37,550.00
5	50,750.00	50,750.00	0.00	0.00
7	316,216.00	298,234.00	64,594.00	27,550.00
8	156,600.00	151,993.00	0.00	0.00
9	68,164.00	68,164.00	3,300.00	2,800.00
12	185,000.00	185,000.00	0.00	0.00
14	60,000.00	60,000.00	57,500.00	27,550.00
15	44,500.00	44,500.00	1,500.00	1,500.00
16	96,235.00	96,235.00	7,000.00	6,000.00
20	204,500.00	194,500.00	25,000.00	25,000.00
21	216,847.40	166,847.00	13,500.00	13,500.00
22	286,645.00	244,827.00	39,695.00	27,550.00
Total	2,031,657.40	1,900,000.00	272,589.00	169,000.00

Program Profiles

2nd JD: Denver County			District Attorney Beth McCann	
Program Started in 2018	Adult Diversion Funds		Correctional Treatment Funds	
	Request FY22: \$165,600 FY23: \$346,200	Award FY22: \$0 FY23: 338,950	Request FY22: \$35,700 FY23: 60,500	Award FY22: \$33,458.68 FY23: \$37,550
Target Population	Adults of all ages, who are charged with eligible felonies and misdemeanors. Candidates may be referred prior to 1st advisement and through district attorney referral.			
Program Goals	<ul style="list-style-type: none"> • Offer diversion to at least 60% of eligible candidates, 70% of whom will successfully complete diversion the year of program entry • Refer at least 70% of participants to treatment, with participants engaging in at least 12 sessions • All participants complete at least one SPIn goal prior to program termination • All participants owing restitution fully pay restitution obligations prior to program completion • Participants complete restorative justice processes in all cases determined to be appropriate 			
Projected Enrollment: 120		# Enrolled: 135		# Screened: 442
# Participants Successful: 88			# Participants Terminated: 24	
FY21 One-Year Recidivism Rate (Successful Exits): 6%			Successful Completion Rate: 79%	
Average Diversion Fee: \$13/month			Supervision Fees Collected: \$20,392	
Assessment Tools	Service Planning Instrument (SPIn), University of Rhode Island Change Assessment Scale (URICA), Alcohol, Smoking and Substance Involvement Screening Test (ASSIST), Beck Depression Inventory, Adverse Childhood Experiences inventory, and Screening, Brief Intervention, and Referral to Treatment (SBIRT)			
Community Partners	Forward Movement, Life Recovery Centers, SOAR therapy, The Conrad Center, Peak Wellness Center, Front Range Clinic, Nspire Today, Phoenix Multisport, Servicios De La Raza, Advent ELearning, Master Apprentice Program, Colorado Access			
Achievements	<ul style="list-style-type: none"> • Screened more than 500 cases and accepted approximately 30% into diversion • Referred 60% of participants to mental health, substance use disorder and/or co-occurring disorder evaluation and treatment and/or sober living environments • Referred 46 participants to the Restorative Justice Program, expanding the RJ program, including the number of community volunteers and facilitators • Collected and distributed \$76,214 in restitution payments from diversion participants, including payments from work program participation, to repair harm to victims of crime, representing the highest amount of restitution collected among all programs 			
Challenges	Need for additional staff training on the SPIn tool to improve assessment of criminogenic risks and needs and to better identify matching interventions. The program addressed this challenge by procuring advanced training of a supervisor who can deliver ongoing training and provide feedback to staff, enhancing skill development and improving the quality of services delivered			

5th JD: Clear Creek, Eagle, Lake, and Summit Counties			District Attorney Heidi McCollum	
Program Started in 2019 (Funded in 2020)	Adult Diversion Funds		Correctional Treatment Funds	
	Request FY22: \$27,500 FY23: \$50,750	Award FY22: \$15,500 FY23: \$50,750	Request FY22: \$0 FY23: \$0	Award FY22: \$0 FY23: \$0
Target Population	Adults charged with eligible felonies, including people with and without a history of involvement in the criminal legal system, and including people needing mental health or substance use disorder interventions; Veteran preference			
Program Goals	<ul style="list-style-type: none"> • Recidivism of program participants is lower than non-participants • Provide referral and access to mental health treatment, when appropriate • Connect indigent participants to housing and food assistance • Repairing harm to victims and ensure payment of restitution by tracking restitution collections, apology letters provided to persons harmed, and community service work performed • Seal arrest records for all successful participants 			
Projected Enrollment: 100		# Enrolled: 21	# Screened: 29	
# Participants Successful: 23		# Participants Terminated: 6		
FY21 One-Year Recidivism Rate: 2%		Successful Completion Rate: 79%		
Average Diversion Fee: \$50/month		Supervision Fees Collected: \$3,545.00		
Assessment Tools	Service Planning Instrument (SPIn)			
Community Partners	Local law enforcement agencies, substance use treatment providers, other community resources			
Achievements	<ul style="list-style-type: none"> • Payment of \$20,840.98 in restitution by diversion participants, the third highest amount of restitution collections among all diversion programs, and provision of apology letters to repair harm to victims • Completion of community service • Low 1-year recidivism rate (2%) • 23 successful participants eligible for sealing of charges and arrest records • Ability to accept all eligible diversion candidates 			
Challenges	<ul style="list-style-type: none"> • Lack of local behavioral health providers • Financial instability of participants • Need for ongoing outreach regarding diversion to increase stakeholder referrals 			

7th JD: Delta, Gunnison, Hinsdale, Montrose, Ouray, and San Miquel Counties			District Attorney Seth D. Ryan	
Program Started in 2018	Adult Diversion Funds		Correctional Treatment Funds	
	Request FY22: \$56,574.22 FY23: \$316,216.00	Award FY22: \$15,500 FY23: \$298,235	Request FY22: \$19,740 FY23: \$64,594	Award FY22: \$19,740 FY23: \$27,550
Target Population	Adults charged with eligible felony, misdemeanor, or petty offenses, including people with and without a history of involvement in the criminal legal system			
Program Goals	<ul style="list-style-type: none"> • Refer appropriate cases to Restorative Justice • 90% of participants identified as appropriate for victim-offender conferences complete those conferences • Develop tailored Offender Accountability Plans for each participant, by assessing all participants for criminogenic risks and needs to identify appropriate interventions • 85% of participants successfully complete diversion • Increase the number of cases diverted and expand availability of diversion beyond Delta County into all counties of the 7th Judicial District 			
Projected Enrollment: 84		# Enrolled: 25	# Screened: 43	
# Participants Successful: 27		# Participants Terminated: 2		
FY21 One-Year Recidivism Rate (Successful Exits): 18%			Successful Completion Rate: 93%	
Average Diversion Fee: Flat fee of \$50		Supervision Fees Collected: \$550		
Assessment Tools	Adverse Childhood Experience inventory, Posttraumatic Stress Disorder Checklist (PCL-Short), Patient Health Questionnaire (PHQ-9), Alcohol Use Disorders Identification Test-Concise (AUDIT-C), Drug Abuse Screening Test (DAST-10), Adult Substance Abuse Subtle Screening Inventory - 4 (SASSI-4), American Society of Addiction Medicine (ASAM)			
Community Partners	Delta County Alternative Sentencing Department (DCASD)			
Achievements	<ul style="list-style-type: none"> • The majority of participants completed Useful Public Service to repair harm to the community • Accountability plans were developed in all cases accepted into diversion, tailored to participant risk and needs • Average wait time from referral to assessment to the first treatment appointment is less than seven days 			
Challenges	<ul style="list-style-type: none"> • The limited number of local behavioral health providers • Lack of program funding 			

12th JD: Alamosa, Conejos, Costilla, Mineral, Rio Grande, and Saguache Counties			District Attorney Alonzo Payne (through FY22) District Attorney Anne Kelly (beginning FY23)	
Program Started in 2019	Adult Diversion Funds		Correctional Treatment Funds	
	Request FY22: \$151,412 FY23: \$185,000	Award FY22: \$15,500 FY23: \$185,000	Request FY22: \$3,000 FY23: \$0	Award FY22: \$3,000 FY23: \$0
Target Population	Adults charged with eligible traffic, misdemeanor or non-violent felony offenses, including people with and without a history of involvement in the criminal legal system			
Program Goals	<ul style="list-style-type: none"> • Refer all participants for restorative justice interventions or treatment, as appropriate, with 90% completing the recommended intervention • Assess all participants for criminogenic needs and develop strengths-based diversion plans, including a warm handoff for 90% of participants to receive additional resources • Engage 50% of participants in community service or treatment to further rehabilitation and reintegration into the community • 90% of participants successfully complete diversion • Fewer than 10% of participants who successfully complete diversion recidivate within the year following diversion completion • 85% of victim and community members report satisfaction with restorative justice processes and outcomes • Community-based referrals to diversion increase and participant access to community resources expands due to programmatic education and outreach in the community. 			
Projected Enrollment: 350		# Enrolled: 27	# Screened: 34	
# Participants Successful: 37			# Participants Terminated: 8	
FY21 One-Year Recidivism Rate (Successful Exits): 5%			Successful Completion Rate: 77%	
Average Diversion Fee: \$50/month			Supervision Fees Collected: \$1,090	
Assessment Tool	Service Planning Instrument (SPIn)			
Community Partners	Center of Restorative Programs, Dr. William Beverly, San Luis Valley Behavioral Health, Adventfs, Law Enforcement Assisted Diversion			
Achievements	<ul style="list-style-type: none"> • Low 1-year recidivism rate (5%) • Continued operation of program and supervision of participants during challenging DA office leadership changes • Planning for transition of program operations to Center for Restorative Programs to improve service delivery and program success • Planning for expansion to serve candidates prior to filing of charges, with direct referrals by law enforcement through the Civil Citation Network 			
Challenges	<ul style="list-style-type: none"> • Lack of service providers and delays in service availability • Change in elected leadership of the District Attorney's office • Reduction in referrals to diversion • Impending operational changes, including transition to Center for Restorative Programs handling day-to-day operations • Ongoing effects of COVID, including a lack of in-person contact between case managers and participants • Lack of an internal integrated record management system • Program visibility • Additional time needed to strengthen community collaboration • Process changes needed for earlier, pre-file entry into diversion • Participant inability to pay fee of \$50/month, lowering collection of diversion fees 			

14 th JD: Grand, Moffat, and Routt Counties			District Attorney Matt Karzen	
Program Started in 2020	Adult Diversion Funds		Correctional Treatment Funds	
	Request FY22: \$22,500 FY23: \$60,000	Award FY22: \$15,500 FY23: \$60,000	Request FY22: \$35,700 FY23: \$57,500	Award FY22: \$33,458.68 FY23: \$27,550.00
Target Population	Adults with eligible charges that could be filed in district court			
Program Goals	<ul style="list-style-type: none"> • 85% of participants do not incur new criminal charges during the period of diversion • 85% of participants show a reduction in assessment of criminogenic risk • 80% of participants have full-time upon completion of diversion • 85% of participants who are non-compliant within the first 60 days of diversion participate in multi-disciplinary team meetings to address and resolve non-compliance • 85% of participants successfully and timely complete diversion, including full payment of restitution and/or completion of useful public service, if required 			
Projected Enrollment: 60		# Enrolled: 11	# Screened: 26	
# Participants Successful: 11			# Participants Terminated: 0	
FY 21 One-Year Recidivism Rate: NA			Successful Completion Rate: 100%	
Average Diversion Fee: Flat fee of \$100			Supervision Fees Collected: \$800	
Assessment Tools	Level of Service Inventory			
Community Partners	Grand County Judicial Services Department, Moffatt County Youth Services Department, Mind Springs Mental Health, Health Partnership, Luna Counseling, Correctional Alternative Placement Services, and Stay Free Forever (provider of online class)			
Achievements	<ul style="list-style-type: none"> • All participants exiting diversion during FY22 successfully completed the program • Full payment of restitution by the one participant who owed it • First full year of implementation completed, with growth in the number of candidates screened and participants enrolled 			
Challenges	<ul style="list-style-type: none"> • Identifying and engaging treatment providers, even with use of telehealth and delays between referral, assessment, and initial appointments • Staff time/resources 			

15 th JD: Baca, Cheyenne, Kiowa, and Prowers Counties			District Attorney Joshua Vogel	
Program Started in 2015	Adult Diversion Funds		Correctional Treatment Funds	
	Request FY22: \$39,154.56 FY23: \$44,500.00	Award FY22: \$15,500 FY23: \$44,500	Request FY22: \$0 FY23: \$1,500	Award FY22: \$0 FY23: \$1,500
Target Population	Open to all individuals facing eligible misdemeanor and felony charges who are motivated to change and who will benefit in the long term from treatment services, such as substance use disorder, mental health, domestic violence treatment			
Program Goals	<ul style="list-style-type: none"> • At least 90% of participants successfully complete diversion • Increase the number of felony cases diverted • Require payment of restitution as a condition for successful program completion 			
Projected Enrollment: 60		# Enrolled: 16	# Screened: 17	
# Participants Successful: 17			# Participants Terminated: 1	
FY21 One-Year Recidivism Rate (Successful Exits): 9%			Successful Completion Rate: 94%	
Average Diversion Fee: \$10-\$25/month			Supervision Fees Collected: \$1,444	
Assessment Tools	Determined by treatment providers, based on criminogenic needs or offense committed			
Community Partners	Moving Forward Counseling Services, LLC, Ryon Medical & Associates, First Step Recovery, Cindy Vigil, Crossroads Turning Points, Inc., Lamar Southeast Health Group, SafeCare Colorado, Advent eLearning,			
Achievements	<ul style="list-style-type: none"> • High rate of successful completion (94%), double the number of successful participants from FY21 to FY22 • Continued program operations despite a second year of pandemic-related funding cuts • Obtained funding restoration for FY23 			
Challenges	<ul style="list-style-type: none"> • Lack of local behavioral health providers, distance to treatment, and delays in assessment and treatment • Lack of staffing resources to efficiently administer the program and maximize cases that could be diverted 			

16th JD: Bent, Crowley, and Otero Counties			District Attorney William Culver	
Program Started in 2014	Adult Diversion Funds		Correctional Treatment Funds	
	Request	Award	Request	Award
	FY22: \$75,000 FY23: \$96,235	FY22: \$15,500 FY23: \$96,235	FY22: \$2,000 FY23: \$7,000	FY22: \$2,000 FY23: \$6,000
Target Population	Adults with no history of criminal legal system involvement who would benefit from treatment, including cases involving alcohol or drug-related charges and cases involving domestic violence.			
Program Goals	<ul style="list-style-type: none"> • Divert cases that involve the payment of restitution and require participants to pay restitution as a requirement of successfully completing diversion • Requiring all participants to have a GED or high school equivalency as a condition of successfully completing diversion to promote better employment opportunities and to foster the ability of participants to be self-supporting • Assessing each participant for criminogenic risks and needs and develop individualized diversion plans that address those needs 			
Projected Enrollment: 60		# Enrolled: 44	# Screened: 47	
# Participants Successful: 34			# Participants Terminated: 8	
FY21 One-Year Recidivism Rate (Successful Exits): 0%			Successful Completion Rate: 81%	
Average Diversion Fee: \$50/month			Supervision Fees Collected: \$19,004.50	
Assessment Tools	Determined by treatment providers			
Community Partners	Southeast Health Group, RESADA, Ryon Medical, Moving Forward LLC			
Achievements	<ul style="list-style-type: none"> • Collection of \$16,806.02 in restitution payments from diversion participants to repair harm to victims of crime, the fourth highest amount of restitution collected • Incorporation of telehealth treatment to expand availability of therapy needed by participants, benefitting clients who lack access to transportation • Sustained program operations despite a second year of pandemic-related budget cuts 			
Challenges	<ul style="list-style-type: none"> • Lack of local behavioral health providers, provider turnover, distance to treatment, and delays in assessment and treatment • Lack of public transportation • Poverty of participants • Limited program funding 			

20 th JD: Boulder County			District Attorney Michael Dougherty	
Program Started in 2016	Adult Diversion Funds		Correctional Treatment Funds	
	Request FY22: \$27,500 FY23: \$204,500	Award FY22: \$1,000 FY23: \$194,500	Request FY22: \$40,000 FY23: \$25,000	Award FY22: \$37,488.72 FY23: \$25,000.00
Target Population	<ul style="list-style-type: none"> • Supervised diversion for adults charged with first-time eligible class 6-3 felonies. • Unsupervised diversion for adults with eligible misdemeanor and petty offenses • Mental health diversion for adults with moderate to acute mental health treatment needs and low to moderate criminogenic risk, including cases in which competency to stand trial is at issue 			
Program Goals	<ul style="list-style-type: none"> • Individualized, assessment-driven case plans for all supervised participants • 75% or more of supervised participants surveyed at program completion 1) report skill development and/or improved decision making and 2) report that diversion facilitated connections to community services, programs, or activities • 100% of supervised participants discuss accountability, harm caused and impacts resulting from the offense • 90% or more of victims surveyed after participation in a facilitated RJ process report satisfaction with the process • 75% or more of supervised participants successfully complete diversion • 75% or more of supervised participants surveyed at program completion report reduced likelihood of committing another crime as a result of diversion • Fewer than 15% of supervised participants reoffend during the period of diversion 			
Projected Enrollment: 530		# Enrolled: 201	# Screened: 219	
# Participants Successful: 189		# Participants Terminated: 19		
FY21 One-Year Recidivism Rate (Successful Exits): 4%		Successful Completion Rate: 91%		
Average Diversion Fee: \$6/month		Supervision Fees Collected: \$14,400		
Assessment Tools	Service Planning Instrument (SPIn), Correctional Mental Health Screen, Modified Mini Screen (MMS), Texas Christian University (TCU) Drug Screen 5, and Ohio State University Traumatic Brain Injury Identification Method (OSU TBI-ID)			
Community Partners	Boulder County Community Justice Services, Boulder County Sheriff's Office			
Achievements	<ul style="list-style-type: none"> • All supervised participants were assessed using the SPIn to inform assessment-driven case planning that builds on strengths and supports skill building and positive community connections • The overwhelming majority of supervised participants reported skill development, improved decision-making, and increased connection with community services, programs, and activities as a result of participating in diversion • All supervised participants reported that diversion helped them understand the impact of and take responsibility for their actions • All victims who participated in facilitated restorative justice processes reported that participants took responsibility for their actions and seemed to understand its impact. All victims reported that the Restorative Justice agreement helped repair harm from the offense, that the RJ process met their needs, and that the RJ process will help them move forward. All victims reported they would recommend RJ to other victims • Collected \$22,580 in restitution owed to victims of crime • 100% of participants assessed as high or moderate high in overall, static, or dynamic risk decreased their criminogenic risk and the majority increased protective factors during diversion 			

	<ul style="list-style-type: none">• Of participants who successfully completed diversion, none increased in risk level; Overall dynamic risk decreased for 49% and overall dynamic protective factors increased for 35%• All participants agreed or strongly agreed that they were less likely to commit another crime due to diversion
Challenges	<ul style="list-style-type: none">• Lengthy wait times for behavioral health treatment intakes and appointments• Evaluation and treatment costs• Financial stressors, such as a high cost of living, COVID-related obstacles, and high demand for scarce services

21 st JD: Mesa County			District Attorney Daniel Rubinstein	
Program Started in 2016	Adult Diversion Funds		Correctional Treatment Funds	
	Request FY22: \$109,187.40 FY23: \$216,847.40	Award FY22: \$5,000 FY23: \$166,847	Request FY22: \$13,500 FY23: \$13,500	Award FY22: \$13,500 FY23: \$13,500
Target Population	Adults assessed to be low to medium risk of recidivism, including people with no prior arrests who face lower level criminal charges, both pre- and post-charge. The program also targets individuals referred from Animal Services.			
Program Goals	<ul style="list-style-type: none"> • At least 90% of clients not have new misdemeanor or felony charges filed during diversion • Termination of 40% of diversion participants prior to their scheduled date of program completion 			
Projected Enrollment: 600		# Enrolled: 146	# Screened: 149	
# Participants Successful: 121			# Participants Terminated: 10	
FY21 One-Year Recidivism Rate (Successful Exits): 5%			Successful Completion Rate: 92%	
Average Diversion Fee: \$45/month			Supervision Fees Collected: \$11,715	
Assessment Tools	Proxy risk assessment, Substance Screening Instrument (SSI), and Security Orchestration Automation and Response instrument (SOAR)			
Community Partners	Mesa County Criminal Justice Services Department, local law enforcement agencies			
Achievements	<ul style="list-style-type: none"> • 98% of participants were not charged with a new misdemeanor or felony during diversion • 91% of participants complied with the requirements of their diversion program and were terminated early from diversion • Commitment to not revoking diversion solely due to participant inability to pay diversion fees • Implementation of pre-file diversion directly by law enforcement 			
Challenges	<ul style="list-style-type: none"> • Participants did not attend their diversion intake or stopped reporting to the Mesa County Criminal Justice Services Department (CJSD) • Due to participant inability to pay diversion supervision fees, fees were often waived to avoid unsuccessful diversion outcomes due to nonpayment of fees • Integrating diversion within the Law Enforcement Assisted Diversion (LEAD) program required collaboration to identify crimes eligible for immediate diversion by law enforcement • Referrals to diversion fell, which could be addressed through provision of training and community outreach 			

22 nd JD: Dolores and Montezuma Counties			District Attorney Matthew Margeson	
Program Started in 2017	Adult Diversion Funds		Correctional Treatment Funds	
	Request FY22: \$105,950 FY23: \$286,645	Award FY22: \$5,000 FY23: \$244,827	Request FY22: \$27,145 FY23: \$39,695	Award FY22: \$26,353.92 FY23: \$27,550.00
Target Population	Adults charged with traffic and property crimes, often with little or no history of involvement in the criminal legal system. Crimes against persons are considered on a case by case basis.			
Program Goals	<ul style="list-style-type: none"> • Increase program effectiveness by expanding staff resources, including the Diversion Director and Client Advocate roles, and increasing access to therapeutic services • Improve participant services by increasing access to behavioral health treatment and addressing unmet basic needs, such as housing, gas, and food • Integrate restorative practices into diversion agreements 			
Projected Enrollment: 300		# Enrolled: 175	# Screened: 178	
# Participants Successful: 106			# Participants Terminated: 4	
FY21 One-Year Recidivism Rate (Successful Exits): 8%			Successful Completion Rate: 96%	
Average Diversion Fee: \$25/month			Supervision Fees Collected: \$17,476.43	
Assessment Tools	None in FY22			
Community Partners	The Recovery Center, Ute Mountain Tribe, local law enforcement agencies			
Achievements	<ul style="list-style-type: none"> • Maintained program operations despite funding cuts • Provided victim impact panel services to 39 diversion participants • Provided services to 476 clients during FY22 • Expanded interventions available to people charged with alcohol-related driving offenses • Addition of a full-time Community Support/Social Work position to assist participants with housing, food, clothing, and other needed services 			
Challenges	<ul style="list-style-type: none"> • Lack of staff resources needed to operate and grow program and to administer treatment funding • Rural location with limited services, limited employment opportunities, and high poverty rate 			

ADDENDUM TO ANNUAL REPORT

Attachment I FY22 Adult Diversion Funding Application
Attachment II FY22 Funding Guidelines

<p>Please return the completed application to kara.martin@judicial.state.co.us by January 15, 2021. Use as much space as necessary. If you attach documents, identify the question to which the response is provided.</p>			
SCAO use only	FY20	Amount Awarded: \$	Amount Spent: \$
	FY21	Amount Awarded: \$	Amount Spent: \$
Score:	Comments:		
<input type="checkbox"/> Deny <input type="checkbox"/> Grant	FY22	Amount Awarded: \$	

SECTION 1. APPLICANT INFORMATION			
Judicial District:	Counties Served:		
Primary Contact:	Email:	Phone:	
FY22 Funding Request	Adult Diversion: \$	Correctional Treatment: \$	Mental Health: \$

SECTION 2. ADULT DIVERSION PROGRAM INFORMATION			
A. Is this a new or existing program? <input type="checkbox"/> New <input type="checkbox"/> Existing Year Started: _____			
PART A - TARGET POPULATION			
B. Describe the program's target population, including any targeted offenses, and explain any changes in the target population from FY21.			
C. Why did you select this target population?			
D. Approximately how many participants do you expect on a monthly or yearly basis, and how did you determine this number?			
E. Identify your program's objective and subjective, if any, eligibility criteria. What are the screening and selection processes used to identify diversion candidates? Explain any differences in eligibility criteria from FY21.			
Written policies and procedures addressing eligibility criteria are due with year-end reports.			
F. How does diversion of the target population prevent participants from committing additional criminal acts?			
G. How does diversion of the target population advance the restoration of victims of crime and facilitate payment of restitution?			

H. To what extent will diversion of the target population **reduce the number of cases in the criminal justice system**?

I. How will diversion of the target population **ensure accountability**?

J. How will diversion of the target population **limit the collateral consequences of criminal charges and convictions? How will it contribute to participant rehabilitation or reintegration into the community?**

K. In what specific ways will diversion of the target population **serve the public interest**?

PART B - PROGRAM IMPLEMENTATION AND OPERATIONS

L. Describe any unique circumstances in your judicial district that contribute to the need for adult diversion (e.g., increasing case filings, increasing volume of jury trials, jail overcrowding, etc.).

M. If you are a **first time applicant** planning to create a new program, describe the adult diversion program you envision, including your implementation plan and time frames for key tasks. If you have an **existing diversion program**, provide a brief summary of your operations, including any operational changes made within the prior year, unless already noted above.

N. Describe any training or other resource needs required for successful implementation or operations.

O. How do you determine whether a diversion participant warrants supervision, including any screens, tools, assessments or other processes used in this decision-making process?

P. The Risk Needs Responsivity Model relies on the following principles:

- **Risk Principle:** Interventions should match the risk level for re-offending, with higher risk individuals receiving more intensive programming for longer periods of time and lower risk individuals receiving low-intensity or no interventions.
- **Need Principle:** To reduce recidivism, interventions should identify and target criminogenic needs.
- **Responsivity Principle:** Treatment or interventions are most effective when matched to an individual’s level of criminal risk, criminogenic needs, learning style, personality, and skills.

Please describe the extent to which your program implements these principles in determining the nature and level of supervision and identifying interventions, including tools or methods your office or your partners use to individualize diversion agreements consistent with these principles.

Q. Describe, or attach a copy of, any standard terms of diversion agreements, including standard requirements for successful completion of the diversion agreement.

R. How will you determine whether a behavioral health treatment assessment referral is necessary?

S. How many people or what percentage of your target population do you anticipate will need behavioral health treatment?

T. Who will conduct behavioral health treatment assessments? If the treatment provider and assessor are the same, what oversight will guard against over-assessment into treatment?

U. How will you track successful participation in behavioral health treatment, when required, and evaluate treatment provider effectiveness?

V. How will you demonstrate an effective return on investment for the grant award?

W. If your program will directly, or through referrals, address participant needs for food, transitional housing, medical or dental treatment, substance abuse disorder treatment, clothing, employment, education, identification documents, transportation, etc., please describe how these needs will be addressed. If your response depends on community partners, please attach a letter of support from each detailing their role and any referral procedures.

PART C – MENTAL HEALTH AND CRIMINAL JUSTICE PROGRAMMING

If you seek funding to address unmet mental health needs, please complete Part C.

X. Proposed Program Format (Check any that apply)	<input type="checkbox"/> Mobile Crisis Response	<input type="checkbox"/> Deflection	<input type="checkbox"/> Diversion with MH Interventions	<input type="checkbox"/> Other: _____
Y. Severity of MH Needs Targeted	<input type="checkbox"/> Mild	<input type="checkbox"/> Moderate		<input type="checkbox"/> Severe

Z. Please describe, or attach a description of, the proposed Part C program, including:

- # of persons anticipated to be served;
- Target population to be served (specifying limitations or exclusions);
- Point(s) of entry for receiving services;
- Services to be provided;
- Stage of program planning or implementation (e.g., existing, planned, etc.);
- Identification of program partners their roles (including a statement of support from each);
- Discretion that may be exercised regarding provision of services, by whom and on what basis; and
- The decision-making process for providing services.

AA. Please describe how funding of this Part C program would improve the competency assessment and restoration system, help competency-involved individuals (or those likely to become competency-involved), or otherwise further the goals of the Consent Decree. Email kara.martin@judicial.state.co.us for a copy.

BB. Please describe how this program will be integrated into the existing framework of law enforcement/criminal legal system responses and describe any gaps in services this programming would fill. Please attach a decision tree that shows the relation of this program to other system responses.

PART D - PARTNER ORGANIZATIONS

CC. Identify any partner organizations that will serve, supervise or support participants in completing their diversion agreements, including a contact name, phone, email and mailing address for each.

DD. For any partner identified above, please identify the services each will provide and state, or provide documentation for, the qualifications to provide those services.

If this is a first-time request for funding or partner organizations have changed, please attach a letter of commitment from each partner identifying the partner role.

PART E – DATA REPORTING, GOALS, OBJECTIVES AND OUTCOMES

EE. Please identify three goals in the sections below that connect program goals, objectives, and measurable outcomes to one or more Adult Diversion Program statutory goals of:

- Preventing the commission of additional criminal acts;
- Restoring victims of crime;
- Facilitating the payment of restitution;
- Reducing the number of cases in the criminal justice system;
- Ensuring participant accountability;
- Avoiding collateral consequences of criminal charges and convictions;
- Rehabilitating and reintegrating participants into the community; and
- Advancing the public interest.

Program Goal 1:

Objective (a):

Objective (b):

Objective (c):

Measurable Outcome(s) (a):

Measurable Outcome(s) (b):

Measurable Outcome(s) (c):

ADULT DIVERSION FUNDING APPLICATION – FY 22

Timeframe:	Timeframe:	Timeframe:
Statutory goal(s) advanced by Program Goal 1:		
Program Goal 2:		
Objective (a):	Objective (b):	Objective (c):
Measurable Outcome(s) (a):	Measurable Outcome(s) (b):	Measurable Outcome(s) (c):
Timeframe:	Timeframe:	Timeframe:
Statutory goal(s) advanced by Program Goal 2:		
Program Goal 3:		
Objective (a):	Objective (b):	Objective (c):
Measurable Outcome(s) (a):	Measurable Outcome(s) (b):	Measurable Outcome(s) (c):
Timeframe:	Timeframe:	Timeframe:
Statutory goal(s) advanced by Program Goal 3:		

SECTION 3. ADULT DIVERSION BUDGET

Explain program financial needs and anticipated expenses. Identify any fees participants will be charged. State the anticipated cost per participant and explain the calculation of this amount.

Table Instructions: *Estimate the program-related expenses to be funded by requested grant funds and those supported by other sources. Example: If in-kind or match support will cover \$20K of \$50K personnel costs, the “Funded by Grant” column should list \$30K.*

Expenses Category	Funded by Grant*	Funded by Other Sources	Total
GENERAL ADULT DIVERSION PROGRAM FUNDS, §18-1.3-101, C.R.S.			
Personnel:	\$	\$	\$
Training:	\$	\$	\$
Consultants/contract support:	\$	\$	\$
Operating:	\$	\$	\$
Non-Correctional Treatment:	\$	\$	\$
Other (specify):	\$	\$	\$
Adult Diversion Request	\$		
CORRECTIONAL TREATMENT FUNDS, §18-19-103, C.R.S.			
Screening, assessment & evaluation:	\$	\$	\$

ADULT DIVERSION FUNDING APPLICATION – FY 22

Alcohol and drug testing:	\$	\$	\$
Substance abuse education/training:	\$	\$	\$
CCJC conference:	\$	\$	\$
Substance abuse/ Co-occurring treatment:	\$	\$	\$
Recovery support services:	\$	\$	\$
Correctional Treatment Fund Request	\$		
COMPETENCY / MENTAL HEALTH PROGRAMMING (PLEASE SPECIFY EXPENSE CATEGORIES AND AMOUNTS)			
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$
Total Competency/Mental Health Programming Request	\$		
<i>Quarterly reporting will track expenses related to grant monies distributed, not outside funding.</i>			
Estimated # of FY22 participants to be served:		Avg. monthly supervision fee paid by participants	\$
FY22 anticipated participant fees	\$	Match/in-kind support provided	\$

SIGNATURE

I have reviewed the information contained in this Adult Diversion Funding Application and certify that is true and correct to the best of my knowledge.

District Attorney printed name: _____

District Attorney signature: _____

Date: _____

BACKGROUND AND OVERVIEW

Colorado statute §18-1.3-101, C.R.S., provides the structure and a funding mechanism for adult diversion programs across Colorado as an alternative to the prosecution of crimes. The State Court Administrator’s Office (SCAO) supports the Adult Diversion Funding Committee, pursuant to §13-3-115, C.R.S., in granting funds to local district attorney (DA) offices and supporting local programs. New and existing diversion programs may apply for funding.

Diversion holds participants accountable for their actions and requires compliance with the terms of diversion agreements, including interventions that may address factors that contributed to criminal conduct and that may reduce such conduct in the future. Diversion facilitates the reparation of harm to victims, including the collection of restitution. DAs may offer diversion before or after the filing of charges but prior to entry of pleas or holding of trials. DA diversion programs, law enforcement and pretrial service organizations may enforce diversion agreements. Probation departments may likewise monitor compliance with and enforce diversion agreements that are filed in court. DAs may preserve the ability to proceed with prosecution, should a participant fail to successfully fulfill the diversion agreement requirements.

The Adult Diversion Funding Committee has long supported, and continues to support, locally driven diversion programming. Recognizing the heightened competition for funding and scarce funding availability, the Committee and local diversion programs must make difficult decisions. Legislative intent and statutory goals provide no formula for fund allocation in this competitive environment. Therefore, the Committee provides the following guidance.

1	Given the statutory focus on diversion of crimes , funding is not intended to divert civil infractions.
2	Given the legislative intent of repairing harm to victims and facilitating the payment of restitution, diversion of crimes involving victims who have been harmed and/or who are owed restitution are generally a higher priority than diversion of victimless crimes.
3	Given the statutory references to rehabilitation and reintegration , the diversion of crimes and participants receiving rehabilitation services and/or reintegration assistance is a higher priority than diversion of those not requiring such interventions.
4	Given the statutory reference to collateral consequences resulting from convictions, offenses for which convictions would likely result in more serious collateral consequences are considered higher priority.

PERMISSIBLE USES OF ADULT DIVERSION FUNDING

- **Personnel** (e.g., salaries, wages and benefits for full-time, part-time or contract employees)
- **Training** (e.g., costs to train program staff in case management, assessment, and other skills that enhance service delivery; expenses for outreach to promote the program locally)
- **Consultants/contract support** (e.g., payment for non-employees to improve service delivery and further general or participant-related program or statutory goals or outcomes)
- **Operating** (e.g., expenses for program-related daily operations, such as office supplies, monitoring services, software licenses, etc., incurred by or for the benefit of DA diversion programs)
- **Treatment (non-C.R.S. §18-19-103)** (e.g., expenses for social or support services, cognitive behavioral therapy, or other services performed by a licensed, certified, or accredited provider designed to 1) reduce recidivism or criminogenic risk(s) identified through professional assessment, evaluation, or screen; 2) address the nature of the crime charged and circumstances surrounding it; or 3) address a special circumstance or characteristic of the participant)
- **Other** (e.g., expenses not otherwise outlined above but necessary for program operation)

GRANT REQUIREMENTS AND DEADLINES

- Interagency agreement with SCAO and compliance with data collection, reporting and billing policies and procedures
- Expenditure of FY22 awards by **6/30/2022**; No guarantee of future funding
- **Deadlines.** Subject to change, program, participant and financial reports due:
 Quarter 1, **10/30/2021** (July-September) Quarter 3, **4/30/2022** (January-March)
 Quarter 2, **1/30/2022** (October-December) Quarter 4, **7/30/2022** (April-June) *Note: Reimbursement request due 7/1/22*
- **Quarterly program and participant information**, including but not limited to:

Number screened	Participant demographics
Number meeting program criteria	Case supervision data
Number denied program participation	Participant status
Number enrolled / declined to enroll	Participant intake/exit information

- Quarterly financial updates, including funds requested, expenditures by category and supervision fees collected
- SCAO review of quarterly reports and supporting information. Following expense approval, SCAO will issue payment on a quarterly basis, unless otherwise agreed. Programs must maintain and, upon request, provide proof of expenditures.
- End of year report, including one- and three-year recidivism data, with SCAO assistance, aggregate outcome, restitution, and other diversion data and program policies and eligibility guidelines.

STATUTORY SUMMARY, §18-1.3-101, C.R.S

- Diversion program requirements
 - Pre-plea or pre-trial diversion of adults only (e.g., unavailable to those under 18)
 - Eligibility policies and guidelines including consideration of the nature of the crime and circumstances surrounding it, special circumstances or characteristics of the diversion candidate, and compatibility of diversion with participant rehabilitation, community reintegration and public interest
 - Program operation within a DA's office or through a DA-approved agency, including restorative justice services
 - Participant supervision for rehabilitation, accountability, and completion of diversion agreements
 - Notification to victims of the decision to enter into diversion
 - Reduction of collateral consequences for participants and reparation of harm to victims
- Domestic violence or sexual offense diversion requirements
 - Charges must be filed
 - Candidates must have the opportunity to consult with counsel
 - Candidates must complete a domestic violence treatment evaluation or sex-offender specific evaluation
- Ineligible offenses: sexual assault, sex assault on a child, any sexual offense committed against an at-risk adult or juvenile, any sexual offense with a deadly weapon, enticement of a child, sexual exploitation of a child, procurement of a child for exploitation, sexual assault on a child by a person in a position of trust, or any child prostitution offense.
- Diversion agreement required terms
 - Participant, participant attorney (if any) and DA signatures
 - Written waiver of the right to a speedy trial for the period of diversion
 - Prohibition against the commission of any other criminal offense during the period of diversion
 - Requirement of dismissal with prejudice of all related criminal charges if participant completes diversion agreement
- Diversion agreement optional terms
 - Individualized to participant strengths, risks, needs, and abilities and victim's needs for repair of harm
 - Assessment of criminogenic needs and individualized interventions to meet those needs
 - Identification and contact information for a diversion supervisor or supervisory agency
- Prohibited diversion agreement terms
 - Requirement for entry of a plea
 - Diversion period exceeding two years (except: 1-year extension if only unmet condition is restitution due to present inability to pay and future potential to pay)
 - Use of evidence obtained during diversion to prosecute diverted crime, except for participant statement of fact
- Other statutory requirements
 - DA may hold or file diversion agreement in court but must file it in court if probation dept. will supervise compliance court will assist with collection of restitution
 - Court shall stay proceedings upon entry of diversion agreement
 - Charges must be dismissed when diversion agreement is successfully completed successfully
 - Sealing of records is mandatory if participant petitions to seal after successful completion
 - Prosecution of diverted offenses for unsuccessful participants requires written notice to DA, court and participant

Questions? Please contact Kara Martin at (720) 625-5963 or kara.martin@judicial.state.co.us

FY 22 ADULT DIVERSION CORRECTIONAL TREATMENT FUND GUIDELINES

PURPOSE

To establish a system of supplemental funding allocation from the Correctional Treatment Board for adult diversion programs, the Adult Diversion Funding Committee created these guidelines for diversion programs requesting Correctional Treatment monies. Recognizing that changes occur during the fiscal year that may require programs to adapt and reallocate available resources, the Adult Diversion Funding Committee may adjust Treatment Fund allocations after the third quarter of the fiscal year.

PERMISSIBLE FUNDING USES

Pursuant to §18-19-103, C.R.S., the Correctional Treatment Board may direct that Treatment Fund monies be used for the following purposes:

- Alcohol and drug screening, assessment, and evaluation;
- Alcohol and drug testing;
- Substance abuse education and training;
- Treatment for assessed substance abuse and co-occurring disorders; and
- Recovery support services, as defined or identified by the Board.

REQUIREMENTS

Adult diversion programs meeting the following criteria may request Treatment Funds:

- Timely application for Treatment Fund monies;
- Existing adult diversion program compliant with §18-1.3-101, C.R.S.;
- Provision of a budget and explanation for anticipated expenses, with documentation; and
- Satisfaction of other requirements established by the Correctional Treatment Board.

Correctional treatment allocations considered in conjunction with requests for adult diversion program funding do not require an additional application. Requests seeking *only* Treatment Funds must use the Adult Diversion Funding Application and specify the nature of the request.

PROCEDURE

- Submit funding requests to the grant coordinator by email prior to the application deadline. Requests received after the deadline will be considered in the order received, subject to available funds.
- The Committee will correspond with applicants in writing or electronically.
- Award recipients must submit quarterly reimbursement requests and data reports to the Committee, outlined by the adult diversion grant requirements.

Questions? Contact the adult diversion coordinator at kara.martin@judicial.state.co.us or (720) 625-5963.