

# COMMUNITY REPORT

## Mainstream Pre-Filing Diversion Program for Young Adults

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



Pictured: CHOOSE 180 staff in a virtual meeting in 2021 during the pandemic.

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



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## Overview

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

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

CHOOSE 180 continues to honor their value of employing staff reflective of the population they serve. Currently 100% of CHOOSE 180's leadership staff, 85% of staff, and 71% of the board are BIPOC (black, indigenous, and people of color). The majority of the team have been personally impacted by the criminal legal system, either themselves or in their family.

Since program inception in late 2017 through December 2021, CHOOSE 180 hosted nineteen in-person young adult diversion Workshops and twenty-two months of virtual one-on-one Workshops. The City Attorney's Office has referred 1,225 young adults on 1,458 police reports to diversion. Of the 1,225 young people invited to participate in diversion, 526 (43%) young people completed the program, and 565 (39%) cases were diverted.

## 2021 Pre-File Diversion Program Highlights

In 2021, the City Attorney's Office diverted 84 fileable cases involving 79 young adult participants across twelve months of virtual one-on-one Workshops. Five of the participants were diverted on more than one criminal case. Although 79 young adult participants completed diversion, we referred 174 young people on 242 reports or 45% of individuals and 35% of the reports. We are continually strategizing with CHOOSE 180 on program participation rates. As you can see below on page 8, almost a quarter of the people who completed the program reported having unstable housing such as staying with family and friends or at a shelter. We anticipate that percentage to be much higher for the young people that never make the Workshop.

No one could have predicted the global events of the last two years and the far-reaching impact they continue to have on everyone's lives. Given the cessation of in-person gatherings, CHOOSE 180 pivoted to a virtual Workshop model in March of 2020. Rather than having their case delayed at the Court due to closures, young adults were able to immediately participate in workshops and be connected with resources. This practice continued through 2021.

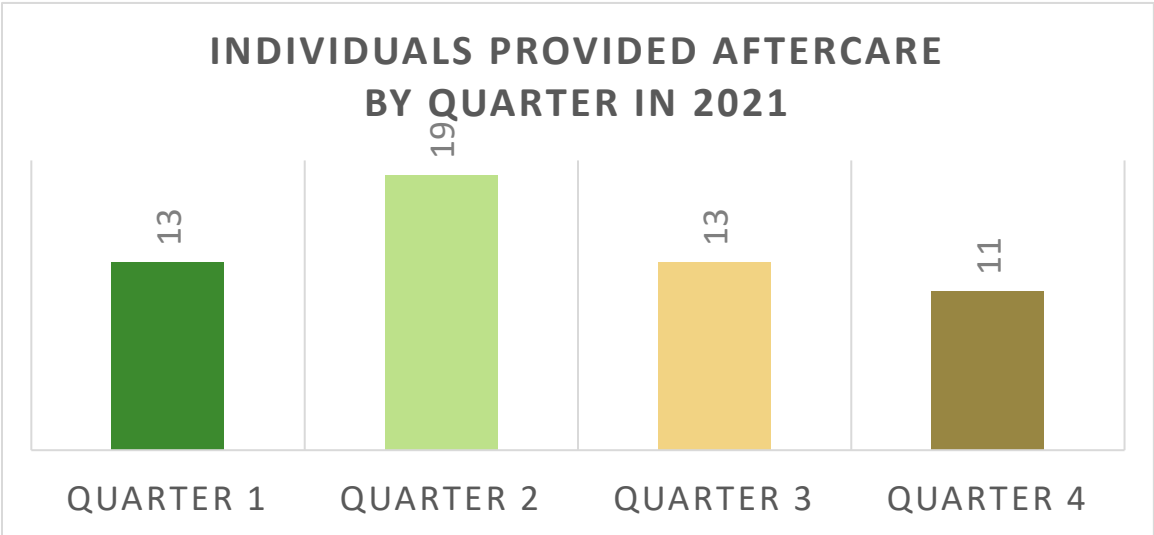
In May of 2019, in coordination with Seattle Municipal Court and King County Department of Public Defense, we began offering a post-file diversion opportunity to address equity concerns given the overwhelming number of young people using shelters as their addresses. Often, a lack of response to a pre-filing diversion letter was solely due to lack of receipt of the letter. A total of 22 young adults on 22 cases utilized this post-file option in 2021 to have their case dismissed.

To combat inequity issues identified in the first pilot, SCAO and CHOOSE 180 agreed to pilot a new CHOOSE 180 Plus for 2021. There is no longer a victim veto as to whether an individual is eligible for diversion; however, as with every case, SCAO considers any specific safety concerns raised by a listed victim. SCAO prioritizes the safety of all parties involved and will continue to utilize prosecutorial discretion to pilot this program. Young adults accused of some person-crimes will continue to be referred for a one-on-one Workshop even after CHOOSE 180's operations return to the in-person workshop format. They also are required to attend a meeting with CHOOSE 180's Behavioral Health Specialist. This individualized attention allows CHOOSE 180 navigators ample opportunity to work with young adults in a heightened way to address barriers to their success.

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

## Success Stories

In 2021, CHOOSE 180 worked with 56 young adults to provide aftercare resources.



Jahshua was one of those individuals referred in May 2021. He had recently left his parents' house and was living with his girlfriend. Though the relationship was unhealthy, he was unable to find housing and felt stuck. After working with CHOOSE 180's Aftercare Specialist Javen Pitt for some time, he was able to secure a job selling blown glass at Pike Place Market. Following his new employment, he was able to find an apartment. Success is not always linear. Soon after securing employment and housing and exiting his abusive relationship, Jahshua got into trouble with police again for graffiti. He worked closely with Javen and the City Attorney's Office and the case was ultimately dismissed. He began working on a 6-month plan, with goals of getting a driver's license, detoxing from social media, and building a personal budget. His high points over the past 8 months include moving into his own apartment and being 90 days sober from marijuana. Of working with Javen, he says "It's good to have someone to talk to and have someone that will help, cause there's not a lot of people who have that energy."

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*I want them to get to the point where the only reason they're reaching out is to let us know their success. Their basic needs are met, they're working towards goals.—*  
*Javen Pitt, Aftercare Specialist*

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## Community Resource Center Partner

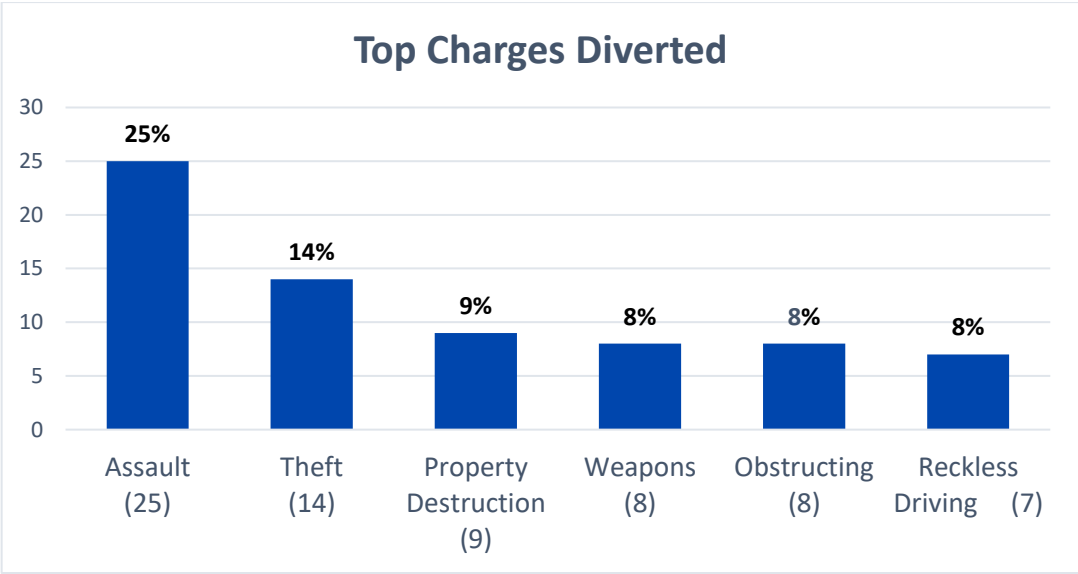
The City Attorney's Office also partners with Seattle Municipal Court's Community Resource Center (CRC) to provide additional services and support to participants. Generally, before and after the Workshops, our CRC partner engages with participants and conducts social service screenings to determine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

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

Our Community Resource Center partner also directly connected with 11 young adults to conduct a social service screening and connected several of the participants to a variety of services. For example, in 2021, our CRC partner met with a young woman that has been in foster care since she was young. She was accepted to Central Washington University but had to postpone due to the case eligible for diversion. Our CRC partner met with her and they discussed her current situation and short-term goals. She did not have medical insurance and they were able to reinstate her benefits so she could start mental health counseling to address anger and childhood trauma. They also discussed a plan for her to return to college within the next year. Additionally, she was in transitional housing at the time, and they looked at other housing options together.

## Charges Diverted

As for the charges diverted, 15 of the 84 cases would have resulted in more than one charge for a total of 99 charges diverted.<sup>1</sup> Theft has always been the top charge diverted in the program but due to a decline in retail theft referrals from SPD in 2021, Assault was the top diverted charge. These statistics reflect that at least one of the diverted charges would have been:



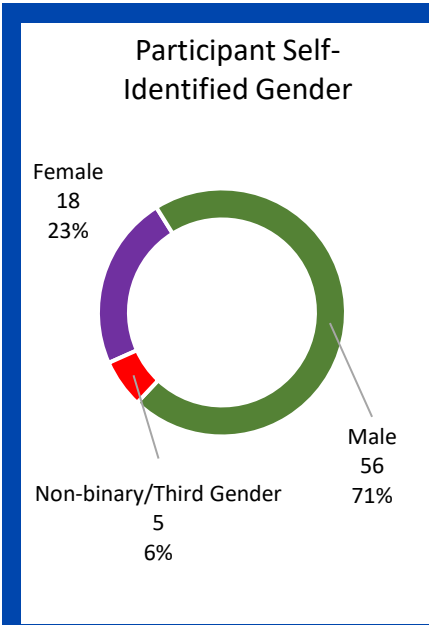
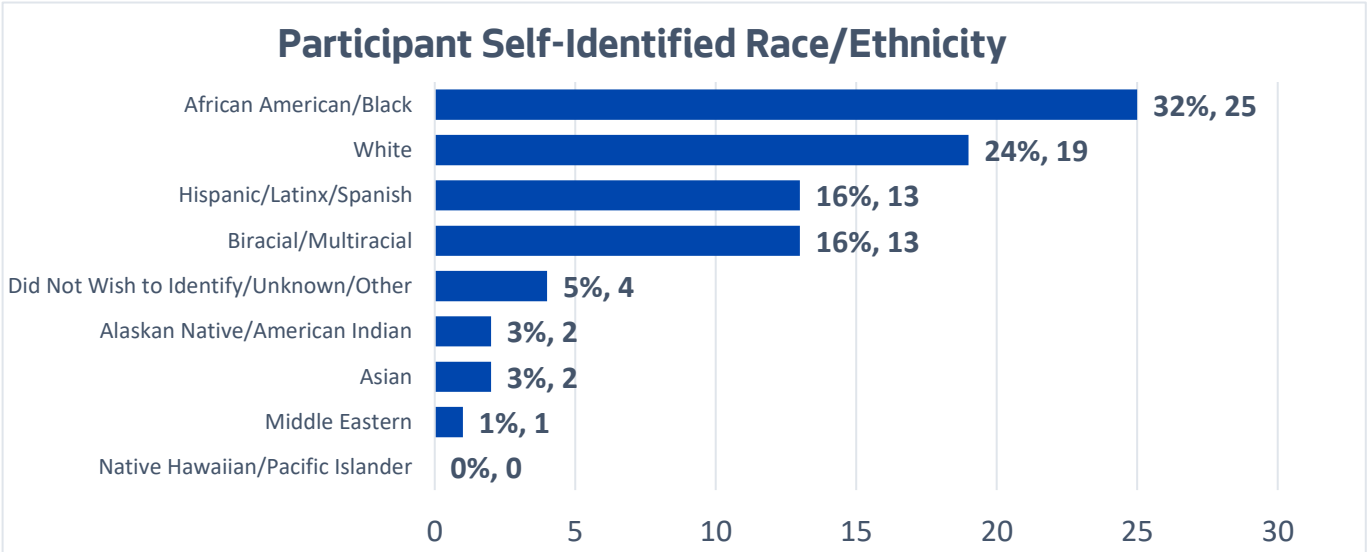
## Recidivism

We are currently monitoring the in-state criminal history of all participants since 2017 who completed the CHOOSE 180 Workshop at 3- to 6-month intervals. As of November 2021, 90% of the participants – 469 individuals – had no new criminal convictions.<sup>2</sup> PFD graduates were 2.5 times less likely than similarly aged peers to have another police referral within 6 months. Only 13% of people who completed the PFD program had another police referral within 6 months compared to 32% of similarly aged peers.

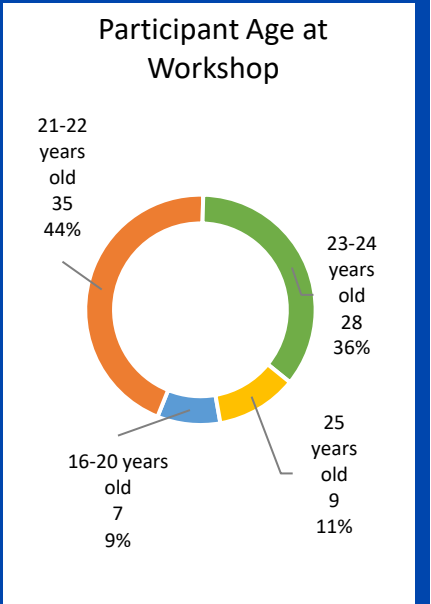
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# Client Demographics

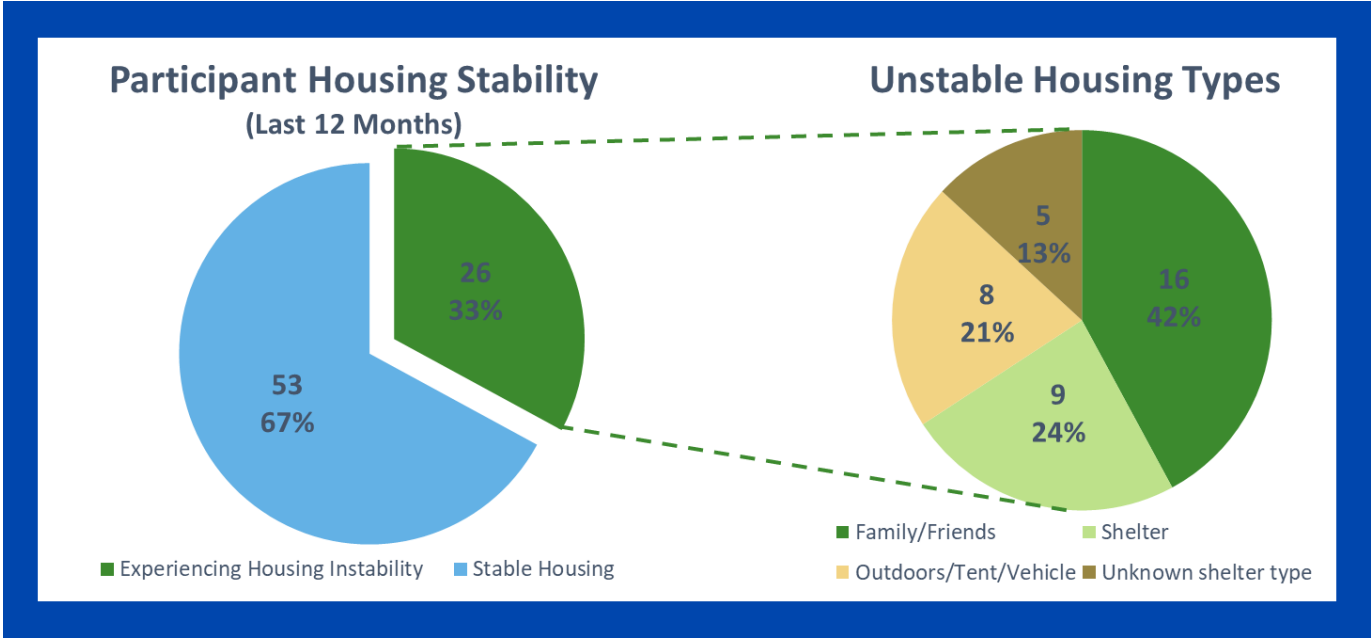
We acknowledge that persons of color are disproportionately represented in diversion, just as they are disproportionately represented in the traditional criminal legal system. At each Workshop, CHOOSE 180 asks participants to complete a Participant Information Form that helps us better identify who is being served by diversion and what life challenges participants face. As shown in the figure below, *Participant Self-Identified Race*, a diverse group of young adults are utilizing Pre-Filing Diversion. To decrease the overrepresentation of people of color in the traditional system, we aim to have more people of color completing diversion programs. As these individuals complete diversion, they will not have to participate in the traditional legal system, resulting in less racial disproportionality.



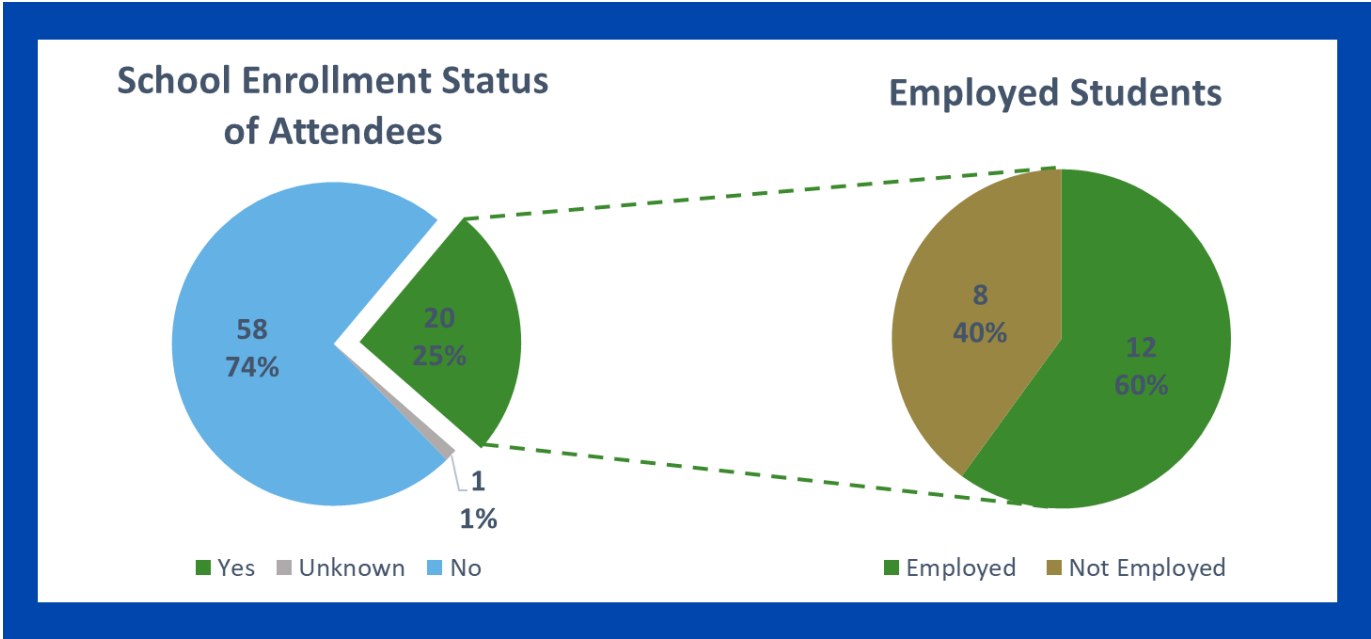
As shown in the figure to the right, *Participant Self-Identified Gender*, 71% of the participants identified as male. According to Seattle Municipal Court Data from 2011-2015, 69% of defendants ages 16-24 years-of-age across all case types<sup>3</sup> were male and 31% of defendants were female.<sup>4</sup> The gender gap decreases significantly when looking at the gender breakdown for defendants who enter the Pre-Trial Diversion program at Seattle Municipal Court which in 2015 was 53% male and 47% female.<sup>5</sup> Thus, we are particularly excited to see that so many young men continue to take advantage of the diversion with CHOOSE 180. As shown in the figure left, *Participant Age at Workshop*, approximately half of the participants were age 22 and under.





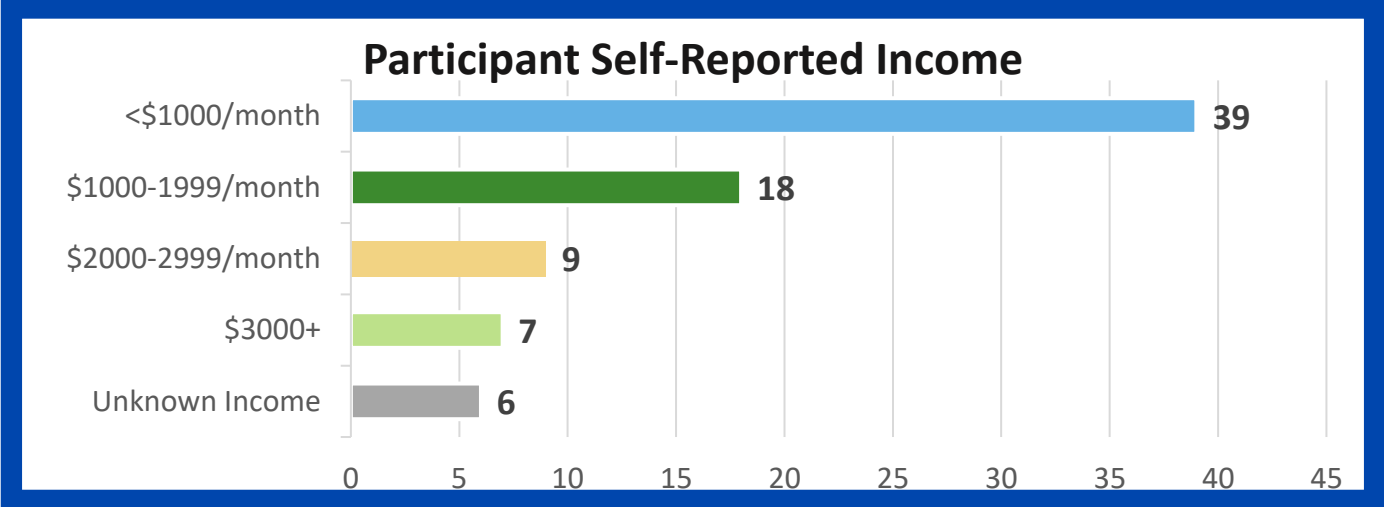


As shown in the figure to the left above, *Participant Housing Stability in Last 12 Months*, 33% of attendees reported experiencing homelessness or unstable housing in the last 12 months<sup>6</sup>. As shown in the figure on the right above, *Unstable Housing Types*, almost half of participants reported staying with family or friends when they were experiencing homelessness or unstable housing.

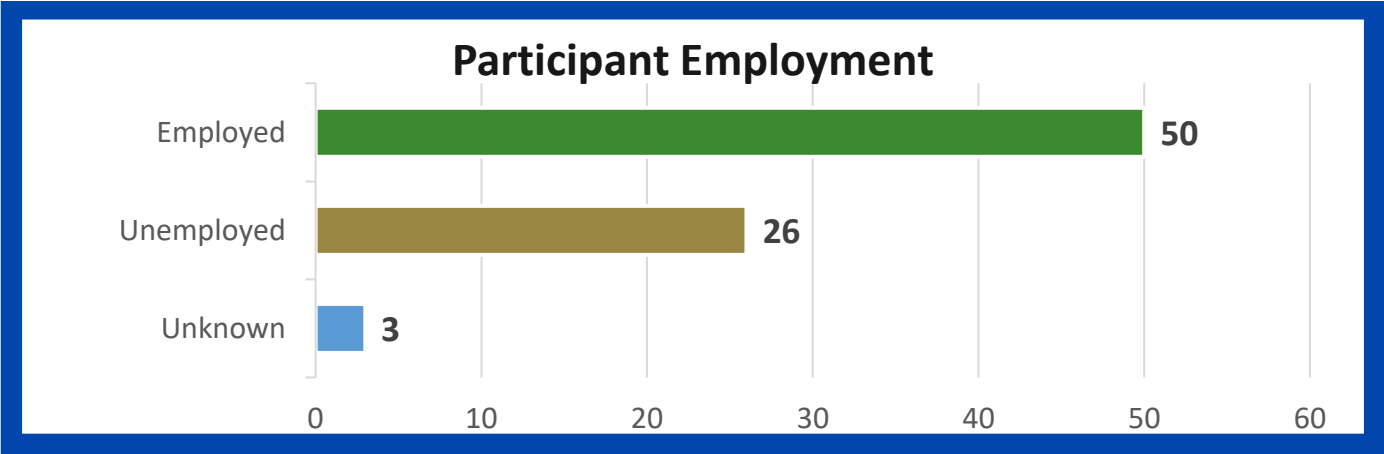


As shown in the figure to the left above, *School Enrollment Status of Attendees*, 25% of attendees are in school. As shown in the figure to the right above, *Employed Students*, 40% of participants who reported being in school also reported being unemployed.

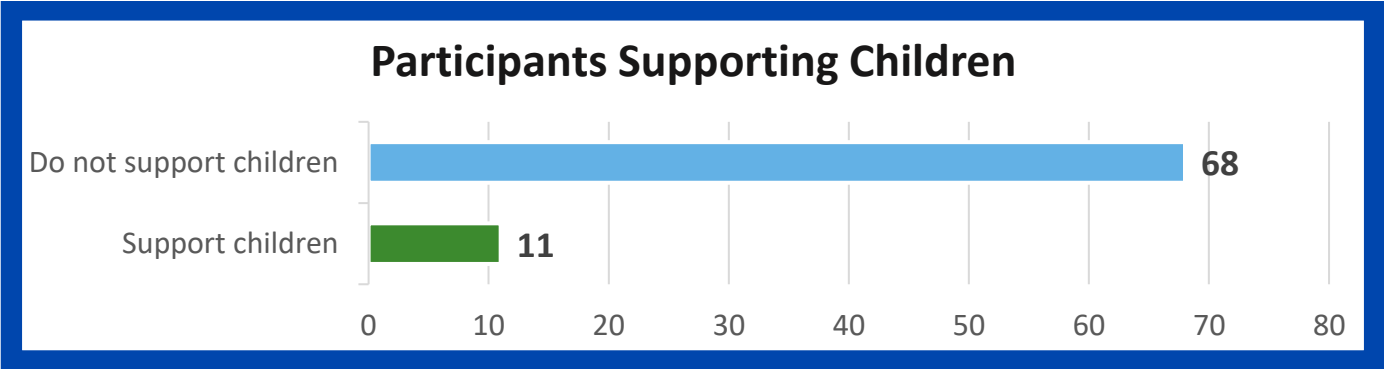




In the figure above, *Participant Self-Reported Income*, about half of the participants earned less than \$1000/month.



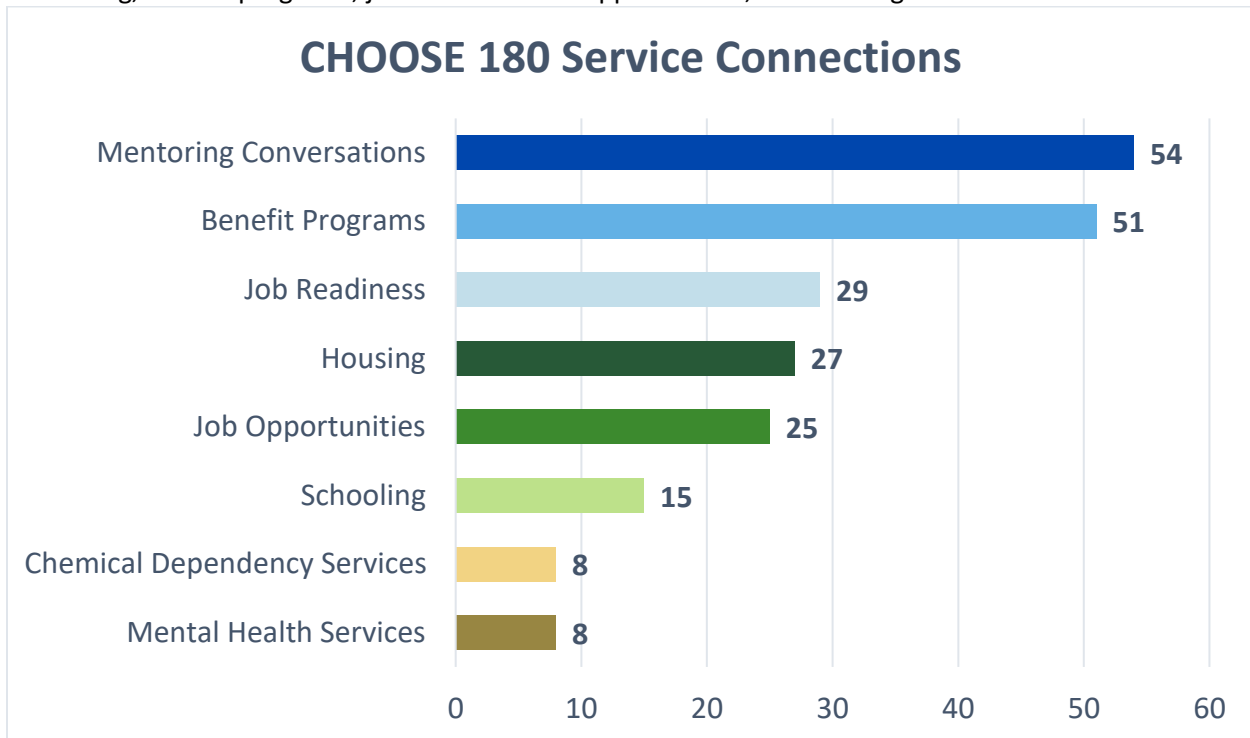
As shown in the figure above, *Participant Employment*, approximately one third of participants reported being unemployed.



As shown in the figure to the left, *Participants Supporting Children*, 11 of the participants report supporting children.

## CHOOSE 180 Support Beyond the Workshop

In keeping with the commitment to offer Workshop participants the opportunity to forge a new path, CHOOSE 180 is funded to provide participant support beyond the Workshop. As shown in the figure below, *CHOOSE 180 Service Connections*<sup>7</sup>, CHOOSE 180 assists participants most frequently with mentoring, benefit programs, job readiness and opportunities, and housing.



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

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

In response to the pandemic in 2020, CHOOSE 180 digitized information forms and surveys, and adapted workshops from a 4-hour session to 4 1-hour sessions to better match participants' work schedules and availability. This method continued throughout 2021. To ensure they were able to meet the needs of all participants, CHOOSE 180 received Chromebook donations and purchased WiFi hotspots that they loaned to young adults as needed. The way aftercare support was provided also had to pivot. Aftercare staff focused on text and video chats and masked/social distanced home visits as needed. They also expanded their direct financial support budget for participants and have to-date provided over \$80,000 in rental and utility assistance to participants and families.

CHOOSE 180 has been working over the last year to build their aftercare curriculum in a way that better facilitates participants' ability to dream big and reach their goals. The staff encourage a deep dive into the "Compass" curriculum used in the diversion workshops. The deep dive expands Compass south's "where am I now" prompt utilizing modalities from Cognitive Behavioral Therapy and SMART goals. This activity is three sessions long and asks participants to think about their belief system, the emotions behind their beliefs, and how to move from an "I have no choice" mindset to the ability and commitment to slow down and consider making different choices. Once this shift is made, participants are better positioned to truly heal from trauma and reach their goals. Of the new curriculum Javen says: "I want them to get to the point where the only reason they're reaching out is to let us know their success. Their basic needs are met, [and they're] working towards goals."

## 2022 Program Goals

### CHOOSE 180 Plus

In 2022, the City Attorney's Office and CHOOSE 180 are continuing to discuss how to expand diversion opportunities to young people and ensure those who can benefit from the program get an opportunity to do so.

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

As described on page 2, young adults accused of some person-crime incidents will be referred for a one-on-one Workshop and a meeting with CHOOSE 180's behavioral health specialist. This individualized attention allows CHOOSE 180 navigators ample opportunity to work with young adults in a heightened way to address barriers to their success.

#### b. **Significant Criminal History**

In reviewing recidivism statistics, SCAO noticed young adults with high levels of previous criminal history are disproportionately more likely to recidivate. SCAO will continue piloting referring young adults with the highest level of criminal history to CHOOSE 180 Plus while prioritizing the safety of both the participants and the community.

### **Continued Access to Diversion**

The City Attorney's Office and CHOOSE 180 are proud that there was no lapse in service throughout the pandemic and we are committed to exploring safe and accessible opportunities for diversion. In 2022, the workshops will continue to be offered virtually until the medical consensus concludes that it is safe to return to in-person gatherings. The City Attorney's Office will continue to collaborate with CHOOSE 180 and other systems partners to find creative ways to increase access to diversion for young adults who are unhoused and historically challenging to contact.

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<sup>1</sup>Percentages do not add up to 100% because 29% were all other charges not depicted in this graphic.

<sup>2</sup>December 2021 participants not included in recidivism graph because it had been less than three months since Workshop when recidivism numbers calculated.

<sup>3</sup>The City Attorney's Office has misdemeanor jurisdiction for driving offenses committed by 16 and 17-year-olds and cases where the person has turned 18 by the time of prosecution. The King County Prosecutor's Office handles the prosecution of all other juvenile offenses. In 2020, 6 participants were 16 or 17 years-old on the date of violation.

<sup>4</sup>Seattle Municipal Court 16 to 24 Year Old Defendants and Cases at SMC, with Violation Date from 2011 to 2015; Prepared by SMC Research Planning and Evaluation Group Staff; 1.2.18-12.28.17.

<sup>5</sup>Seattle Municipal Court Pre-trial Diversions between 2011 and 2015 by Incident Date at Seattle Municipal Court; Prepared by SMC Research Planning and Evaluation Group Staff; March 2017. It should be noted that the PTD data was all ages.

<sup>6</sup>Total housing instability reported exceeds number of participants who reported experiencing homelessness/unstable housing (22) because some participants reported more than one alternative. Data was all ages.

<sup>7</sup> Statistics reported by CHOOSE 180.