

# Diversion Courts: Misleading Taxpayers & Exploiting the Vulnerable



Brent Elisens 2 days ago

Mental health & drug courts follow NADCP practices. NADCP in their Best Practice Standards rely on things like the following cited references, but when they write about the reference they cited they make it seem like it is something it isn't – successful at preventing recidivism.

## 5.2.3. HOW WELL DO DRUG COURTS WORK?

Drug courts at the top 5% can be expected to reduce recidivism by 23 percentage points, while the weakest 5% see an increase in recidivism up to 3 percentage points. In aggregate, the number of arrests averted is typically not large. 95% of drug courts with 150 people will prevent less than 39 arrests.

## 5.2.4. WHAT TYPES OF ARRESTS ARE PREVENTED?

Most of the time, arrests of drug offenders are for relatively minor offenses. The most common offenses are drug offenses, thefts, traffic offenses, and trespassing. Together, these offenses make up nearly 2/3 of crimes averted. It is worth noting that none of these offenses is particularly costly to victims. As a result, the social benefits of prevented crime tend to be small.

## 5.2.5. WHAT ARE THE COSTS OF DRUG COURT?

The average drug court participant costs roughly \$ 10,000 more than he/she would without the program. This masks significant variability across participants, which often carry virtually no costs, but could cost up to \$ 30,000.

Photo by [NDCRC.org](https://www.ndcrc.org)

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Photo by [Maine Pretrial Services](#)

The premise of a diversion court is to ease the burden on the courts from the horde of drug arrests by their system enforcers, conserve revenue for those that beg the rich to solve the social issues created by their system that they claim exists to solve them, and to avoid prison/recidivism for those that are suffering as incarceration *does not work*. Or haven't you noticed? Sanctions in a mental health/substance abuse court? *Jail*. You know, because that always helps suffering people feel better and therefore behave better, right? You can get sanctioned 4 days in jail for speaking inappropriately. People with mental health and/or substance abuse issues are so notorious for their politeness. What an abusive authoritarian side-heap. [Tone/language policing](#) is "a corrupt argument from pathos and delivery, the fallacy of judging the validity of an argument primarily by its emotional tone of delivery, ignoring the reality that a valid fact or argument remains valid whether it is offered calmly and deliberately or is shouted in a "shrill" or even "hysterical" tone, whether carefully written and published in professional, academic language in a respected, peer-reviewed journal or screamed through a bull-horn and peppered with vulgarity."

### Crisis Communication Rules:

- Give the media, or outside agencies, a single point of contact so that you can control the message as much as possible.
- Do not release information that is not absolutely true and thoroughly verified. Provide data and evidence whenever possible.
- In a crisis, no media coverage is often the best-case scenario, even better than positive media coverage.
- Say only what is necessary. Never extend an interview or provide unsolicited information.
- Communication among the crisis response team and with the TC team and program participants is key.
- Use the resources available, including the NADCP.

Photo by [State of Maine](#)

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Compliance out of fear is not existential 'success'. It is degrading to the human spirit and overall well-being. It makes a suffering being that thinks if authority leaves him be, then he is doing the morally/existentially/socially sound thing when in fact, they are perpetuating system-wide tyranny onto everyone else out of concern for themselves. Earth is frightening enough for most people

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Second, criminal cases are often dismissed or pled down to a lesser charge for reasons having little to do with factual guilt, such as insufficient evidence or plea bargains. As a result, the absence of a conviction or conviction on a lesser charge may not reflect the offense that occurred.

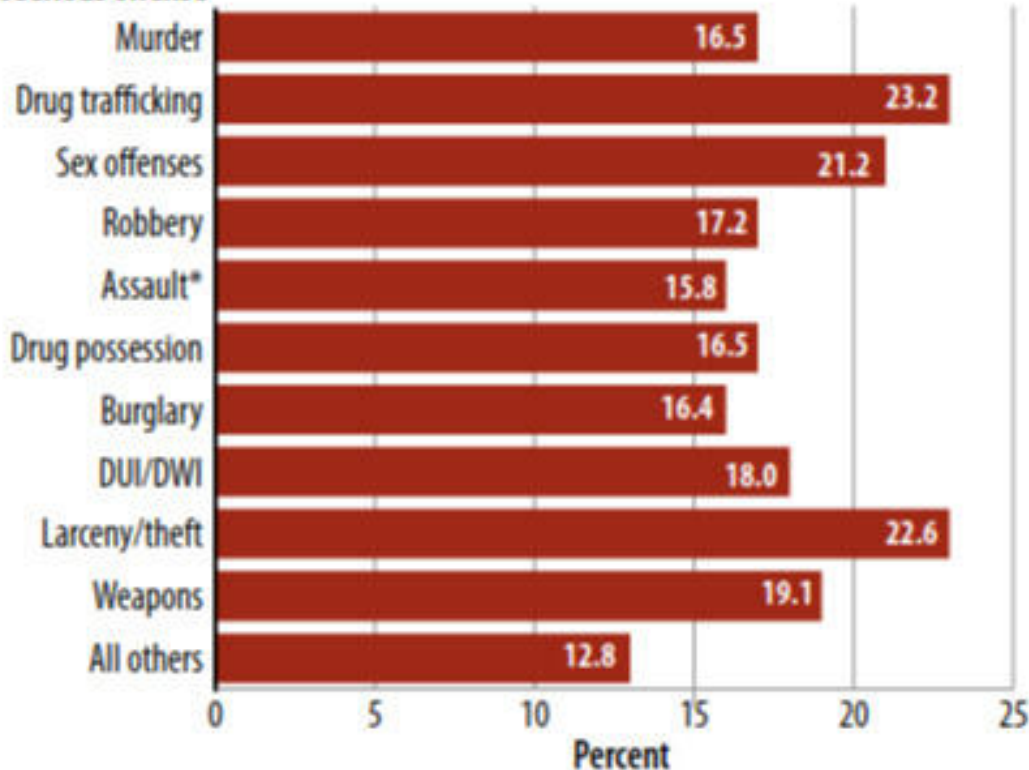
However, some individuals are arrested for crimes they did not commit. This fact may lead to an overestimation of the true level of criminal recidivism. Relying on conviction data rather than arrest data may provide greater assurances that the crimes did, in fact, occur.

Photo by [NADCP.org](http://NADCP.org)

**FIGURE 4**

**Reversal rates for appeals of top 10 most serious offense types in trial case, 2010**

Most serious offense



When they use convictions in statistics, remember how many appeals and exonerations are successful. 'Criminal Appeals in State Courts' Photo by [Department of Justice](http://Department of Justice)

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want all the participants to succeed? Sometimes, these programs are used to obtain a guilty plea, then the vengeful panel violates them anyway. The person can't challenge it fairly because they signed away their 'right' to do so upon entering the program. In fact upon entering the program, the person essentially signs away any effective method of self-defense. For example, after you sign to a certain set of rules/conditions, the treatment court can impose additional conditions, rules, or directives, or may adjust or eliminate condition(s) or term(s) at will:

**3. Waiver of procedural rights.** A defendant agrees to waive certain procedural rights as set out in the *Plea Agreement and Waiver of Rights* (Appendix 6) and *Plea Agreement and Waiver of Rights (Probation)* (Appendix 7) and the *Entry/Bail Contract and Order* (Appendix 8). The judge must review this waiver with the defendant at the time of induction to confirm that the waiver is knowing and voluntary. See Chapter 6, below.

Not be on the premises of any establishment that dispenses cannabis, cannabis products, or cannabis derivatives and comply with the Prohibited Substances Agreement.

Submit to a random search of my person, possessions (including any and all data and content of a cell phone), vehicle, and residence, including the common areas of my residence, at any time as requested by the judge, staff of the MTC, or member of law enforcement. If the residence is occupied solely by myself, or myself and my family members and/or a significant other, the entire residence shall be subject to search.

Obey all rules, conditions, and directives of the MTC. The MTC may impose additional conditions, rules, or directives, or may adjust or eliminate condition(s) or term(s) as required to complement my individualized treatment plan.

I understand that I must comply with all of the conditions of the Maine Treatment Court bail contract, and if I do not, I will be in violation of the conditions of my post-conviction bail incorporated therein, which may result in court-imposed sanctions including but not limited to incarceration, expulsion from the Maine Treatment Court, and/or being charged with a new crime, violation of conditions of release.

I understand that the judge and/or justice involved in the Maine Treatment Court will discuss me and my case with others while I am not present. I understand that the Maine Treatment Court team will discuss me and my case when I am not present. I understand that the judge and/or justice involved in the Maine Treatment Court may talk to me when others are not present. I understand that this communication is different from what the judge and/or justice would do if I was not participating in the Maine Treatment Court.



Photo by [MTC](#)

A common mental health diagnosis is PTSD. You know what helps with PTSD? Cannabis. Know what isn't permitted in a mental health program in a state where cannabis is legal? Cannabis. Why? The program receives federal funding and Cannabis is still illegal federally. The arbitrary wording of politicians for different boundaries and different groups of the population. Why do people still vote? Indoctrination and the desire to control others based on their skewed perceptions of reality. A system that depends on their fear, ignorance, & pride is going to push all three on them. In courts, an ultimatum is considered '*voluntary*'. Passive coercion. Informing the person is no problem for the state because the person will sign their existence away anyway out of fear from that ultimatum. *"It's either let them share my information with each other or I go sit in a concrete and steel box while having my family get extorted by prison industries"*. Core Civic, Tiger, Aramark, JPay, SecurusTech, GTEL (many change their names after lawsuits for their exploitation of us). This farce of a lucrative method of social issue resolution is similar to the mob forcing a shopowner to sign over everything because of what will happen if he doesn't. They may not execute him right there but they will make his life miserable indefinitely. The desire to want conflicts to just go away forces many to capitulate to injustices and tyrannies.

#### 4. *Standard definitions and language with regard to programs and interventions that engage in diversionary practices have not been adopted.*

The language and vocabulary used in discussions of alternatives to arrest, detainment, conviction, sentencing, or post-sentence incarceration lacks common definitions and terminologies. As the scope of and attitudes toward alternatives has changed in recent years, the language used to describe those alternatives has become muddled. Current language is predominantly process-oriented, based on a phase of justice involvement (e.g., deferred prosecution, pretrial intervention). However, there is no clear definition of terms like "diversion" – diversion from what, and to what, and with what goal? Diversion from one justice process to another (e.g., traditional felony court to problem-solving court) or from pretrial detainment to community supervision pending trial is quite different from diversion out of the justice process entirely with a goal of charge dismissal. As noted, terminology is critical to this discussion of diversion, as clarity and specificity

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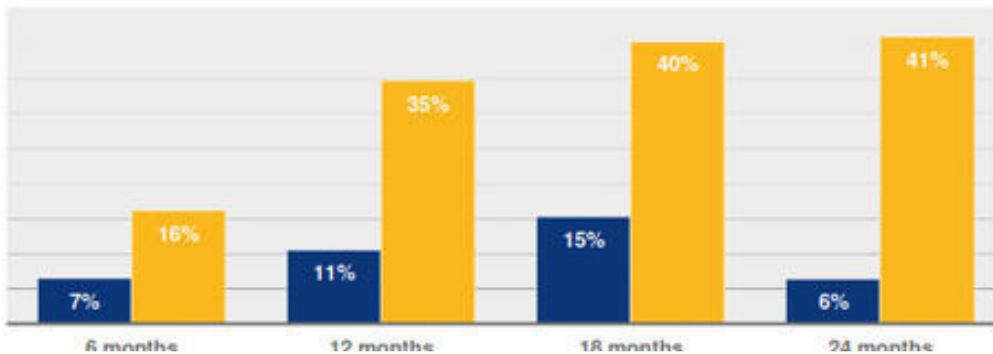


They can make their words mean whatever they want them to, which is rarely in participant favor: Photo by [CFHJ](#)

As seen for arrests, the 24-month recidivism rate dips for the treatment group even though the data is cumulative because of a smaller sample size (the 2018 and 2019 groups had not yet been released for 24 months) and those who had been (2016–2017) have lower recidivism rates. That is, the 24-month marker shows conviction recidivism for those who departed the program in 2016 and 2017 only. As would be expected, there are somewhat fewer convictions than arrests for both groups but the differences between the two are still dramatic. At 12 months the difference between treatment and comparison groups is 24 percentage points which translates to 218 percent and at 24 months 35 percentage points which is 583 percent difference. At 18 months, where there are more cases to count, the difference was 25 percentage points or 167 percent. In layman's terms, convictions were more than twice as high for the comparison group after one year and one and two-thirds higher after 18 months.

**Conviction rates of those in Maine treatment courts are lower at a statistically significant level, meaning the differences would not have been derived from chance.**

**Figure 19. Conviction Recidivism Rates of Treatment and Comparison Groups, 2016–2019**



They also included data from years that hadn't been documented yet 2018-19, lying with statistics to boost their percentages. Photo by [Maine Pretrial Services](#)

These diversion courts are not a solution to prison. These programs costs around 30% of the would be cost of incarceration. Sounds great except that the corporations and private contractors such as BI & Accredited Drug Testing rake in cash as well. Then, when/if the person gets violated, not only have taxpayers paid the ~\$10-13k for 2-4 years, but then ALSO they pay the ~\$45k annual cost of incarceration as well. Diversion courts are a trap for participants *and* taxpayers.