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## THE FRONT LINE: A SCAN OF LAW ENFORCEMENT-DRIVEN YOUTH DIVERSION PROGRAMS IN MARYLAND

By Casey Witte and Emily Mooney

### INTRODUCTION

**L**aw enforcement agencies are the gatekeepers of the criminal justice system. Charged with responding to calls for service and investigating crimes, they also exercise a great deal of authority and discretion when it comes to how individuals are held accountable for misbehavior. Depending on the alleged act, state and agency, police officers can correct wrongdoing without an arrest or any court involvement. In some cases, police officers may be authorized to give an individual a warning or citation or to refer someone to community-based programming or services.

Colloquially termed “diversion” opportunities due to their movement away from the formal court process, these decisions can be life-changing, particularly when a child is accused of committing a crime. Adolescents are especially prone to partake in risky behaviors, be affected by negative peer influences and struggle to adequately account for

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the consequences of their actions—all of which put them at greater risk of coming into contact with the justice system. Youth misbehavior can also be a reflection of trauma or a mislabeling of typical child actions due to overbroad criminal laws, such as those that punish youth for “disorderly conduct.” Fortunately, what we know about child development suggests children naturally age-out of crime as their cognitive functions develop, and trauma can be treated outside of the justice process.<sup>1</sup> Police officers can likewise work collaboratively with other community actors to ensure overbroad laws do not result in criminal justice responses to actions better dealt with by schools and parents.

After all, when people are arrested, processed and marked with a criminal record all before the age of 18, the long-term consequences can be devastating.<sup>2</sup> Simply being stopped by police can have detrimental effects on a young person’s future, with some research suggesting it can amplify the young person’s likelihood of future criminal activity.<sup>3</sup> After

1. See, e.g., Richard Bonnie et al., “Reforming Juvenile Justice: A Developmental Approach,” National Research Council, 2013, pp. 5, 91-95. [https://www.nijin.org/uploads/digital-library/Reforming\\_JuvJustice\\_NationalAcademySciences.pdf](https://www.nijin.org/uploads/digital-library/Reforming_JuvJustice_NationalAcademySciences.pdf)

2. David Kirk and Robert Sampson, “Juvenile Arrest and Collateral Educational Damage in the Transition to Adulthood,” *Social Education* 88:1 (January 2013), pp. 36-62. <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4192649/>; see, e.g., Amanda Petteruti et al., “Sticker Shock: Calculating the Full Price Tag for Youth Incarceration,” Justice Policy Institute, December 2014. <https://hudsonservicenet.org/main.asp?uri=1003&di=114>.

3. See, e.g., Stephanie Ann Wiley et al., “The Unintended Consequences of Being Stopped or Arrested: An Exploration of the Labeling Mechanisms Through Which Police Contact Leads to Subsequent Delinquency,” *Criminology* 51:4 (2013), pp. 927-966. <https://onlinelibrary.wiley.com/doi/10.1111/1745-9125.12024>; Lee Ann Slocum et al., “The Importance of Being Satisfied: A Longitudinal Exploration of Police Contact, Procedural Injustice, and Subsequent Delinquency,” *Criminal Justice and Behavior* 43:1 (2016), pp. 7-26. [https://www.researchgate.net/profile/Stephanie\\_Wiley2/publication/283038414\\_The\\_Importance\\_Of\\_Being\\_Satisfied\\_A\\_Longitudinal\\_Exploration\\_of\\_Police\\_Contact\\_Procedural\\_Injustice\\_and\\_Subsequent\\_Delinquency/links/5696917008a6c79ee32a0250.pdf](https://www.researchgate.net/profile/Stephanie_Wiley2/publication/283038414_The_Importance_Of_Being_Satisfied_A_Longitudinal_Exploration_of_Police_Contact_Procedural_Injustice_and_Subsequent_Delinquency/links/5696917008a6c79ee32a0250.pdf).

an arrest, a youth is on track to earn less income over their lifetime and be substantially less-educated than their peers.<sup>4</sup> And when a youth arrest is followed by a stint of detention or incarceration, research suggests young people are even more likely to return to crime, particularly when they have had few prior interactions with the justice system.<sup>5</sup> This means that when we introduce our youngest to the justice system, without full consideration of effective alternatives to hold them accountable, we are at risk of crippling their future and accelerating further societal harm.

In response to this problem, states and individual law enforcement agencies have begun to establish formal youth diversion programs with set eligibility criteria. These programs allow youth to avoid being formally processed further in the justice system if they complete certain requirements, such as community service. Often, they provide resources—such as referrals to counseling or job services—aimed at meeting the needs of the youth that enter these programs and addressing the factors that led to law enforcement contact. However, there is no uniform design for diversion programs nor is there a uniform understanding of which youth should be diverted. As a result, program components and utility can vary wildly from state to state or even town to town.

Such is the case in the state of Maryland. From Allegany to Worcester, law enforcement-driven diversion programs—which for the purposes of this paper are defined as programs managed by law enforcement agencies to which youth can be referred rather than having their case sent to the Department of Juvenile Services (DJS)—have started to take hold, though successful iterations with proven efficacy are still few and far between.<sup>6</sup> In recent years, many law enforcement agencies have taken a step in the right direction by creating or forming relationships with existing youth diversion programs in their communities. In some cases, diversion programs driven by State’s Attorney’s Offices have worked to divert young people prior to a DJS referral as well. However, there are still a substantial number of jurisdictions that have no law enforcement-driven diversion programs whatsoever.

Accordingly, this policy study will address the importance of police diversion, the state of law enforcement-driven diversion programs in Maryland, and ultimately recommend policies aimed at creating a statewide environment in which all

Maryland youth have opportunities to be diverted by law enforcement earlier and with more efficacy.

## THE WHY BEHIND LAW ENFORCEMENT-DRIVEN DIVERSION

In Maryland, the vast majority of youth who enter the juvenile justice system are referred by law enforcement to the Department of Juvenile Services (DJS) for minor infractions. In fiscal year 2020, 77 percent of the juvenile complaints referred to the DJS were done so for citations, ordinance violations and misdemeanors.<sup>7</sup> Black youth made up the clear majority (about 63 percent) of cases referred to the DJS, disproportionately bearing the weight of the system’s impact.<sup>8</sup> Yet Black youth only compose approximately 31 percent of the statewide youth population aged 11 to 17.<sup>9</sup>

These non-serious DJS referrals can consume time and resources that could be better focused toward youth with more serious needs if police diversion was more common. Ultimately, almost half (47 percent) of juvenile complaints to the DJS in 2020 were found to be outside of the court’s jurisdiction or resolved at intake, meaning that an intake officer determined that furthering the case “would be disadvantageous to the interests of the youth and to public safety.”<sup>10</sup> Another 13 percent resulted in an informal adjustment—a term for pre-court supervision offered by the DJS—and just under 40 percent of complaints resulted in a formal petition to the State’s Attorney.<sup>11</sup>

When youth are adjudicated by the State’s Attorney for a misdemeanor, many wind up in detention, on probation or committed to an out-of-home placement, a move that can mark the start of months, if not years, of additional care and up to hundreds of taxpayer dollars spent each day on one youth’s care.<sup>12</sup> It also means quick accountability and access to needed services and supports for many young people is delayed: the average time from an offense to an intake referral in Maryland is just over 31 days, and the intake decision-making process can take an additional 19 days.<sup>13</sup> Adjudicating a youth case following an intake decision can take upwards of two months alone.<sup>14</sup> Finally, a young person is at increased risk of their education being derailed. Studies suggest that

4. Ibid <https://hudsonservicenet.org/main.asp?uri=1003&di=114>.

5. Sarah Cusworth Walker and Jerald Herting, “The Impact of Pretrial Juvenile Detention on 12-Month Recidivism: A Matched Comparison Study,” *Crime and Delinquency* 66:13 (June 2020), pp. 1876-1882. <https://journals.sagepub.com/doi/full/10.1177/001128720926115>; see, e.g., Anna Aizer and Joseph Doyle, “Juvenile Incarceration, Human Capital and Future Crime: Evidence from Randomly-Assigned Judges,” *Quarterly Journal of Economic* 130:2 (April 2015), pp. 759–803. [https://www.researchgate.net/publication/272413343\\_Juvenile\\_Incarceration\\_Human\\_Capital\\_and\\_Future\\_Crime\\_Evidence\\_from\\_Randomly-Assigned\\_Judges](https://www.researchgate.net/publication/272413343_Juvenile_Incarceration_Human_Capital_and_Future_Crime_Evidence_from_Randomly-Assigned_Judges).

6. See, Appendix B, section “Outcomes.”

7. “Data Resource Guide: Fiscal Year 2020,” Maryland Department of Juvenile Services, December 2020, p. 27. [https://djs.maryland.gov/Documents/DRG/Data\\_Resource\\_Guide\\_FY2020.pdf](https://djs.maryland.gov/Documents/DRG/Data_Resource_Guide_FY2020.pdf).

8. Ibid., p. 26.

9. Ibid., p. 246.

10. Ibid., p. Xiii.

11. Ibid., p. 26.

12. Ibid., pp. 26, 119, 155, 214.

13. Ibid., p. 26.

14. Ibid., p. 26

youth formally processed in court and youth who are incarcerated are at an increased risk of failing to complete high school compared to youth who are only arrested or similar youth who are not incarcerated.<sup>15</sup>

Even if a young person who comes into contact with police is diverted later in the court process and is not on probation or incarcerated, they may still be saddled with an arrest record. It should also be noted that before these records can be expunged in Maryland, an individual must first age into adulthood, repay all monetary restitution and then file a petition in court that a judge may still reject.<sup>16</sup>

These resilient juvenile records are capable of immense damage for the young people that carry them. Under the National Affordable Housing Act, entire families can be evicted or denied access to public housing if a child carries a record.<sup>17</sup> That same child could also be denied admission to college or the U.S. military on the basis that they have any record at all.<sup>18</sup> Even without a formal charge or prosecution, records of youth court involvement can bar adults from government employment and serve as grounds for termination from private employers.<sup>19</sup>

Instead of imparting long-lasting institutional scars, law enforcement-driven diversion programs recognize the findings of developmental science and provide a rehabilitative alternative for youth who have made minor mistakes early on in life. When a young person completes a police diversion program, they avoid a formal referral and intake by DJS and, depending on the program, may even be able to avoid an arrest. Youths are still held accountable for what they have done, and these diversion programs are able to provide needed rehabilitative resources and meaningful ways for youth to give back to their communities without causing collateral harm. Measures like these shift juvenile justice from a punitive to rehabilitative focus. They may also help to improve relationships between law enforcement and the young person, as well as law enforcement and the broader community, by giving police a way to respond to crime and help youth outside of traditional enforcement.

Diversion programs, including law enforcement-driven diversion programs, can also play a role in better reducing risks to public safety than formal interventions like probation and detention.<sup>20</sup> A meta-analysis of over 70 youth diversion programs found them to be more effective in reducing recidivism than more conventional approaches such as probation and detention.<sup>21</sup> And an academic study published in 2020 found that youth placed in pretrial detention saw a substantive increase in felony recidivism (33 percent) and misdemeanor recidivism (11 percent) when compared to similar peers who were not detained.<sup>22</sup> Young people who had fewer than four previous offenses—the very people most likely to be candidates for police diversion—were the ones most negatively affected by a stint in detention.<sup>23</sup> Indeed, data from Florida around the rate of recidivism among youth whose cases were disposed of at different points in the criminal justice process illustrates the importance of early diversion interventions. Youth given a civil citation or enrolled in an alternative-to-arrest program boast an average recidivism rate of 4 percent statewide whereas youth referred to a prevention program, post-arrest diversion program, probation or residential placement have 6 percent, 11 percent, 18 percent and 45 percent recidivism rates respectively.<sup>24</sup> Similar trends are seen in recidivism rates among youth who move further in Maryland's criminal justice process.<sup>25</sup>

The sooner that diversion programs can effectively engage youth, the better the potential gain for public safety in the future. By investing in more police diversion programs now, communities are making the active choice of crime prevention and second chances today over increased enforcement and foreclosed opportunities tomorrow.

## THE STATE OF LAW ENFORCEMENT-DRIVEN YOUTH DIVERSION IN MARYLAND

Given the potential opportunity presented by law enforcement-driven youth diversion, this section provides a high-

15. Gary Sweeten, "Who Will Graduate? Disruption of High School Education by Arrest and Court Involvement," *Justice Quarterly* 3:4 (2006), pp. 462-479. [https://www.masslegalservices.org/system/files/library/H.S.ed\\_and\\_arrest\\_-\\_ct\\_involvement\\_study\\_by\\_Sweeten.pdf](https://www.masslegalservices.org/system/files/library/H.S.ed_and_arrest_-_ct_involvement_study_by_Sweeten.pdf); Aizer and Doyle, pp. 759-803. [https://www.researchgate.net/publication/272413343\\_Juvenile\\_Incarceration\\_Human\\_Capital\\_and\\_Future\\_Crime\\_Evidence\\_from\\_Randomly-Assigned\\_Judges](https://www.researchgate.net/publication/272413343_Juvenile_Incarceration_Human_Capital_and_Future_Crime_Evidence_from_Randomly-Assigned_Judges).

16. The People's Law Library of Maryland, "Juvenile Record Expungement Checklist," Thurgood Marshall State Law Library, August 2018. <https://www.peoples-law.org/juvenile-record-expungement-checklist>.

17. *Department of Housing and Urban Development v. Rucker*, 535 U.S. 125 (2002).

18. Riya Saha Shah and Jean Strout, "Future Interrupted: The Collateral Damage Caused by Proliferation of Juvenile Records," Juvenile Law Center, February 2016. [https://jlc.org/sites/default/files/publication\\_pdfs/Future%20Interrupted%20-%20final%20for%20web\\_0.pdf](https://jlc.org/sites/default/files/publication_pdfs/Future%20Interrupted%20-%20final%20for%20web_0.pdf).

19. Ibid.

20. See, e.g., Elizabeth Seigle et al., "Core Principles for Reducing Recidivism and Improving Other Outcomes for Youth in the Juvenile Justice System," CSG Justice Center, 2014, p. 9. <https://csjusticecenter.org/wp-content/uploads/2020/01/Juvenile-Justice-White-Paper-with-Appendices-.pdf>.

21. Holly A. Wilson and Robert D. Hoge, "The effect of youth diversion programs on recidivism: A meta-analytic review," *Criminal justice and behavior* 40:5 (October 2012), pp. 497-518. <https://journals.sagepub.com/doi/abs/10.1177/0093854812451089>.

22. Walker and Herting, pp. 1876-1882. <https://journals.sagepub.com/doi/full/10.1177/0011128720926115>.

23. Ibid.

24. "Civil Citation and Similar Diversion Program Best Practices Guide," Florida Department of Juvenile Justice, 2020, p. 2. <http://www.djj.state.fl.us/docs/probation-policy-memos/civil-citation-and-similar-diversion-program-best-practices-guide-2020.pdf?sfvrsn=2>.

25. Maryland Department of Juvenile Services, pp. 195, 206. [https://djs.maryland.gov/Documents/DRG/Data\\_Resource\\_Guide\\_FY2020.pdf](https://djs.maryland.gov/Documents/DRG/Data_Resource_Guide_FY2020.pdf); Maryland Department of Juvenile Services, "Alternatives to Detention & Informal Case Processing Performance Report," Dec. 30, 2019, p. 21. [https://djs.maryland.gov/Documents/publications/2019\\_p220-DJS-Juvenile-Services-ATD-Report.pdf](https://djs.maryland.gov/Documents/publications/2019_p220-DJS-Juvenile-Services-ATD-Report.pdf).

level overview of the geographic coverage, components, outcomes and challenges faced by existing programs in Maryland. More detail on all of the departments contacted, including a plethora of municipal law enforcement agencies, can be found in Appendix B. For a full list of agencies and community partners, please see Appendix A. Ideally, this overview will serve as a roadmap to improve law enforcement-driven diversion opportunities across the state.

## Geographic Coverage

Geographic coverage of law enforcement-driven youth diversion programs is best described as a loose patchwork which often neglects rural counties, as shown in Figure 1 below. Urban centers like Baltimore City and Anne Arundel County possess several law enforcement-driven diversion programs while many counties along the Eastern Shore have none whatsoever. Prince George's County presents perhaps the most surprising exception to this rule: neither the Prince George's County Sheriff's Office nor the Prince George's County Police Department (PGPD) are directly involved in running any formal youth diversion programs. However, one PGPD officer reported that the department is currently in the process of setting up such a program, and the Prince George's County State's Attorney's Office does divert some young people who come into contact with law enforcement to their diversion program prior to any DJS involvement.<sup>26</sup> A few northern counties, including Allegany and Carroll Counties, also did not report any diversion programs used by law enforcement. While Frederick County does have a diversion program to which law enforcement actively refer youth, compliance monitoring and general program management rests with the Frederick County State's Attorney's Office.<sup>27</sup> Finally, while the Talbot County Sheriff's Office does normally refer young people to a county Teen Court program, their teen court program provider folded during the pandemic and they are in search of other funding to continue the program.<sup>28</sup> Since Prince George's and Frederick County's programs rely on the State's Attorney's Office and Talbot County's program was in flux at the time of the interview, those jurisdictions have been labeled as "other" in Figure 1.

It is important to note that while police partnerships with State's Attorney-run diversion programs can positively prevent formal court involvement, the legality of referring young people to these programs prior to the forwarding of a petition by the DJS, particularly when programs feature little active management from law enforcement, is less clear.

26. Author interview with Detective Ayers, Prince George's County Sheriff's Office (telephone), Nov. 24, 2020; Author interview with Daniel Bradley, Prince George's County State's Attorney's Office (telephone), Jan. 28, 2021.

27. Author interview with Patrick Grossman, Acting Chief of Police, Frederick County Police Department (email), Aug. 12, 2020.

28. Author interview with Sheriff Joe Gamble, Talbot County Sheriff's Office (email), Sept. 1, 2020.

Maryland state statute specifically provides for law-enforcement diversion prior to DJS involvement.<sup>29</sup> Meanwhile, State's Attorneys' Offices have the discretion to divert youth complaints once the case is forwarded to them by the DJS.<sup>30</sup> Additionally, it is important that a youth's diversion experience not bias future prosecution and charging decisions in separate cases. Ensuring early diversion opportunities are driven by law enforcement and separate from prosecutorial offices helps to ensure this happens.

To the extent a county had both a police department and a sheriff's office, the sheriff's offices generally reported that they did not have any juvenile diversion programs. We gather from our responses that they rely instead on their associated police department to respond to such matters. This is explicitly the case for the Montgomery County Police Department (MCPD) and Montgomery County Sheriff's Office. MCPD officers screen all juvenile arrests within the larger county area for police diversion opportunities—including those from the Sheriff's Office, Transit and State Police, and the Rockville, Gaithersburg and Takoma Park Police Departments.<sup>31</sup> None of the Montgomery County municipal agencies reported any diversion programs of their own.

In a similar vein, smaller municipal agencies in other jurisdictions often followed the lead of the county-wide agency. None of the municipal agencies in Prince George's, Carroll or Allegany Counties who responded reported being directly involved in the operation of a law enforcement diversion program, although three municipal agencies in PG County expressed interest in establishing such a program. On the other end of the spectrum, the Elkton City Police Department works alongside the Cecil County Sheriff's Office to refer young people to the Neighborhood Youth Panel, a pre-physical arrest diversion program offered to youth alleged to have committed less serious first-time misdemeanor offenses.<sup>32</sup> Two Frederick County municipal agencies also opted in to referring youth to the State's Attorney's "Juvenile Early Diversion Initiative" (JEDI) alongside the Frederick County Sheriff's Office. Finally, municipal agencies surveyed in Washington and Charles Counties also partnered with their respective county agency to refer youth to police diversion opportunities.

That is not to say there are not a few exceptions to this rule. The Chestertown City Police Department reported that they were currently developing a restorative justice diver-

29. Md. Cts. & Jud. Proc. 3-8A-10(m). <https://mgaleg.maryland.gov/mgawebsite/laws/StatuteText?article=gci&section=3-8A-10&enactments=false>.

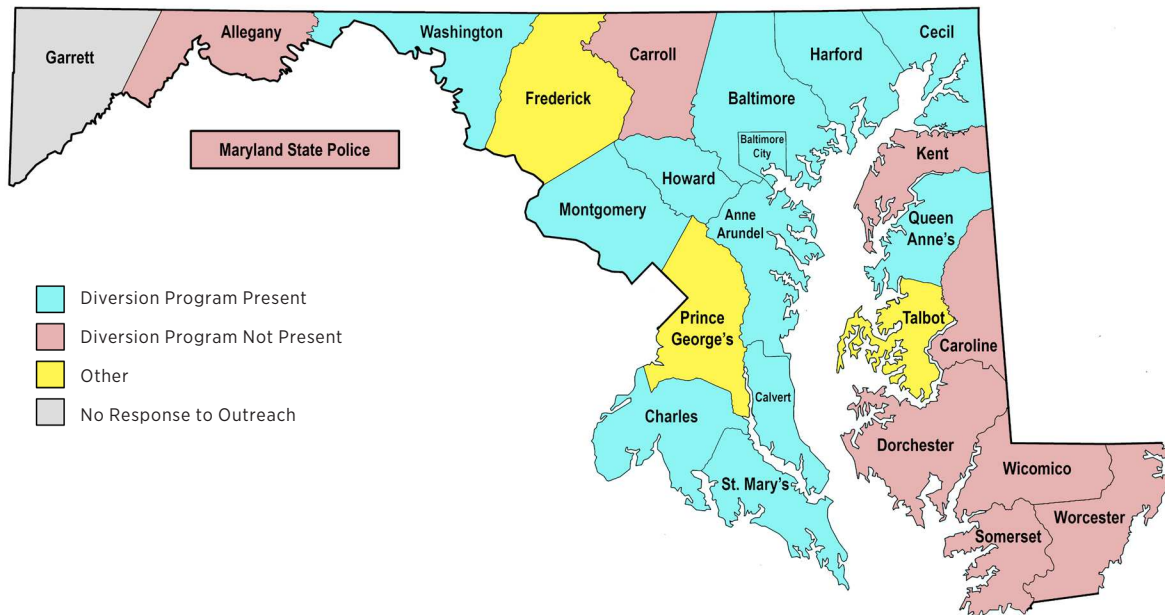
30. Md. Cts. & Jud. Proc. 3-8A-10(c)(4)(ii). <https://mgaleg.maryland.gov/mgawebsite/laws/StatuteText?article=gci&section=3-8A-10&enactments=false>.

31. Author interview with Trudy Richardson, Montgomery County Police Department (email), Aug. 18, 2020.

32. Author interview with Special Operations Lieutenant Holly Ayers, Elkton Police Department (email correspondence), Aug. 12, 2020.



**FIGURE 1: PRESENCE OF COUNTY-WIDE LAW ENFORCEMENT-DRIVEN YOUTH DIVERSION PROGRAMS**



sion program, but the Kent Sheriff's Office did not indicate their participation in this plan.<sup>33</sup> And although the Annapolis Police Department, located within the larger Anne Arundel area, previously did have a Juveniles-in-Need-of-Supervision (JOINS) program—a service that emphasizes meeting the unaddressed needs that instigated a youth's malignant behavior—it was discontinued a few years ago.<sup>34</sup> That said, an officer there also indicated excitement at the opportunity to re-establish their work in this area.<sup>35</sup>

Using the latest population estimates prepared by the DJS, at least 145,000 young people in the state aged 11 to 17 currently live in jurisdictions without an active county-wide law enforcement-driven diversion program.<sup>36</sup> Approximately 102,000 of these youth live in areas where they could possibly be diverted prior to a DJS referral through a program run by the State's Attorney, depending on the circumstances.<sup>37</sup> This means well over 43,000 young people in Maryland aged 11 to 17 reside in counties without either a law enforcement-driven or other diversion program that offers them an opportunity to be held accountable without DJS involve-

ment.<sup>38</sup> Figure 1 above shows the breakdown of county-wide law enforcement-driven youth diversion programs available in Maryland, as of August to December 2020.

## PROGRAM COMPONENTS

Ignoring incomplete coverage, the diversion programs used by law enforcement agencies are rarely uniform and can materially change from jurisdiction to jurisdiction. Services offered, eligibility criteria and referral patterns all vary, though overarching trends exist in some categories.<sup>39</sup>

### Origin of Programming Model

Calvert and Anne Arundel Counties generally represent the two pathways by which agencies can establish police diversion: create an original program or adapt pre-existing models. Many county-wide jurisdictions choose the latter, providing police diversion through a modified form of Teen Court, Community Conferencing, JOINS or substance abuse screening. Of these, Teen Court is the most popular with several counties currently operating a local variant. On the other hand, law enforcement agencies in Calvert, Washington, Howard and Frederick counties have chosen to develop their own approach to administering diversion programs.

In Calvert County, the Sheriff's Office has partnered with

33. Author interview with Acting Chief John Dolgos, Chestertown City Police Department (email), Nov. 19, 2020.

34. Author interview with Juvenile-Victim Assistance Program Director Timmeka Perkins, Anne Arundel County Police Department (email), Nov. 10, 2020; Author Interview with Officer Dannette Smikle, Annapolis Police Department (telephone), Sept. 2, 2020.

35. Ibid.

36. Maryland Department of Juvenile Services, "Data Resource Guide FY 2020 Appendix O," The State of Maryland, December 2020, pp. 245. <https://djs.maryland.gov/Documents/DRG/Appendices.pdf>.

37. Ibid.

38. Ibid.

39. For a review of best practices in youth diversion see Jill Farrell et al., "Best Practices in Youth Diversion: Literature Review for the Baltimore City Youth Diversion Committee," University of Maryland School of Social Work, Aug. 16, 2018. <https://theinstitute.umaryland.edu/media/ssw/institute/md-center-documents/Youth-Diversion-Literature-Review.pdf>.

multiple community organizations to create a multi-process diversion program focused on keeping youth out of the formal justice system.<sup>40</sup> A pre-arrest diversion program with no strict exclusions, the Calvert County program is a model of flexible problem solving that tailors diversion responses to the actions and needs of each youth. Beginning with an attempt at informal resolution through a Sheriff School Resource Officer, youths are upscaled through each phase of the diversion program until they are successfully diverted, or as a last resort, referred to the DJS.

The Anne Arundel County diversion program is composed of several pre-existing programs adapted to address the individual needs of local youth.<sup>41</sup> Before an arrest is made, youth can be referred to community conferencing, a diversion strategy that places various stakeholders of a youth's delinquent actions in a meeting to discuss possible informal remedies other than formal processing.<sup>42</sup> Following an arrest, youth can still be referred to community conferencing, JOINS) or Teen Court.<sup>43</sup> Teen Court is a service that gives young people a non-scarring look into what the justice system can be by placing them and their peers in the roles of defendant, attorney and prosecutor; arguing for or against minor sanctions like community service.<sup>44</sup> All of these programs feature heavy interactions with the Anne Arundel County Police Department, which operates a universal screening and mandatory diversion policy for eligible youth.<sup>45</sup>

## Eligibility Criteria

Eligibility criteria for police-diversion also shift depending on the agency, although common criteria include: first-time and low-level misdemeanor offenses; victim and youth consent has been acquired; and a willingness from the young person to admit wrongdoing. Several agencies report diverting youth given an alcohol or marijuana citation away from the DJS.<sup>46</sup> A program run jointly by the Hampstead City Police Department and Washington County Sheriff's Office is unique in that it allows an option for police diversion for felonies or weapon possession charges in some rare circumstances; it also does not strictly limit diversion opportunities to youth who have never before been charged with an

offense.<sup>47</sup> Similarly, the Baltimore City Police Department's diversion assessor also reports that youth can be referred to their post-arrest diversion option up to three times.<sup>48</sup> Generally, youth that do not successfully complete diversion have their case forwarded to the DJS for intake.

## Source and Type of Referrals

Referrals for police diversion can come through three main avenues, depending on how programs are set up, which then channel into several versions of a diversion process. First, a police officer may be able to offer a referral for diversion services without an allegation of criminal misbehavior. Second, a police officer can fill out a criminal investigative report and forward the case to the diversion assessor provider where it can be closed by diversion assuming the person is successful. Finally, police diversion can result after a physical arrest and booking. Given that a criminal investigative report still represents a form of criminal processing and can be later forwarded to the DJS if the youth is unsuccessful, it is hard to determine which programs truly reflect the principles of pre-arrest diversion. Nonetheless, several law enforcement agencies explicitly consider their programs as a pre-arrest option: the Washington County, Cecil County and Calvert County Sheriff's Offices explicitly termed their programs as including or being limited to the "pre-arrest" option. Some jurisdictions utilize both options: Although the Baltimore City Police Department's diversion assessor focuses on diverting youth following a report or physical arrest, Baltimore City School Police have historically worked with the school system to divert cases pre-arrest as appropriate.<sup>49</sup>

## Level of Police Involvement

Law enforcement agencies also vary in their level of intentional involvement and oversight of police diversion efforts. In Frederick County, youth referrals for police diversion are first approved by police and then undergo a final screening by the State's Attorney's office before being officially sent for restorative practice programming as part of Lead4Life's JEDI program.<sup>50</sup> Oversight of the program is led by State's Attorney staff, but features heavy collaboration from police departments: Officers can attend and participate in weekly team meetings about JEDI cases, and multiple Frederick county agencies reported knowledge of the program.<sup>51</sup>

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40. Author interview with Corporal Glenn Libby, Calvert County Sheriff's Office (telephone), Nov. 6, 2020.

41. Perkins interview.

42. Ibid.

43. Ibid.

44. Ibid.

45. Ibid.

46. Author interview with Sarah Vaughan, Charles County (email), Nov. 5, 2020; Author interview with Eastern Region DJS Intake Director Joe Grabis (telephone), Nov. 23, 2020; Author interview with Morgan Maze, Pressley Ridge (telephone), Oct. 14, 2020.

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47. Maze interview.

48. Author interview with Karlice Moss-Teams, Baltimore City Police Department (telephone), Sept. 10, 2020.

49. "Baltimore Youth Diversion Assessment," Center for Children's Law and Policy, April 2019, pp. 10-12. <https://www.baltimorepolice.org/sites/default/files/General%20Website%20PDFs/Baltimore%20Youth%20Diversion%20Assessment%20-%20Final.pdf>.

50. Grossman interview.

51. Ibid; See Appendix B.

Likewise, the Baltimore City Police Department, Howard County Police Department, Anne Arundel County Police Department, Washington County Sheriff's Office, Montgomery County Police Department (MCPD) and Calvert County Sheriff's Office have a designated process and/or person for internally assessing diversion eligibility. In Howard County PD's and the Baltimore City PD's case, their diversion coordinator or assessor can be directly involved in formulating individual diversion plans rather than handing off that responsibility to a program provider. In Montgomery County, municipal agencies depend on the MCPD to assess juvenile reports and arrests for diversion eligibility, with no direct involvement on their part.

## Program Outcomes

While gathering information on the presence and use of police diversion programs is difficult, assessing their efficacy and outcomes is all the more challenging. No statewide agency collects information on youth diversion prior to DJS involvement. And law enforcement personnel and program providers use varying metrics to track recidivism and program impact, with no standardized reporting format. Different eligibility criteria and selection processes, as well as inconsistency in referral processes further complicate the matter. Finally, the only easily identifiable outside evaluation of a diversion program used by police includes a multijurisdictional teen court evaluation published in 2013.<sup>52</sup> Ultimately, this evaluation found significant differences in program outcomes depending on the jurisdiction, with young people who completed Charles County's Teen Court the least likely to be referred to the DJS within six or twelve months compared to those who were referred to an assessed program but did not complete it.<sup>53</sup> This section presents a few examples of individual program impacts collected below; more context for these programs is reported in Appendix B. Direct program-to-program or program-to-DJS comparisons should be avoided for reasons discussed above.

- **Calvert County Sheriff's Office's Diversion:** According to law enforcement personnel, this innovative program has helped to drive down the number of youths in Calvert County on probation under the DJS from 70 each year to less than ten over the last decade.<sup>54</sup>
- **Anne Arundel County Sheriff's Office:** While the sheriff's office was unable to report recidivism rates

among those diverted to community conferencing, they did report 119 youth were diverted to this option in 2019, with just under 74 percent of referrals for minority youth.<sup>55</sup> An additional 459 youth were referred to Teen Court or JOINS, with 58 percent of referrals involving youth of color.<sup>56</sup> More than eight out of every 10 young people referred to JOINS/Teen Court had no further law enforcement involvement within a year.<sup>57</sup> And astoundingly, 98 percent of young people who complete JOINS and are also connected to mental health or addiction services offered by the Crisis Intervention team do not reoffend in a year's time.<sup>58</sup>

- **Baltimore City Police Department:** According to the Baltimore City Police Department's Diversion Assessor located within the Mayor's Office, the one-year re-arrest rate following a young person's entrance into their diversion program has fluctuated between 12 to 14 percent over the last few years.<sup>59</sup>
- **Cecil County's Neighborhood Youth Panel:** Historically, almost 90 percent of referred youth successfully complete the program.<sup>60</sup> And among those who successfully completed the program from July 2018 to December 2019, an estimated 10 percent of youth reoffended.<sup>61</sup>
- **Howard County Police Department's Diversion Program:** Between 2015-2019, the program received approximately 911 diversion referrals from law enforcement according to the Howard County Police Department's diversion coordinator.<sup>62</sup> The coordinator met directly with these young people to develop an individualized case plan for them to complete in 30 days. During this time period, the recidivism rate, defined as the rate of young people who reoffended, averaged to be 12 percent.<sup>63</sup> The department recently started a Teen Court variant in 2018, which provides youth aged 14 to 17 the opportunity to complete requirements within 60 days and have their record expunged.<sup>64</sup>

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55. Perkins interview.

56. Ibid.

57. Ibid.

58. Ibid.

59. Moss-Teams interview.

60. Author interview with Dawn Rodenbaugh, Neighborhood Youth Panel (email), Aug. 13, 2020.

61. Ibid.

62. Author interview with Katie Turner, Howard County Police Department (email), Aug. 28, 2020.

63. Ibid.

64. Ibid.

52. The University of Maryland School of Social Work and the Administrative Office of the Courts, "Multijurisdictional Teen Court Evaluation: A Comparative Evaluation of Three Teen Court Models," The State Justice Institute and the Administrative Office of the Courts, 2013, pp. 87-88. <http://www.mdtca.org/wp-content/uploads/2014/08/2013-06-27-Comparative-Study-of-Three-Teen-Courts-Final-Report.pdf#page=92>.

53. Ibid.

54. Libby interview.

- **Talbot County’s Teen Court program:** Now in flux, Talbot County’s Teen Court system reportedly had a historic one-year recidivism rate around 14 percent.<sup>65</sup> The Talbot County Sheriff’s Office historically referred around 50 young people to the program each year.<sup>66</sup>
- **Charles County Teen Court:** In 2019, the Charles County Teen Court heard 118 cases, of which only 9 were remanded due to a child’s failure to complete the program.<sup>67</sup>

## Program Challenges

In many jurisdictions where police diversion opportunities exist, youth participation remains limited due to changes in law enforcement referral patterns during the pandemic, difficulty in securing stable program funding, or weaker participation from agency and community partners.

With the adjustment to remote learning due to the COVID-19 pandemic, many law enforcement agencies and schools are not coming into frequent contact with youth, which has in turn cut referral rates.<sup>68</sup> While reduced youth contact is generally positive, this situation has resulted in added financial stress on the organizations that operate diversion programs and could potentially narrow future opportunities for early police diversion. In August 2020, the nonprofit that operated the single youth diversion program used by police in Talbot County was forced to close after six years of operation, sending its law enforcement partners on a desperate search for funding.<sup>69</sup>

Lapses of funding or changes in leadership were commonly reported as impetuses for paused or forsaken programs, even amidst general agency support. For example, a change in state grant funding forced the Washington County’s Sheriff’s Office to temporarily put its diversion program with community provider Pressley Ridge on pause three months after the program started in March 2019; the program only started up again in February 2020.<sup>70</sup> The office is now trying to find several different funding sources to ensure continuous support.<sup>71</sup> The Annapolis Department’s JOINS program was suspended following the departure of key staff.<sup>72</sup> And the Caroline County Teen Court program, which used to receive

referrals from the Caroline County’s Sheriff’s Office, is no longer in operation as of July 1, 2014.<sup>73</sup> Fewer resources and staff, fewer juvenile referrals overall and an existing reliance on county-wide agencies to handle diversion of youth also prevented some smaller municipal agencies from investing in starting their own programs.

At least one case in which a clearly identifiable, police diversion program existed, law enforcement referrals appeared to be under-utilized. Cecil County’s Neighborhood Youth Panel saw a dramatic drop in total referrals following a change in policy in April 2019 that had law enforcement, schools and other agencies directly refer young people to the program rather than relying on the DJS.<sup>74</sup> Prior to the change, almost 100 percent of the program’s referrals came from the DJS, with the program handling around a quarter of the DJS’s caseload, according to Program Administrator Dawn Rodenbaugh.<sup>75</sup> Estimates shared by Rodenbaugh reflect that approximately 57 cases were diverted to the Neighborhood Youth Panel in 2019, but 143 cases were diverted the year before.<sup>76</sup> Clear articulation of diversion decision-making criteria and training on youth diversion opportunities and processes may help to solve low levels of agency participation in current programs.

## POLICY RECOMMENDATIONS

To improve upon the current state of police-driven youth diversion in Maryland, the following reforms are suggested:

**Promote Standardized Data Collection and Rigorous Evaluation.** The current dearth and individualized nature of program data around this topic necessitates the assignment of one state agency to annually collect, analyze and make publicly available disaggregated data on law enforcement-driven diversion prior to DJS involvement. This data should be collected in a way that allows for integration with and comparison to data already collected on post-police diversion by the DJS. This statewide data should be disaggregated by agency or county; offense level and type; and the diverted youth’s race, ethnicity, gender and age. To the extent that the criteria for police diversion are codified in statute, the utilization rate of local police diversion options should also be reported. The Florida Department of Juvenile Justice’s “Civil Citation and Alternatives to Arrest” dashboard presents one such model

65. Gamble interview.

66. Ibid.

67. Vaughan interview.

68. Ibid; Maze interview.

69. Gamble interview.

70. Author interview with Lieutenant Joshua McCauley, Washington County Sheriff’s Office (email), Sept. 2, 2020.

71. Ibid.

72. Smikle interview.

73. “Caroline County Teen Court,” Maryland Teen Court Association, last accessed Feb. 4, 2021. <http://www.mdtca.org/mdtca-members/caroline-county-teen-court>; Author interview with Lieutenant Donald Baker, Caroline County Sheriff’s Office (telephone), Nov. 10, 2020.

74. Rodenbaugh interview.

75. Ibid.

76. Ibid.



of these features.<sup>77</sup> To the extent possible, the state agency should also report out standardized recidivism rates and other metrics associated with successful youth engagement including referrals to services, youth employment estimates or school completion. Programs should also be independently evaluated for their effectiveness by external academic partners. Fortunately, this recommendation is closely tied to one made by the Juvenile Justice Reform Council (JJRC), a body tasked by the legislature with improving Maryland's justice system in a data-driven manner, which suggests the Governor's Office of Crime Prevention, Youth and Victim Services collect and evaluate data to determine the effectiveness of individual diversion programs.<sup>78</sup>

**Cut Red Tape Preventing Greater Police Diversion.** There are ample ways to remove red tape and expand current law enforcement-driven diversion. First, lawmakers should remove the requirement that certain citations must be forwarded to the State's Attorney and instead allow those cases to be diverted by police, something which appears to already be happening in practice. Maryland should also build on its success with juvenile citations and expand them to cover low-level misdemeanor offenses, further protecting youth from a criminal record and again allowing them to have their cases diverted by police to alternative means of accountability. The JJRC has also expressed support for each of these policy actions.<sup>79</sup>

**Expand Pre-Arrest Diversion Coverage.** To ensure geographic equity and quality of coverage, each county-wide agency should be tasked with establishing or partaking in at least one pre-arrest diversion program. As possible, these programs should be developed in conjunction with smaller municipal agencies with all developed programs adopting the practices laid out in an interjurisdictional memorandum of understanding (MOU). Cecil, Calvert and Washington Counties already employ independently developed pre-physical arrest diversion programs with municipal buy-in. And states like Florida and California have already encouraged counties to develop coordinated pre-arrest diversion alternatives.<sup>80</sup> To aid this development, the Governor's Office of Crime Prevention, Youth and Victim Services should work in concert with the Maryland Department of Health and the Department of Juvenile Services to publish a report articulating best practices for establishing law enforcement-driven youth pre-arrest diversion programs.

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77. Juvenile Justice Information System, "Civil Citation and Other Alternatives to Arrest Dashboard," Florida Department of Juvenile Justice, last accessed Feb. 5, 2021. <http://www.djj.state.fl.us/research/reports/reports-and-data/interactive-data-reports/civil-citation-and-other-alternatives-to-arrest/cc-dashboard>.

78. Maryland Juvenile Reform Council, *Final Report January 2021*, Maryland Department of Juvenile Services, January 2021, pp. 8-11. <http://dls.maryland.gov/pubs/prod/NoPblTabMtg/CmsnJuvRefCncl/JJRC-Final-Report.pdf>.

79. *Ibid.*, pp. 8-11.

80. *Ibid.*, pp. 33-34.

**Ensure Sustainable Funding.** Depending on local circumstances, law enforcement agencies may want to partner with local non-profits, find contractors or hire in-house staff to facilitate youth diversion. To allow for such flexibility, expand the coverage of youth diversion and allow for program experimentation, both state and local governments should expand existing grant earmarks, or ideally, include law enforcement-driven diversion programs directly in the budgeting process. For example, California has taken an NGO-based approach which provides grants to nonprofits that provide diversion services in conjunction with law enforcement if they meet certain criteria.<sup>81</sup> Utah's H.B. 239 selected several evidence-based diversion measures and provided a million dollar line item to expand them state-wide.<sup>82</sup> Alternatively, South Dakota enacted S.B. 73 which provided a fiscal incentive to counties for each youth who successfully completed a diversion program.<sup>83</sup> Regardless of the funding vehicle, to ensure accountability and transparency, financial support should require data collection and reporting requirements.

## CONCLUSION

As the front line of the criminal justice system, members of law enforcement play a crucial role in deciding its future. At present, many jurisdictions across Maryland are doing their best to shape a better Maryland by instituting opportunities for police diversion away from the formal court system. Yet the presence, scope and efficacy of these opportunities remains understudied and thus potentially undervalued.

This report attempts to take a first step to correct this by detailing a high-level scan of diversion programs used by county-wide and municipal law enforcement agencies across the state as of August to December 2020. From these efforts, it is clear that further data collection, standardization and expansion of law enforcement-driven diversion authorization may create a firm footing for positive results. However, to truly change the future of youth justice for the better, more law enforcement agencies must be willing to adopt pre-arrest diversion programs following best practices, and governments must be ready to support them financially when they show interest.

By leading the way on youth diversion, law enforcement professionals are not only promoting safety for their com-

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81. "Youth Reinvestment Grant Program," Board of State and Community Corrections, (2021). [http://www.bscc.ca.gov/s\\_youthreinvestmentgrant](http://www.bscc.ca.gov/s_youthreinvestmentgrant).

82. Public Safety Performance Project, "Utah's 2017 Juvenile Justice Reform Shows Early Promise," Pew Charitable Trust, May 20, 2019. <https://www.pewtrusts.org/en/research-and-analysis/issue-briefs/2019/05/utahs-2017-juvenile-justice-reform-shows-early-promise>.

83. Public Safety Performance Project, "South Dakota's 2015 Juvenile Justice Reform," Pew Charitable Trust, Jan. 29, 2016. <https://www.pewtrusts.org/en/research-and-analysis/issue-briefs/2016/01/south-dakotas-2015-juvenile-justice-reform>.

munities, but also helping to restore the promises of American opportunity for those that may stumble on their way to adulthood.

#### **ABOUT THE AUTHORS**

**Casey Witte** is a policy and research associate on the Criminal Justice and Civil Liberties team at the R Street Institute. He conducts research on a wide variety of criminal justice topics with a focus on their legal elements and societal impact. Before joining R Street, Casey was a Research Assistant at the University of Florida where he worked on topics related to government regulation and United States Constitutional history.

**Emily Mooney** is a policy fellow and manager for the R Street Institute's Criminal Justice and Civil Liberties team. As a fellow, she conducts policy research and educational outreach on topics regarding juvenile justice, reentry, jail reform and policing. Prior to joining R Street in 2018, as part of her graduate program, she conducted policy research on the impact of maternal incarceration for the National Criminal Justice Association and the Louisiana Commission on Law Enforcement.

## APPENDIX A: SURVEYED AGENCIES

We would like to thank the following law enforcement and government agencies for responding to our requests for information and providing insightful feedback and context for this scan. We would also like to thank several program providers, including the Pressley Ridge Washington County Diversion Program Mentoring Initiative, Cecil County Neighborhood Youth Panel and Charles County Teen Court for talking with our staff.

Aberdeen Police Department  
Allegany County Sheriff's Office  
Annapolis Police Department  
Anne Arundel County Police Department  
Anne Arundel County Sheriff's Office  
Baltimore City Police Department  
Baltimore City Sheriff's Office  
Baltimore County Sheriff's Office  
Bel Air Police Department  
Bowie Police Department  
Brunswick Police Department  
Carroll County Sheriff's Office  
Caroline County Sheriff's Office  
Calvert County Sheriff's Office  
Charles County Sheriff's Office  
Cecil County Sheriff's Office  
Cheverly Police Department  
Chestertown Police Department  
Chevy Chase Village Police Department  
College Park Police Department  
Cumberland Police Department  
Dorchester County Sheriff's Office  
Elkton Police Department  
Frederick County Sheriff's Office  
Frederick City Police Department  
Frostburg Police Department  
Gaithersburg Police Department  
Greenbelt Police Department  
Hagerstown Police Department  
Hampstead Police Department  
Harford County Sheriff's Office  
Howard County Police Department  
Howard County Sheriff's Office  
Hyattsville Police Department  
Kent County Sheriff's Office  
La Plata Police Department  
Laurel Police Department  
Maryland Administrative Office of the Courts  
Maryland Department of Juvenile Services  
Maryland State Police

Montgomery County Police Department  
Montgomery County Sheriff's Office  
Mt. Airy Police Department  
Mt. Rainier Police Department  
New Carrollton Police Department  
Ocean City Police Department  
Prince George's County Police Department  
Prince George's County Sheriff's Office  
Prince George's County State's Attorney Office  
Queen Anne's County Sheriff's Office  
Riverdale Park Police Department  
Rockville Police Department  
St. Mary's County Sheriff's Office  
Sykesville Police Department  
Takoma Park Police Department  
Talbot County Sheriff's Office  
University of Maryland Police Department  
Washington County Sheriff's Office  
Worcester County Sheriff's Office

## APPENDIX B: OVERVIEW OF COLLECTED DATA

This section provides an overview of the data collected from each law enforcement agency listed above from August 2020 to December 2020. R Street staff attempted to contact each county-wide or municipal law enforcement agency serving a population of at least 5,000 people as of the 2010 census a

minimum of three times via phone and email before marking them as nonresponsive. While this report includes our best attempt to retrieve accurate information, this report should not be considered conclusive and mistakes are possible. Please reach out to the authors if you have any comments or questions.

County	Law Enforcement Agency	Diversion Program	Additional Information
Allegany	Allegany County Sheriff's Office	No	Staff report no formal diversion programs; however, Standard Operating Procedures note substance abuse programs and mental health counseling available through the Allegany County Health Department, services organizations, and departmental mediation are all possible resources for law enforcement diversion.
	Frostburg Police Department	No	Department relies on officer discretion when diverting young people.
	Cumberland Police Department	No	Department relies on officer discretion and school administrators to divert youth cases, but they indicated that a law enforcement diversion program would be helpful.
Anne Arundel	Anne Arundel County Sheriff's Office	No	N/A
	Anne Arundel County Police Department	Yes	The police department universally screens all youth complaints for diversion eligibility. The Juvenile and Victim Assistance Unit within the police department is responsible for administering the Community Conferencing, Teen Court, and Juveniles in Need of Supervision (JOINS) programs. In addition, the unit began piloting their fourth program, "START" in December 2020. Teen Court and JOINS are both post-arrest programs, START is modeled as a pre-arrest counterpart to JOINS, and community conferencing referrals can be made before or after an arrest. If need is determined while a youth is in JOINS, then addiction and/or mental health services can be provided through a partnership with the Crisis Intervention Team.
	Annapolis Police Department	No	The Annapolis Police Department used to participate in a JOINS program; however, a change in staffing led to the program being discontinued. An officer expressed initial interest in restarting a law enforcement-driven diversion program.
Baltimore	Baltimore County Sheriff's Office	No	N/A
	Baltimore County Police Department	Yes	Baltimore County Police created the original JOINS program in 1996. Their particular JOINS program requires referred youths to be first-time nonviolent offenders and individually screened by DJS case managers or members of the Department's counseling team. Community service plays a large role in this JOINS program with over 10,300 hours of community service being contributed by youth in 2011 alone.
Baltimore City	Baltimore City Sheriff's Office	No	N/A
	Baltimore City Police Department	Yes	The Baltimore City Police Department's diversion program is housed within the Mayor's Office of Criminal Justice. Post-arrest diversion occurs within a 90-day framework and may consist of referrals to one or several services/programs such as Teen Court, mental health treatment, substance abuse treatment, and conflict resolution services provided via an affiliated nonprofit (Restorative Response Baltimore). The focus for screening youths for diversion is based on a holistic review rather than inflexible eligibility criteria. To be eligible, youth generally need to have an arrest or referral for a low-level misdemeanor, not had a sustained felony within the last three years; youth can be referred to police diversion up to three times. The city is currently working on piloting a pre-arrest diversion program as well.
Calvert	Calvert County Sheriff's Office	Yes	The Calvert County program is a series of informal diversion steps coordinated through schools, community organizations, and county agencies. Starting with an informal intervention by a School Resource Officer, a youth can then be moved up through the system until a resolution is reached, or as a last resort, is referred to DJS. The key innovation of the system is the Multiple Divisions (Multi-D) stage where relevant county officials, members of law enforcement, and nonprofit stakeholders gather to consider how each group can help to solve the underlying problems a youth might have that has led to their maligned conduct.
Caroline	Caroline County Sheriff's Office	In Development	The Caroline County Sheriff's Office is currently considering the creation of a diversion program akin to that used by the Baltimore City School Police Department wherein school resource officers, school administration and a child's family work toward an informal resolution following an incident. As of November 2020, the plan was to roll out the program when in-person education was back in motion.



Carroll	Carroll County Sheriff's Office	No	N/A
	Taneytown Police Department	No Response	N/A
	Westminster Police Department	No Response	N/A
	Hampstead Police Department	No	While the police department does not have a formalized, stand-alone program, they occasionally work with the Carroll Community Mediation Center to divert kids.
Carroll / Frederick	Mount Airy Police Department	No	N/A
Cecil	Cecil County Sheriff's Office	Yes	The Sheriff's Office refers youth to Cecil County's Neighborhood Youth Panel (NYP), a pre-arrest diversion program that will be entering its 20th year of operation in 2021. NYP allows for youth cases to be heard before a panel and informally handled rather than sending them to DJS intake. Eligible youth must be 8-17 years of age, alleged to have committed a misdemeanor offense, admit involvement, and be referred for a first time offense. When a victim is involved, their consent is also required.
	Elkton Police Department	Yes	The Police Department, like the Cecil County Sheriff's Office, refers youths to the NYP. From April 2019 to August 13, 2020, the Elkton Police Department referred 21 out of 155 youth crime referrals to the NYP.
Charles	Charles County Sheriff's Office	Yes	The Charles County Sheriff's Office refers youths to Charles County Teen Court, a teen court variant that will be entering its 20th year of operation in 2021. Charles County Teen Court is notable in that it has continued operation throughout the COVID-19 pandemic, albeit closed to the public for some of this time, while several other diversion programs have been shut down. Along with the Sheriff's office, parents and teachers can also refer youths to the program. Another point of note is that Charles County Teen Court is almost entirely volunteer operated by members of the community.
	La Plata Police Department	Yes	Like the Charles County Sheriff's Office, the La Plata Police Department also refers youths to Charles County Teen Court.
Dorchester	Dorchester County Sheriff's Office	No	The Sheriff's Office doesn't have a juvenile diversion policy or any formal programs. However, a captain mentioned that other programs in the community, like Teen Court, represent diversion options.
	Cambridge Police Department	No Response	N/A
Frederick	Frederick County Sheriff's Office	Other	The Sheriff's Office refers eligible youth to the Juvenile Early Diversion Initiative (JEDI) run by the Frederick County State's Attorney Office. To be eligible, a youth must be charged with a first-time misdemeanor, admit guilt, and be willing to be held accountable. If a victim is involved then their consent is also required. Once screened into the JEDI program by police and the State's Attorney, a nonprofit (Lead4Life) creates an individualized diversion plan comprised of program elements such as substance abuse services, mental health counseling, anger management courses, therapy, family counseling, community service, and job counseling.
	Thurmont Police Department	No Response	N/A
	Frederick City Police Department	Other	Like the Sheriff's Office, the Frederick City Police Department also refers youth to the JEDI program.
	Brunswick Police Department	Other	Like the Sheriff's Office, the Brunswick Police Department also refers youth to the JEDI program.
Garrett	Garrett County Sheriff's Office	No Response	N/A
Harford	Harford County Sheriff's Office	Yes	Administered by both the Sheriff's Office Youth Services Division and Harford County Office of Drug Control Policy, the Harford County Teen Court program has been in operation since 2010. Youths can be referred by law enforcement agencies, school systems, or DJS. To qualify for the program, youths must be between 11-17 years of age, be referred for a first time misdemeanor offense, charged in Harford County, and admit their guilt. Examples of remedies imposed by this teen court program include required attendance at anger management programs, community service, essay writing, mandated counseling attendance, and teen court jury duty.
	Aberdeen Police Department	No	N/A
	Havre de Grace Police Department	No Response	N/A
	Bel Air Police Department	No	N/A
Howard	Howard County Sheriff's Office	No	N/A
	Howard County Police Department	Yes	The Howard County Police administer two diversion programs, their Youth Section's diversion program and a recently created teen court program. The Youth Section program considers youths aged 7-17 who are residents of Howard County. To be eligible for the program, a youth must recognize their involvement in the alleged act, accept responsibility, show remorse, and receive the consent of a parent or guardian along with any victims. Once admitted into the program, the program coordinator creates a set of tasks individualized to the youth to be completed within 30 days. Required attendance at substance abuse education, education seminars, mediation, and completion of community service may be parts of any given assigned tasks.

Kent	Kent County Sheriff's Office	No	Kent County used to have a teen court operated by the State's Attorney's Office; however, this was discontinued when that State's Attorney didn't run for reelection. He is interested in establishing a law-enforcement driven diversion program.
	Chestertown Police Department	In Development	The Chestertown Police Department Chief reported that they are in the process of setting up a diversion program centered around restorative justice. The rollout for this program was planned to begin in January 2021.
Montgomery	Montgomery County Sheriff's Office	Indirectly - refer through MCPD	Juvenile referrals and arrests made by the Montgomery County Sheriff's Office are screened by the Montgomery County Police Department for diversion eligibility. However, the Sheriff's Office does not run their own diversion program.
	Montgomery County Police Department	Yes	The Police Department screens juvenile referrals in the county for diversion options. They then refer eligible youth to either Screening and Assessment Services for Children and Adolescence (SASCA) or their Teen Court program. SASCA is a program administered by the Montgomery County Department of Health and Human Services specifically for first time youth drug and alcohol offenders, and consists of drug testing, substance abuse education, and further referrals to treatment services. The Montgomery Teen Court program is the diversion option for second time substance related offenses, second time trespassing violations, second degree assault, and theft under \$1,500. Failure to complete either programs results in an immediate DJS referral.
	Takoma Park Police Department	Indirectly - refer through MCPD	Juvenile referrals and arrests by the Takoma Park Police Department, Rockville Police Department and Gaithersburg Police Department are screened for diversion eligibility by the Montgomery County Police Department. Departments did not indicate that they had their own diversion programs.
	Rockville Police Department		
	Gaithersburg Police Department		
Prince George's	Prince George's County Sheriff's Office	No	N/A
	Prince George's County Police Department	In Development	Staff with the Prince George's County Police Department reported that a diversion program was in the early stages of development. However, further details were not able to be ascertained after several attempts.
	Bowie Police Department	No	N/A
	College Park Police Department	No	N/A
	Hyattsville Police Department	No	Department staff expressed interested in founding a juvenile diversion program.
	New Carrollton Police Department	No	N/A
	Riverdale Park Police Department	No	Department staff expressed interested in founding a juvenile diversion program.
	Glenarden Police Department	No Response	N/A
	Laurel Police Department	No	N/A
	Greenbelt Police Department	No	Department staff expressed interest in founding a juvenile diversion program.
	Bladensburg Police Department	No Response	N/A
	Mount Rainier Police Department	No	N/A
	Cheverly Police Department	No	N/A
	District Heights Police Department	No Response	N/A
Queen Anne's	Queen Anne's County Sheriff's Office	Yes	The Sheriff's Office refers youths to substance abuse counselors under certain circumstances. When an issued youth citation could lead to the creation of a criminal record, officers can divert youths to substance abuse services.

St. Mary's	St. Mary's County Sheriff's Office	Yes	The Sheriff's Office refers youths to the St. Mary's County Teen Court, a diversion program that has been in operation since 2003. Youth aged 11-17 are eligible for the program if they are accused of committing a first time misdemeanor offense. Youth aged 18 and under are also eligible for diversion if the offense is traffic related.
Somerset	Somerset County Sheriff's Office	No	Regional Department of Juvenile Services staff noted no law enforcement diversion programs.
Talbot	Talbot County Sheriff's Office	Other	The Sheriff's Office referred youths to the Talbot County Teen Court as recently as August 2020. However, after over 20 years of operation, the nonprofit that administered the teen court program was forced to close due to a lack of funding. Formerly supported by community donations, the program is now being championed by the Sheriff's Office who is currently seeking external sources of funding.
	Easton Police Department	No Response	N/A
Washington	Washington County Sheriff's Office	Yes	The Sheriff's Office along with a nonprofit partner (Pressley Ridge) and the Hampton City Police Department created the Washington County Diversion Program in March 2019. After an intermittent loss of funding in June 2019, the program resumed operation in February 2020. Eligibility for diversion is determined on a case-by-case basis. If there are any victims of an alleged offense then they must also consent to the youth being diverted. The potential offenses diverted are largely misdemeanors, but in rare circumstances a felony offense may also be diverted. Whenever a weapon or suspected gang activity is involved there is increased scrutiny on diversion eligibility. The services offered via the nonprofit partner are largely rehabilitative and consist of meeting underlying needs that may have spurred the instigating behavior of a given youth.
	Hagerstown Police Department	Yes	The Police Department works with the Sheriff's Office to refer youth to the Washington County Diversion Program. Each quarter, a joint management team composed of members of the Police Department, Sheriff's Office, and Pressley Ridge meet to discuss the program and make any needed adjustments.
Wicimico	Wicimico County Sheriff's Office	No	Regional Department of Juvenile Services staff noted no law enforcement diversion programs.
	Salisbury Police Department	No Response	N/A
Worcester	Worcester County Sheriff's Office	No	N/A
	Ocean City Police Department	No	N/A