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“What we need is a culture shift where we recognize that offenders are part of our community and are often people who have had something go very wrong in their lives.”

---Gerald Leonard



Interagency Workgroup

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2021 Appropriation Act required the Virginia Department of Social Services (VDSS) to develop recommendations for local Criminal Justice Diversion programs that would provide alternatives to arrest, conviction or incarceration for lower-level offenses. The workgroup was tasked with addressing the need for human services as appropriate interventions for diversion.

Appropriation language included the exclusion of behavioral health and inclusion of two-generation (Whole Family) approaches.



Membership

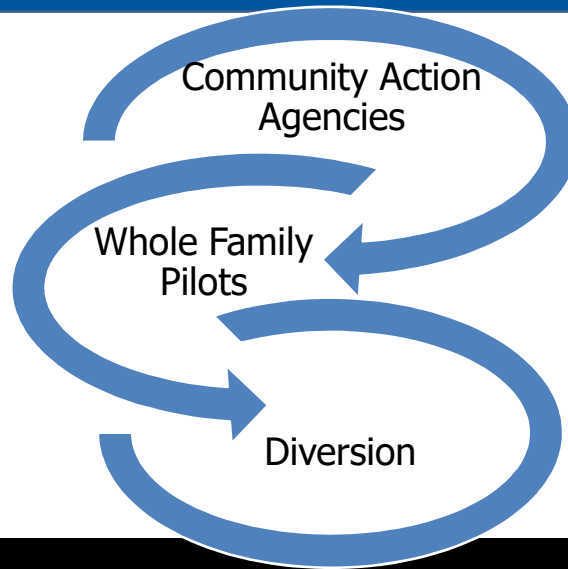
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Virginia Department of Social Services
Department of Criminal Justice Services
Department of Corrections
Office of Diversity, Equity and Inclusion
Department of Housing and Community Development
Virginia Community Action Network
Prosecutors
Public Defenders



Social Services and Diversion?

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Community Action Agencies

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- Community Action began in the 1960's in the United States as part of the War on Poverty to fight poverty and build self-sufficiency, for strong families and communities.
- Virginia has 28 non-profit private and public community action agencies. 3 state-wides including Virginia Cares (Re-Entry).
- Broad range of anti-poverty programs and work collaboratively with businesses and other agencies to build a network of support.

Community Action Programs:

Education
Employment
Child care
Community and economic development
Employment
Head Start
Health and nutrition
Housing and related services
Special populations (including the elderly, ex-offenders and the homeless)
Transportation



Whole Family-Two Generation Approach

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General Assembly approved a Community Action Whole Family Approach Pilot in 2019.

Meeting families where they dream.

Helping families develop their own pathways to success.

- Utilizing evidence-based needs/risk assessment and goal-setting to plan and track long-term success
- Providing short-and long-term coaching to move families to self-sufficiency
- Breaking down organizational and community partner silos to serve the needs of an entire family
- Emphasizing the importance of building social capital as a means of developing resilience and self-sufficiency



Interagency Workgroup

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Interventions most successful when developed on:

- Local needs
- Desired outcomes
- Perceptions of risk/benefit
- Input of stakeholders in that locality

Therefore, the report does not recommend any specific interventions to be used in every locality.

The group highlighted the need for diversion practices at the pre-arrest (no arrest or referral for charges) phase, as it would reduce the contact with the criminal justice system and not increase unintended consequences.

Report recommendations were derived from five themes for program development at the local level.



Workgroup Diversion Themes

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1. Diversion practices can produce multiple community benefits, and more pre-arrest diversion practices are needed.
2. Local planning and implementation, with adequate support and resources but without pre-set requirements for intervention and methods, is key.
3. Implementation of practices and interventions will include short-term and long-term strategies that should allow for innovation and need evaluation.
4. The evidence-based and risk/need/responsivity criteria, with an emphasis on risk-based rather than offense-based diversion, should be part of local planning.
5. Diverse stakeholder participation at all levels (local planning and implementation, state support and leadership) will be required to create interest and outcomes that address community needs beyond public safety alone.

Examples of Local Planning Partners

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- Prosecutors;
- Public defender/defense bar;
- Community Action agencies;
- Law enforcement (local);
- Faith leaders;
- Civil Rights organizations;
- Courts/Judges/Magistrate;
- Jail Administrators;
- Whole Family Service Providers;
- Trauma-informed Care;
- Local Department of Social Services;
- Healthcare Providers;
- Community Non-Profits (Housing, Employment, Family Supports);
- Office of the Executive Secretary of the Supreme Court (OES);
- A representative of local government (elected or appointed);
- Continuums of Care (if part of locality);
- Local community based probation and pretrial services;
- State probation and parole;
- Prisoner reentry services;
- Victim's rights groups and-witness programs.



Risk-Based Questions for Considering Diversion Options

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What kinds of crimes?
Victim's rights?
Public safety concerns?
Community response?
Impact on persons diverted?
Impact on families when a member is diverted?
Available supports and services in the community?
Desired outcomes?



Workgroup Recommendation 1

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Develop support (funding) and processes (program designs, assessment tools, guidance/facilitation, direction) for community planning initiatives that can be pursued in any locality, with maximum flexibility and responsibility for the results of the planning work resting with the locality.

This planning will

- 1) Assess readiness of communities to pursue diversion,
- 2) Readiness of community partners to provide support, services, and leadership, and
- 3) Will identify the areas in which human service entities and criminal justice entities need development of additional processes and resources to implement local diversion programs effectively and with outcomes that reduce impacts on the community and those impacted.

Workgroup Recommendation 2

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Develop support (funding, resources) and process (systems mapping tools, statutory framework, guidance on interventions, direction) for implementation of diversion practices at short-term and long-term stages.

- Focus on pre- arrest interventions and development of human services approaches (such as whole family/two-generation approaches).



Workgroup Recommendation 3

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In order to ensure state level support for the local initiatives create/develop an interagency task force that includes agencies representing: criminal justice/public safety; human services; community service and development; and diversity, equity and inclusion.

Group to:

- 1) Develop recommendations and recommend tools for planning and implementation,
- 2) Coordinate on development and administration of innovative diversion practices that bring human services, community needs, and public safety needs together
- 3) Identify barriers to the success of local initiatives that can be addressed at the state level.



Workgroup Recommendation 4

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Small working groups to develop tools identified by this interagency working group. Examples of tools may include:

- Risk assessment
- Statutory framework recommendations
- Local planning team resource guides
- Templates for development of local goals/indicators/outcomes
- Whole family goal-setting tools

Recommendations revolve around the work and decision-making occurring at the local level with the support/direction occurring at the state level.



Workgroup Recommendation 5

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Develop set-asides/resources for two purposes:

- 1) Development of specific interventions at the local level, after planning is completed and implementation has begun. These interventions will require innovation to meet the needs of the community, and particularly for pre-arrest diversion practices, will be interventions/services that likely do not currently exist in the locality.
- 2) Data collection, analysis, and evaluation, and more rigorous evaluation with independent third-party evaluators as additional evidence-base is developed through implementations.



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