

CHAPTER 6

Offer Robust Diversion and Restorative Justice Options



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Diversion and restorative justice are important tools to help emerging adults achieve their goals and avoid the pitfalls and challenges that concern them. The 2020-2025 YRA strategic plan called for diversion and restorative justice programming to prevent incarceration and promote healing (see Appendix A).

Diversion consists of programs that serve as an alternative to incarceration, sentencing, and even potentially arrest for individuals who have come into contact with the criminal legal system.

Restorative justice is the practice of bringing together those who have caused harm or conflict and those who have been affected by harm or conflict into a facilitated discussion to address the issue and a plan to restore the relationship and/or promote healing.

DIVERSION MODELS

Diversion is an essential means of keeping emerging adults out of the harmful and traumatizing impacts of incarceration while also focusing on providing support, addressing unmet needs, and helping emerging adults get on new pathways. Many individuals can safely remain in the community while adhering to the requirements of a diversion program, thereby keeping community connections, employment, and education moving forward. Successful completion of a diversion program can lead to a **lower rate of reoffending** compared to individuals who go through traditional criminal justice processing.

The District currently offers **several diversion options**, including deferred prosecution and deferred sentencing. These options allow individuals to avoid penalties for a prescribed amount of time while completing some pro-social activities, such as community service. Offering a variety of alternatives while decriminalizing crimes of survival and low-level offenses creates a path away from repeated interactions with the criminal legal system.

Diversion programs for emerging adults around the country vary according to the locale and population of young people being served, yet share common characteristics. Many programs have education or training offerings, counseling, and case management to ensure progress and compliance. Some programs may address the basic needs of housing and food insecurity and offer mentoring and other support. Programs range in length from a few months to more than two years. Some programs are run through emerging adult courts or specialty courts, while others are through the prosecutor's office or community programs.

One model is the **Neighborhood Opportunity and Accountability Board (NOAB)** out of Oakland, California. NOAB consists of a close partnership among community organizations in collaboration with police and local agencies. Diversion occurs at the point of arrest, so there is no incarceration. Community members serve as life coaches to participants over six to nine months and work closely with families. Initial discussions of bringing this model to the District occurred in 2022.

A **Diversion and Workforce Blueprint**, developed by Georgetown University's McCourt School Policy Innovation Lab, pairs diversion with workforce training. In this conceptual model, participants would receive training in the environmental sector, specifically related to forests and fire safety, through a partnership with an employer. The model calls for providing wraparound support to participants, ensuring that the training provides a credential and puts participants on a pathway to additional learning and careers. (See additional models in Appendix B: Chapter 6 Diversion Programs.)



RESTORATIVE JUSTICE MODELS

Too often, violence in neighborhoods may be seen as the only option to address disputes and issues between individuals and groups. However, that is not the case. Restorative justice is a key alternative that many cities, states, and programs use to engage both the responsible party and the harmed party, address the dispute, promote reconciliation, and support victims of crime. In the District, restorative justice practices are currently infused into **violence intervention initiatives** and **Credible Messenger** efforts and are practiced by the **DC Office of the Attorney General**, various community groups, and some schools. **However, more is needed to prioritize restorative justice as an alternative to the traditional criminal legal system approach of punishment.**

Across the country, restorative justice has met with success. **Common Justice**, a program in New York City, has demonstrated how impactful restorative justice can be, even in instances of serious, violent crimes. They have been using a restorative justice process since 2012, and as of 2023, **100% of their restorative justice circles have resulted in agreements** between responsible and harmed parties and only **7% of responsible parties were removed from the program** for committing a new offense. This track record of success offers lessons for District leadership. The District's system-impacted emerging adults and those at risk of becoming system-impacted need support to increase dialogue across differences and models to spur reconciliation and relationship. (See additional models in Appendix B: Chapter 6 Restorative Justice Programs.)

LIVED EXPERIENCE: DC'S SYSTEM-IMPACTED EMERGING ADULTS

JPI, StrategyForward, and partners interviewed 20 system-impacted emerging adults in 2023 across local carceral facilities and the community about their experience and who they are. Here is some of what they shared:

WHAT ARE YOUR HOPES AND GOALS FOR THE NEXT FEW YEARS?

To finish high school, get a job and make money, learn to drive, and get my own car.
- Malik

To still be alive and not locked up, getting a job where I can actually make clean money and take care of my family. Also, being a homeowner or being able to afford my own place. - Idris

To finish school and stay out of trouble. I also want to grow a bigger network and stay in contact with those who mean well and mean business, people who can help me grow. Another thing is staying employed and financially stable. Lastly, making sure that my family is taken care of. - Tariq

I want to leave the DMV; I just want to go and get away from everybody. I hope to stay out of the justice system. I hope that I don't have to witness anything like this again and that others around me don't have to witness this. My friends are dying left and right, which is hurting me. I don't believe that anyone should have to go through this. - Keon

I want to own a house, get a car, and get married. - Trevon

I want to do things differently from my past. I want to show my kids what the struggle is like, while always being there to protect and support them. I want to raise them differently than how I came up.
- Kofi

To be stable and become an entrepreneur. I'm not sure what I want to do with it yet but I do want to be my own boss. Hopefully I can start my own legal business and just make money for myself. - Dario

I hope to graduate high school and hopefully college, and stay connected with my daughter and be a good father. - Micah

I would love money payments so I don't have to stress about working and my daughter and I can go to school and live. - Zane

Hopefully I will get out. I would want to stay out of the system, but I know that's easier to say when locked up and that it will be harder once I am back in the community and seeing people getting money and things like that. - Bryce

I won't be free until I'm financially free. I want to experience the world and have fun with the people that I love. - Tyree

Surrounding myself with people who have the same mindset as me and who want something different and better to change their lives. That's what will motivate me to keep going. Talking to youth, giving them an insight into the streets, how it is way more than the streets and bigger than DC. Trying to change their minds and put them on the right path. In the future, I see myself owning my own business, living in a house, and being financially good. - Jamal



WHAT ARE YOU MOST NERVOUS ABOUT OR WHAT IS MOST CHALLENGING RELATED TO YOUR HOPES AND GOALS?

Staying alive and being able to provide for my mother. I hope that I can make it to that point. At times, I've put myself in some messed-up situations. - Dario

Personally, I'm scared to fail. You want to be the best at what you do. You have to have a strong mind and not let failure be a setback. - Lamar

I hope that I don't get killed out in the streets with all the things that's going out here. I hope that I am able to live long enough to fulfill my dreams and do the things that I actually want to do. - Idris

The patience that it requires and knowing that it won't happen then and there. Another thing is, staying away from people who want to bring me down or don't want to see me succeed. - Tariq

My past haunts me. It feels like a burden to me because I don't want to unintentionally step the wrong way. - Kofi

Trying to change my character for the better. I feel like I have created bad situations, so I want to be more humble and make better decisions. - Bryce

Greatest challenge is peer pressure - staying away from everything and everyone I know. - Zane

The greatest challenge is finding employment with a record. - Omari

The only thing stopping me mentally or putting worry in my mind is getting back into society. That's my only hurdle right now. Once I get back in, it is a straight shot. I'm going forward. - Trevon

Their goals are jobs, family, school, home ownership, getting their lives on track, and even giving back to the community to help other young people get their lives on track. This aligns to the **developmental framework** from Columbia University's Emerging Adult Justice Project, which identifies emerging adult needs of safety, belonging, identity and values, competency, and contribution. **The main concerns of the emerging adults who were interviewed were staying alive and staying true to the change that they wanted in their lives.** They knew it wouldn't be easy, but they each wanted to try.



PRIORITY: OFFER ROBUST DIVERSION AND RESTORATIVE JUSTICE OPTIONS

The District needs to significantly invest in and build diversion options that can redirect emerging adults away from arrest, sentencing, and incarceration and into a guided, structured transition that will provide new opportunities, training, and support, and help them get on a different track.

- 1. Provide structured diversion models that prioritize education, training, mentoring, counseling, and basic needs.** Diversion programs for emerging adults must take a holistic approach to addressing histories of trauma and basic needs through counseling and connection to resources and services for housing and food. Such programs should also focus heavily on helping emerging adults get onto new life pathways by quickly upskilling in high-demand areas that will connect them to jobs in the region. An approach that can be successful for emerging adults is to have diversion be minimally invasive while providing connections to outside services, such as through the **Neighborhood Opportunity and Accountability Board** model. Programs can be offered through community-based organizations and partners or through District agencies.

Programs should include multiple options for education and training to both connect emerging adults to the highest needs in the labor market and also align to their areas of interest and skills, similar to the Georgetown University Policy Innovation Lab's **Diversion and Workforce Blueprint**. Diversion models could connect to some of the programming referenced in the education and workforce section and/or focus on building out accelerated GED completion programs with postsecondary partners that also incorporate workforce training and/or college credential programs.

- 2. Pilot a restorative justice model that can be scaled across the District.** Work with community groups, District agencies, and others to create and launch a pilot for what can become a Districtwide model of restorative justice. Create a plan to quickly bring models to scale.
- 3. Incorporate Credible Messengers or Violence Interrupters in diversion and restorative justice efforts.** Infuse support from Credible Messengers and Violence Interrupters as a part of any diversion or restorative program for emerging adults to allow for continuity of tailored mentoring support among each young person's interaction with the criminal legal system.
- 4. Invest in community-centered organizations and programs that promote conflict resolution.** Address diversion before it even gets to the justice level. Build community capacity to address conflict.



FIRST STEP: ASSESS EXISTING PROGRAMS AND BEGIN TO EXPAND

- 1. Review existing youth and adult diversion programs in the District for possible expansion to emerging adults.** The District currently has several diversion programs aimed at certain segments of youth and adults, such as the Alternatives to the Court Experience and family court for youths and pre-arrest diversion courts. Consider whether any of these models are ideal for expansion to serve emerging adults. Identify gaps and any modifications that may be needed to provide targeted offerings relevant to this population.
- 2. Prioritize community-led programs.** Expand the pool of funds to community-based organizations and neighborhood groups that are addressing violence and other community issues. Incentivize these groups to create or contribute to diversion programs and related support. Contact the organizations, community groups, and neighbors who are taking steps to strengthen their neighborhood through the **District's Building Blocks grant program**, offered through the Office of Gun Violence Prevention. Identify leading models from within these efforts, bring visibility to them, share outcomes, and help grow this work.
- 3. Facilitate collaboration among key agencies, organizations, and community partners.** Any new or expanded effort will require close collaboration among multiple District agencies, such as the Office of the Attorney General, the Mayor's Office, the Metropolitan Police Department, the Department of Human Services, the Department of Youth Rehabilitative Services, and Court Social Services Division, as well as the United States Attorney's Office (USAO) and other federal government agencies, which does not fall under District jurisdiction. Because the District government does not have full control over diversion programs, building relationships and trust and facilitating collaboration and coordination with USAO will be critical. A necessary early step will be to determine which agency or entity will take the lead on the expansion, additions, and facilitating collaboration.



This is a single chapter from the full report, **Building a Brighter Future: A Plan to Invest in DC's Emerging Adults**. Please visit the [report's landing page](#) to access other chapters and the appendices for each chapter.