



AUSTIN·TRAVIS COUNTY

REENTRY ROUNDTABLE

DIVERSION FOCUS GROUP REPORT FINDINGS

APRIL 2022

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Executive Summary

In spring 2022 the Austin/Travis County Reentry Roundtable, on behalf of Travis County, designed and conducted focus groups to engage the feedback of local women who had previously experienced reentry from jail or prison and/or who had participated in diversion programs. In conjunction with Community Coalition for Health, the Roundtable engaged thirty women in focus groups. In the focus groups, participants were invited to share their hopes and dreams for the future, their past experience with diversion programs, how they would design better diversion programs, and what, if anything, would they go back in time to change or fix to prevent from being incarcerated or needing a diversion program. Below are the key insights to consider as the County aims to reduce the women's jail population and to invest in reentry and diversion services:

Systemic Issues

- Institutional racism may discourage women of color from participating – to account for this past harm, all diversion programs should be designed to center the needs of women of color and should include anti-bias and anti-discrimination training for all staff.
- Systems must ensure that all eligible diversion program participants are notified of the option to participate so that selection bias does not occur. Lawyers, judges and other judicial support staff must also be knowledgeable about diversion programming and its benefits so that they can accurately share information about programming with potential participants.
- Many participants communicated the reputation of diversion programs as a “rare blessing” and shared their belief that the criminal justice systems default to incarceration over other interventions. Diversion programs should be offered more frequently and more widely, with diverse programming choices.
- In general women feel much more comfortable in a community-based environment than in an institutional environment.
- Discretionary power to return diversion participants to incarceration should remain at judicial level, not with diversion program staff.

Program Design Considerations

- A holistic, comprehensive approach to diversion programming is critical. Women must feel that staff are invested in their success as a person for them to participate fully and authentically.
- Power dynamics matter – women will not feel successful in situations where they can't fully trust their program leaders.
- Peer support is a crucial asset for diversion programs. Those who have lived the same challenges and succeeded are more relatable and can provide more authentic accountability to diversion program participants.
- Diversion programs must address or be able to immediately connect participants to other programming to address mental health needs, substance use disorder, and the impact of past trauma.
- Diversion program design must address the very real financial disincentives for women to participate in diversion programming. Opportunities to reduce participant program costs or

provide subsidies should be considered so women don't have to work full time in addition to participating in the program.

- Women in particular experience real barriers to participating in diversion programs such as transportation and finding replacement childcare and these barriers must be addressed to ensure successful participation.
- It is an important intervention opportunity to offer diversion and support resources for women who are mothers, especially during pregnancy. There is immense harm to the next generation when mothers are removed from a family, and diversion should be offered as an opportunity to stay with children.

Acknowledgements

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Special thanks to Mia Greer, Community Coalition for Health, and Amanda Cassidy, Reentry Advocacy Fellow, for their thoughtful and dedicated facilitation of these focus groups. Their input was foundational to the findings of this project.

Special thanks to the key stakeholders who participated in the listening session co-design process and focus group outreach:

- Sonja Burns, Community Advocate
- Kate Garza, Office of Travis County Judge
- Valerie Hollier, Travis County Justice & Public Safety
- Roger Jefferies, Travis County Justice & Public Safety
- Cathy McClaugherty, Travis County Justice & Public Safety
- Lori Mellinger, Empowering Women Out of Prison
- Kaleigh Phelan, Capital Area Private Defender Service
- Wendi Power, Batya Foundation
- Melissa Shearer, Travis County Mental Health Public Defender
- Terra Tucker, Alliance for Safety and Justice
- Ashleigh Walton, Capital Area Private Defender Service

Overview & Background

In June 2021, the Travis County Commissioners' Court directed staff to spend a year addressing systemic issues relating to the future vision for jail facilities in Travis County, including the creation of a working group to reduce the number of women in the jail as recommended by the "Designing and Planning a New Women's Jail Facility for Travis County: a Roadmap for Reform" report of the Advisory Committee to the Travis County Sheriff's Office. In its negotiations regarding annual funding deliverables with the Roundtable, Travis County asked the Roundtable to propose an activity that would allow for the inclusion of the voices of directly impacted women, that is, women who had previously engaged with criminal justice diversion programming as well as women who had been previously incarcerated who may not have been offered or did not successfully complete diversion programming.

In response to this request, the Roundtable proposed to design and conduct focus groups to engage the feedback of at least 30 women in Travis County who are in reentry and/or utilize diversion services relating to needs, attitudes, and hopes for diversion; and analyze and present findings from the focus groups. To increase participation in focus groups, the target population was later amended to include Travis County or surrounding counties. The documentation to be submitted to the county included the focus group design including questions and recruitment strategy; anonymized summary of focus group responses; and a summary of key findings from the focus groups.

The Roundtable kicked off this project in January 2022 by hosting a listening session with key stakeholders to develop focus group questions and an outreach strategy. Roundtable consultant Woollard Nichols & Associates (WNA) led the project in conjunction with subcontract support from Charles Moody and Mia Greer from Community Coalition for Health (C2H). WNA supported the project with project management, design, notetaking, analysis and final report development. C2H led the outreach for focus groups, and Mia Greer and Roundtable Advocacy Fellow Amanda Cassidy served as focus group co-facilitators.

Methodology & Process Notes

Phase 1: Preliminary Design & Co-creation

Phase 1 began in January 2022 with the development of the focus group work team: Amanda Cassidy (Reentry Advocacy Fellow), Jasmine Cherry (Community Coalition for Health), Mia Greer (Community Coalition for Health), Madeleine Jordan-Lord (Woollard Nichols & Associates), Charles Moody (Community Coalition for Health), and Kelly Nichols (Woollard Nichols & Associates). This team met regularly to develop and implement the following work plan:

- Convene listening session with key stakeholders to develop focus group questions and outreach strategy (January 2022)
- Develop focus group protocol (January-February 2022)
- Conduct focus group outreach (January-February 2022)
- Host virtual focus groups (February-March 2022)
- Analyze results and develop summary of key findings (March-April 2022)

The listening session was a key component of the co-design process. This conversation helped refine the language and topics related to women's diversion that were later incorporated into the focus group protocol. The following stakeholders participated: Sonja Burns (Community Advocate), Kate Garza (Office of Travis County Judge), Valerie Hollier (Travis County Justice & Public Safety), Roger Jefferies (Travis County Justice & Public Safety), Cathy McClaugherty (Travis County Justice & Public Safety), Lori Mellinger (Empowering Women Out of Prison), Kaleigh Phelan (Capital Area Private Defender Service), Wendi Power (Batya Foundation), Melissa Shearer (Travis County Mental Health Public Defender), Terra Tucker (Alliance for Safety and Justice), and Ashleigh Walton (Capital Area Private Defender Service). The listening session participants were engaged again for outreach support in Phase 2.

Following the listening session, the focus group work team finalized the facilitator script and focus group questions (Appendix 2).

Phase 2: Outreach & Prescreening Survey

When conducting outreach, the focus group work team shared a purpose statement, overview of the process, and a link to complete the prescreening survey. The opportunity was posted on the Roundtable's Mobilize page, which sends e-blasts to Planning Council members and guests. It was also posted on the Austin/Travis County Reentry Roundtable and Reentry Advocacy Project Facebook pages. The work team conducted personal outreach via emails and phone calls to Planning Council members, listening session participants, past Reentry Advocacy Fellows, participants from the Reentry Advocacy Project focus groups conducted in 2020, and other personal contacts. Folks were encouraged to share the opportunity with their networks.

Our team created a prescreening survey to collect information about interest and qualifications to participate in the focus group series. The survey also included a ranking question to better understand the needs of women who have been previously incarcerated or have participated in criminal justice diversion programs. On average, the survey took seven minutes to complete. The survey was offered in both English and Spanish.

The prescreening survey was comprised of the following sections:

- Purpose and process overview with confidentiality statement
- Past experience with reentry and diversion
- Ranking of current needs
- Interest and availability for focus group
- Accessibility needs
- Contact and demographic information

A total of 166 survey results were collected. However, after using an IP address lookup tool, our team learned that the prescreening survey had received many fraudulent entries. Many respondents had self-reported their addresses in Travis County, but their IP addresses revealed that they were located internationally or had used proxy servers to complete the survey. Once the issue was discovered, the public survey link was closed, and new survey links were created for targeted outreach to individuals. Of the 166 surveys submitted, 32 met the eligibility criteria for these focus groups.

Survey respondents who met the eligibility criteria and who indicated their interest in participating were contacted individually and offered a focus group time that fit their schedule.

Phase 3: Focus Group Implementation & Analysis

Six virtual focus groups were conducted via Zoom. The focus groups engaged a total of 30 women who had previously been incarcerated or previously participated in a diversion program(s). Each participant was offered a \$50 Visa gift card.

The focus groups were facilitated by Mia Greer and Amanda Cassidy, who are both women with lived experience navigating the criminal justice system. In each focus group, the facilitators shared the mission of the Austin/Travis County Reentry Roundtable and introduced the members of the work team on the call. The facilitators also disclosed that they identify as a person with lived experience. A confidentiality statement and list of group agreements were discussed before asking focus group questions. Focus group questions were divided into two sections. Part one asked a series of questions on past experiences with diversion programs. Part two asked a series of questions on designing better diversion programs in the future.

The focus groups meet on the following dates:

- Focus group 1: February 21, 2022 (6 participants)
- Focus group 2: February 22, 2022 (4 participants)
- Focus group 3: March 5, 2022 (3 participants)
- Focus group 4: March 7, 2022 (8 participants)
- Focus group 5: March 8, 2022 (3 participants)
- Focus group 6: March 14, 2022 (1 participant)

Five participants were engaged by individual phone calls with a focus group facilitator. The focus group protocol (Appendix 2) was followed in these interviews.

Notes were taken by WNA staff during focus groups and focus groups were recorded. Quotes from the focus group were edited for clarity, to avoid any identifying information, for grammar, or for brevity.

Participants in the survey are referred to as respondents in the findings section. Participants in the focus group are referred to as women or as participants.

Findings

Screening Survey Results

As described in the Methodology section above, a pre-screening survey was sent out to potential focus group participants to screen participants' eligibility and availability for participation in the focus groups. In addition, the survey invited respondents to rank their current needs.

Participant Needs

The table below shows the results of the needs ranking questions in the pre-screening survey. Respondents ranked their current needs in order from #1 to #9, with #1 as their highest need and #9 as their lowest. Connection to mental health services was the highest ranked need, followed closely by help addressing substance use disorder and services that address past trauma. The survey also invited respondents to list additional needs. The most commonly cited additional needs were housing or credit repair in order to purchase a home. Additional needs included financial assistance for reentry needs, financial assistance for childcare and utilities, employment opportunities, a support system, and expungement.

Table A: Average Ranking of Participant Needs

Ranked Need	Average
#1: Connection to mental health services	3.60
#2: Help addressing substance use disorder (addiction)	3.85
#3: Services that help me with my past trauma	3.85
#4: Building healthy, trusting relationships	4.79
#5: Accessing physical and reproductive health care	5.06
#6: Receiving services where my culture and identity are respected	5.32
#7: Connecting with others with similar experiences (peer support)	5.59
#8: Reconnecting with family	5.94
#9: Paying justice system fines and fees	6.30

Demographic Trends & Potential Disparities

The pre-screen survey also asked respondents to identify their race/ethnicity. This information allowed for the opportunity to analyze survey respondents who indicated that they had previously participated in a criminal justice diversion program by race. Of the 25 survey respondents that shared both their race and whether they had previously participated in a diversion program, we found that white respondents were much more likely to have participated in a diversion program than Black respondents or Hispanic/Latino respondents. Although the sample size is not large, there is a noticeable difference based on race. Of 5 total white respondents, 4 (80%) indicated that they had participated in a diversion program, versus 6 of 13 (46%) Latino respondents and only 2 of 6 Black respondents (33%). This early survey finding alerted us to consider whether racial discrimination or bias may be impacting whether women are being offered diversion programs, or whether cultural factors are influencing women of color not to participate in diversion programs, questions we probed further in the focus groups.

Table B: Survey Respondents by Race and Participation in Diversion

Race	Yes	No	Total	% participating in diversion
White	4	1	5	80%
Black	2	4	6	33%
Hispanic or Latino	6	7	13	46%
Multiracial or Multiethnic	1	n/a	1	100%

Focus Group Results

Past Experience with Diversion Programs

For the first part of the focus group, participants were asked about their previous experience with diversion programs. A brief poll was conducted ask participants to identify with one of the following statements: 1) they were currently participating in a diversion program; 2) had previously participated and finished a diversion program; 3) had previously participated and did not finish; 4) were offered to participate and declined participation; or 5) were denied or not offered a diversion program. In many instances, participants could not easily sort themselves into a category or indicated that they fit into multiple categories due to having multiple charges or because a significant amount of time had passed since their charge and they couldn't remember.

Focus group participants indicated a range of experiences with diversion programs, including a few participants who were currently enrolled in a diversion program, some participants who had successfully completed a diversion program, many participants who had not successfully completed a diversion program, and many participants who were not offered the opportunity to participate in a diversion program.

Of the thirty women we spoke with, none indicated that they had been offered the opportunity to participate but declined participation in a diversion program.¹ This helped to rule out one hypothesis from the pre-screen survey data, that cultural factors were influencing women of color not to participate in diversion programs.

For those who were currently or had previously participated in a diversion program, the following questions were asked:

- *Did you feel like you had the choice to participate in the program?*
- *Why did you choose to participate?*
- *Was there a cost to participate? If so how much?*
- *What was helpful about participating in a diversion program?*
- *What was stressful about participating a diversion program?*
- *Why did you leave the program? (if applicable)*

For those who were denied or weren't offered participation in a diversion program, the following questions were asked:

- *Why do you think you were denied or not offered a diversion program?*
- *Would you have wanted to participate in a diversion program? Why or why not?*

¹ This should not be interpreted to mean that women who participated in diversion programs were necessarily enthusiastic about their participation. Many women who participated in diversion programming indicated that they were wary of participating and not confident that they would succeed in the program, but participated because they felt the pros outweighed the cons in terms of the impact to their criminal record.

Women Who Had Participated in a Diversion Program

Choice to Participate in a Diversion Program

There were mixed responses regarding whether the women who participated in a diversion program felt like they had a choice to participate. Some women felt strongly that they had a choice between completing the program or going to prison and that it was a good and reasonable choice to make. One participant stated *Yes, I was in a diversion program through a deal with the DA and I was given the choice whether to take it or not. But it was a good deal.* Other women stated that they didn't really feel like they had a choice to participate. In one participant's words, *I didn't feel like I had a choice – I was labeled as a drug addict and gang member. It was really challenging... I was angry to have to go through that program.* Another woman indicated that she felt like she had been "tricked" to participate. One woman indicated that knowledge of the program wasn't equally accessible to everyone – she felt lucky that she had been informed about the program and knew to request it.

In general, participants indicated that they chose to participate in a diversion program to avoid jail or prison time. As one woman stated, *I wanted to choose the option best for my life at that point. I had already been to prison once and never had an intervention where they were trying to help.* Several women indicated that they were offered the opportunity to participate in a diversion program because it was their first offense, and they gladly took the opportunity. Several other women indicated that they chose a diversion program so they wouldn't be separated from their children.

A few participants noted the positive influence of a judge who took a special interest in them and their case as a factor that influenced their choice to participate in a diversion program. One participant shared, *I participated in short program with [Judge X] in 2005 and I hated it in the beginning. I didn't know he was in recovery, so I would show up drunk to court and fight it all the way. I was arrested in court (after seeing drug levels in Urine Analysis) and he told me he was going to save my life, and I have been sober ever since.*

One participant discussed the way their criminogenic thinking influenced their choice to participate but not "really" participate in the program at first: *[I] took it because I thought I could hustle my way out of it without stopping anything else I was doing wrong; I thought I could beat the system. It was a delusion I had. I really thought it would be easy, but it took me almost two years to complete the program.*

Many women indicated that they accepted diversion programs without having clear knowledge of the program or its requirements and expectations. They discussed feeling like a number and no one taking the time to explain the programming. As one participant stated, *I asked for it, but also didn't know what to expect and didn't know how it would work.* Some women indicated that they had such negative experiences in the diversion programs they were offered that given the choice, they would have gone to prison again instead of participating in the diversion program.

Costs

Women who had participated in diversion programming indicated that there were a variety of costs to participate, including court costs, intake, fines, drug testing/UA fees, and fees to repay court-appointed attorneys. The amount of the fees varied, but some women mentioned quite substantial costs in the thousands of dollars. Other women indicated that their fees had been waived, were offered on a sliding scale, or were covered by charitable or faith-based organizations.

Diversion Programs: What Was Helpful

Participants mentioned three main categories of how diversion programs were helpful to them: 1) it allowed them to avoid jail time and in some cases the collateral consequences of having a criminal record; 2) the program offered them strategies to improve their life; and 3) the program offered them connection and community with other women like them.

The quotes below offer what was helpful about participating in a diversion program in the women's own words:

Think of it as divine intervention. Had to find a sponsor and make it to drug court once a week in Austin from San Antonio... Everything about that program was godsent, it really was. How everything worked out and is still working out. It was a choice, but if it was totally left to me then I would not have gone.

Life is amazing now and I owe everything to the drug diversion court. Now just graduated as a psychiatric nurse practitioner and I have a master's degree. If the judge hadn't intervened in my life the way he did, I would be dead by now. The drug diversion court saved my life.

Some of the things I had never talked about with other people. First time I ever started interacting with people who are clean and sober; or other people who had a dual diagnosis like I did. Being around other people who took medicine and were doing well, that was useful.

Drug and alcohol course was the only time I had someone walking through the choices I had made and walk through patterns of behavior. Only time to take that time to learn.

Classes were helpful in teaching me about better relationships and now I have those skills for life.

I would like to say that I'm grateful that these programs even exist. I appreciate this chance because I really did learn my lesson about being more aware of my surroundings and who I'm around. I feel like I'm getting a second chance in my life, and this time no one is going to dictate it.

Diversion Programs: What Was Stressful

Participants cited a number of stressful factors relating to their participation in diversion programming, including the following:

- Lack of transportation
- Time and competing obligations (e.g. work and child rearing)
- Cost
- Drug testing and urine analysis
- Lack of knowledge and understanding about the program
- Lack of a support network
- Stigma/surveillance aspect of participation

What was stressful, in their own words:

[I was) stressed out before I ever left the jail. Told you have to check in the next morning and know that she didn't have transportation. Those people I knew with vehicles were also the ones who had dope. Before I left, I already knew what would happen.

Did not want diversion because did not have a job and already had a felony. Too hard to take classes and work full time.

The class didn't stress me out. Wrapping my life around the class did. I had little money to pay for the program. I had fines and restitution. I had small children I had to have someone care for, while I was in class and I had to work. It was a lot with little or no help.

Need to do urine analysis multiple times a week. Too much to get a ride to the classes and to the urine analysis 3 times a week.

Expectation to go in a group with people you haven't met. All people are as sick or sicker than you are. Sometimes that works well, but sometimes it's a breeding ground to get into more trouble. Hoping that with a peer support specialist there is more help navigating those programs. You can feel isolated from everyone, or you might feel connected but too connected.

It may not be a real stress, it may be a subliminal stress, but the stress of thinking you are kept to a different set of rules or expectations. Thinking that it is "big brother" watching.

Leaving Diversion Programs

A few women indicated that they did not complete the diversion program they enrolled in or that they chose to leave the program before completing it. As one participant explained: *Part of you wants to try but some of you is stuck in the same mentality. Part of you wants to do something new, but it is hard initially. Don't necessarily want to fit in with your old crowd, but not sure how to fit into a new crowd. Rather than have imposter syndrome, you go back to what you know.*

Most women didn't frame leaving diversion programs as a choice. More often, they indicated that they were removed from the program due to drug use, or because they missed a meeting or violated another requirement of the program and returned to jail or prison.

Women Who Did Not Participate in a Diversion Program

A significant number of focus group participants indicated that they were denied or weren't offered participation in a diversion program. Those participants were asked the following questions:

- *Why do you think you were denied or not offered a diversion program?*
- *Would you have wanted to participate in a diversion program? Why or why not?*

Women who hadn't been offered diversion programs suggested many reasons why they were denied or not offered a program, including:

- Lack of knowledge about the program or resources
- Having already been incarcerated
- Rigid eligibility guidelines
- Individual racism and bias
- Systemic racism and bias

Participants who weren't offered diversion echoed the previous sentiment that diversion programming is sometimes privileged information and isn't available to everyone. In one woman's words: *Diversion programs are underutilized. They only reach a small number of people. Do they do outreach? [in order to participate] You either have a good attorney or someone mentions the program to you.*

Other participants mentioned that diversion programs are usually only offered to first-time offenders: *Diversion should be offered even if you did not complete a diversion program previously. Even if you don't complete a program once, does not mean you will not be able to benefit from a program later.*

A Black focus group participant who wasn't offered diversion outlined the bias and discrimination she saw in her denial to participate in diversion programming: *The people in charge didn't want to give me the chance to participate [in a diversion program]; those running the programs are able to cherry pick participants... it was in a small town, I'm a Black woman and I think the white persons in charge weaponized the system and my race was used against me.* Another Black focus group participant said, *I think I wasn't offered a diversion program because of my race and the type of crime that it was. Drug dealing is frowned on when it comes to African Americans. And I don't believe we get the same choices as whites.*

Women who had not been offered diversion programs overwhelmingly stated that they would have wanted to participate in diversion programming, had it been offered. Many women cited the ability to keep relationships with their children intact as a primary reason:

I was pregnant with my first child and was facing 4 years in prison, and I would have jumped at the opportunity of a diversion program at that time... it would have been an opportune time to try to use diversion with me.

I hadn't heard great things [about the diversion program] but if I could've stayed with my children I would've done anything.

Other women referenced the desire to heal from past trauma and to avoid jail and prison time:

If I was offered a diversion program since it was my first offense and I had never been arrested, I would have taken it. Especially if there were programs that addressed other needs, like trauma or displacement. Would have been helpful if they had been incorporated into those programs.

Absolutely. All I wanted was a safe place where I could learn and heal. Ultimately, I found growth and healing, but if there was a diversion program in place I would never have gone to prison.

One participant was on the fence about whether she would have wanted to participate in a diversion program. She was skeptical about the ability of a diversion program to avoid causing more negative than positive outcomes:

If we could draw out only the useful things about a therapeutic program, maybe, but there are many awful things.

Designing Better Diversion Programs

In the second part of the focus group, participants were asked a series of questions on designing better diversion programs. They were asked to reflect on their past experiences with diversion and reentry and think about push and pull factors for women to complete diversion programs.

Participants were also permitted to share feedback they have heard from other women who have participated in diversion programs.

Focus group participants were asked the following questions on designing better diversion programs in the future:

- *What do you think would make more women choose to participate in diversion programs?*
- *What would help more women complete diversion programs?*
- *Think about the people who run this diversion program. What traits and qualities are important for them to have?*
- *Does it make a difference to you whether the diversion program is operated by a government entity versus a community-based non-profit organization?*
- *Does it make a difference if the staff operating the diversion program have the power to send you back to incarceration?*

What would make more women choose to participate in diversion programs

Most focus group participants voiced that diversion programs would be more successful in attracting and retaining participants if they were designed to address women's post-release immediate needs. Following a release from jail or prison, stress and multiple competing priorities create difficult conditions to comply with rigid program requirements. One focus group participant said: *Stress is a driving force to go back to what you know because it's easier.*

Focus group participants identified the following stressors as barriers to participating in a diversion program: cost burden of diversion program, lack of reliable transportation, inflexible program times without a virtual option, lack of childcare, scheduling conflicts with employment, and limited financial resources. A participant said that when designing a diversion program, this question should be asked: *Are the things we're asking her to do actually contributing to the stress of this woman's life?*

Focus group participants think that more women would choose to participate in diversion programs if they were tailored to an individual's needs with a holistic approach to care. One participant said: *With risk and needs assessments, you should not be disqualified if you are deemed 'high risk', you should be given more support for your needs.* Examples include:

- Virtual options to participate in the program if transportation is a barrier
- Programs that address root causes and unmet needs, such as substance abuse treatment or support in processing past trauma
- Childcare support and parenthood education resources
- Connection to employment opportunities as part of the diversion program (i.e. work release)

Women need the means to be successful – they need personal attention and allies who they know really want them to be successful. Tends to be very hard for women with jobs and children to take care of (often single moms) to be successful in participating in diversion programs. Must be attainable along with these other roles that women have.

Focus group participants said they would design diversion programs to have a *true rehabilitation approach – not just funneling folks through a program to say we have a program.* Participants spoke

about the importance of understanding the benefits of participating in a program, and that peer support built into the program builds credibility and trust in the effectiveness.

Participants said that diversion programs should be offered more widely and frequently. More women would choose to participate if the benefits of the program were highlighted, and if there was choice in the type of diversion program. Participants said that more women would choose diversion programs if more information was shared about the program from the beginning. More women would also choose diversion if programs were offered directly to them.

Focus group participants also said that holistic programming should be offered as an intervention before any jail time is mandated. One participant recommended offering diversion programs where mothers can participate in mentoring, therapy, and trauma-informed healing without being separated from their children. They said: *When mothers are removed, then the whole family becomes system-impacted.*

What would help more women complete diversion programs

Focus group participants discussed removing common barriers to participation to help more women complete diversion programs. They recommended offering the following resources to support women who are balancing many responsibilities alongside their diversion programs:

- Transportation support
- Housing assistance programs
- Job placements
- Virtual option to participate
- Scheduling flexibility
- Diversity in programming
- Childcare
- Removing cost barrier
- Removing urine analysis and drug testing
- Peer support
- Holistic programming
- Connection to additional resources
- Financial incentive to participate

Common barriers to completing diversion programs are, in their words:

Don't put people in the position where they have to choose between caring for their kids and going to diversion programs.

May seem expensive to remove costs, but in the long run it means that people aren't coming in and out of the system.

Be realistic about the 'strikes.' Something that is being offered to help you improve your life shouldn't have the consequence of going back to jail.

Traits and qualities of diversion program staff

Most focus group participants voiced that it is very important for diversion program staff to have lived experience with the criminal justice system. Peer-to-peer support is an important component to building trusting relationships between program staff and participants. One participant said: *If*

they can't relate to the women, it won't work. Very helpful for the person running the program to also have justice involvement. Another participant explained that women in diversion programs need program staff to be very good at setting boundaries and to be *firm, fair, and consistent all the time.*

Most focus group participants said it is important for program staff to have trauma-informed training. They should be knowledgeable about trauma, mental illness, and substance abuse. A focus group participant said, *Case managers need to know about addiction, trauma, PTSD, sexual abuse-- anything that is the root cause of the person's behavior and that impacts how they arrive when they come to the diversion program.* Women also explained that those running the program should have the ability to work with different groups of people with diverse backgrounds and cultures.

Some participants said that program staff should be innovative problem-solvers with the goal of breaking harmful cycles and patterns. One participant said that program staff should be: *Open and understanding that you are already in the fight of your life being in the system, don't make me have to fight in a program that is supposed to help me. You already feel you are in a system that doesn't want you to succeed.*

Other traits and qualities identified by focus group participants:

- Honesty
- Empathy
- Compassion
- Understanding
- Transparency
- Consistency
- Accountability
- Integrity
- Patience

Who operates diversion programs

There was no consensus among focus group participants on whether it makes a difference if a diversion program is run by a government entity versus a community-based non-profit. Many participants believed that government-run diversion programs would not be effective due to many women's history of mistrust and harm by the system. One participant said, *I feel the government doesn't care if we make it through or not. They want their money or their time and don't care how they get it. A nonprofit would be more understanding and not willing to see us fail.* Another said:

The government has a mistrust with system-involved people due to historical events (e.g. covid vaccinations); it's going to be very hard for people to come with open minds to a government program, it can happen but the persons running the program would have to work VERY hard to earn the trust of participants. Better to pull the diversion programs out of the purview of the government and be in the community. More trusts and people are viewed as peers; access to community-based resources. Less feeling of 'this is the entity that harmed me' if it's a community program.

Some focus group participants suggested that government entities, non-profits, and community-based organizations should collaborate to offer diversion programs. Focus group participants often described government entities as funders and non-profits and community organizations as implementers. One participant said, *Diversion programs should be run by someone who is boots on*

the ground and understands the community. Money can come from government, but the program should be run by the community

Some participants said that if the program is effective, it doesn't matter who runs it. In this case, participants suggested that the diversion programs are audited regularly by an outside entity to prevent systemic abuses.

This question evoked many concerns about diversion program funding mechanisms. One focus group participant said: *When you have to crunch numbers dealing with human beings, I think you are always going to fall short of good treatment.* There was a common thread of concern that organizations running diversion programs would be more motivated by profit than creating conditions for healing and learning. The message was clear from participants that diversion program operations should not be a for-profit industry.

Power to send participants back to incarceration

Most focus group participants think that diversion program staff should not have the power to send you back to incarceration. They voiced that the system is too punitive already and that fear should not be the driving force to do well in a diversion program. One focus group participant said: *If you are trying to offer someone an opportunity to examine themselves and grow and do better, they need the space to fail and to be honest.*

The focus group participants identified honest communication and full participation as important elements to success in a diversion program. They said that if program staff had the power to send participants back to incarceration, it would make women not want to participate, to offer their opinion, or ask questions in the program.

Takes the authenticity and transparency away from the program if this power dynamic is there. People will not feel like they can be honest and vulnerable and ask for what they need; this is contradictory and automatically sets up an adversarial environment.

Focus group participants also spoke about past experiences where they witnessed abuses of power in diversion programs. They said that staff members will sometimes show favoritism in their decision making or will sometimes punish participants too harshly when they are having a bad day. Many focus group participants agreed that the power to send someone back to incarceration should always stay at the judicial level.

A couple of focus group participants voiced that even when program staff is given the power to send participants back to incarceration, that ultimately the power lies with the program participant because they have a choice to follow the rules or not. They said that it is important for diversion program participants to be aware of the rules and regulations, and the consequences if those rules are not followed. One participant said: *At the end of the day if you care about your freedom then you will do what you need to do to stay free.*

Participants' Hopes and Dreams, and What They Would Change if They Could Go Back

The first and last questions in the focus groups were imaginal prompts that asked participants to picture their current hopes and dreams, and what they would change in their past if they could.

Current Hopes and Dreams

When asked about hopes and dreams, many women spoke about their dream to remove the social stigma associated with past criminal justice involvement and to be seen for the lives they lead today. One participant said: *My dream is that everyone that is system-impacted and justice-involved to be able to rewrite their own narrative and to change the cycle, create their own ending.*

Women also spoke about their hope for greater access to opportunities, such as higher education and career advancement. One woman said, *My hopes and dreams are to find a job and home for my children and me. That that doesn't show that I've been rejected by society because I've been to prison.* For many participants, record expungement was the step they saw to move forward with their lives. The women engaged in the focus groups dream of freedom and independence and hope to find peace and stability for themselves and their families.

The most common theme in this section was participants' desire to commit their time to peer-to-peer care and advocacy. Many participants expressed the healing cycle of dedicating their careers to trauma-informed learning and peer support.

In their own words:

I would like to inspire younger girls in the same predicament that I was. I have been through dark times, but I am not alone.

One day we can convince lawmakers that we are real people.

My current dream is to be able to pay it forward and share strength, hopes, and good feelings wherever I go.

My hope would be that other women coming behind us have more opportunities than what were available to us, and those opportunities support their success instead of punishing their failure.

If you had a magic wand...

The closing imaginal question in the focus groups asked, "If you had a magic wand, what would you go back in time to change or fix to prevent you from being incarcerated or needing a diversion program?" Many women spoke about trauma and abuse they suffered at an early age. They wish that they would have had a voice and support at home and school. Participants spoke about feeling alone and powerless in removing themselves from an abusive environment:

So many things happened that no one saw. If I had been given validation. I felt so isolated for so long that when I started using, it felt like the thing I had been looking for my whole life. It was the first time I felt good in my life.

Remember that no one was there for me. I was attacked – sexual abuse – I was defending myself. I wish someone had been there for me – just listened to me and my perspective

I would stand up to my parents. I would have fought for my education. It would have been a battle, but I would touch that part of my life where I lost my confidence. I would have fought for my voice. I would have loved myself enough to not follow in the footsteps of my parents.

My troubles started when I was 13, 14, 15. It manifested in my behavior before that, but no one at the school could identify or do something about it. There were even teachers that said "I knew something was wrong" but they didn't have the skills to do anything about it.

They shared about early interventions and resources that could have kept them out of the system:

If someone would've intervened with mental health treatment when I first interacted with the criminal justice system.

Going back to early teenage years and wishing there would've been school or community resources to help me understand trauma, how to understand my own and how not to perpetuate it – would've saved my children and I a lot of heartaches.

Flashback to the point in addiction where I was struggling and knew I needed help, but I didn't know what to do to get help. I called a 1-800 number and put on a waitlist for 6-8 weeks. They didn't recognize what it took to make that call in the first place. When people are ready for help, they need to be able to access it. If I had a magic wand I would create that place.

One participant would use her magic wand to *change systemic racism that leads to generational poverty. Even though my arrest has nothing to do with it, it has everything to do with it.*

Other participants explained that they would not change anything about their past if they were given a magic wand. Some voiced that even if they went back and changed one moment of the past, they still would have encountered pain and trauma in their lives. A few women also connected their lived experience with their ability to connect with others through peer support. One participant said: *Five years ago, I would've wanted the wand, but today I'm actually grateful for what I went through and I wouldn't change it. It made me who I am today, and now I can relate to others and be of service to them.*

Conclusion

Key insights to consider as the County aims to reduce the women's jail population and to invest in reentry and diversion services:

Systemic Issues

- Institutional racism may discourage women of color from participating – to account for this past harm, all diversion programs should be designed to center the needs of women of color and should include anti-bias and anti-discrimination training for all staff.
- Systems must ensure that all eligible diversion program participants are notified of the option to participate so that selection bias does not occur. Lawyers, judges and other judicial support staff must also be knowledgeable about diversion programming and its benefits so that they can accurately share information about programming with potential participants.
- Many participants communicated the reputation of diversion programs as a “rare blessing” and shared their belief that the criminal justice systems default to incarceration over other interventions. Diversion programs should be offered more frequently and more widely, with diverse programming choices.
- In general women feel much more comfortable in a community-based environment than in an institutional environment.
- Discretionary power to return diversion participants to incarceration should remain at judicial level, not with diversion program staff.

Program Design Considerations

- A holistic, comprehensive approach to diversion programming is critical. Women must feel that staff are invested in their success as a person for them to participate fully and authentically.
- Power dynamics matter – women will not feel successful in situations where they can't fully trust their program leaders.
- Peer support is a crucial asset for diversion programs. Those who have lived the same challenges and succeeded are more relatable and can provide more authentic accountability to diversion program participants.
- Diversion programs must address or be able to immediately connect participants to other programming to address mental health needs, substance use disorder, and the impact of past trauma.
- Diversion program design must address the very real financial disincentives for women to participate in diversion programming. Opportunities to reduce participant program costs or provide subsidies should be considered so women don't have to work full time in addition to participating in the program.
- Women in particular experience real barriers to participating in diversion programs such as transportation and finding replacement childcare and these barriers must be addressed to ensure successful participation.
- It is an important intervention opportunity to offer diversion and support resources for women who are mothers, especially during pregnancy. There is immense harm to the next generation when mothers are removed from a family, and diversion should be offered as an opportunity to stay with children.

Appendix 1: Overview of Focus Group Outreach

When conducting outreach, the focus group work team shared a purpose statement, overview of the process, and a link to complete the prescreening survey. The opportunity was posted on the Roundtable's Mobilize page, which sends e-blasts to Planning Council members and guests. It was also posted on the Austin/Travis County Reentry Roundtable and Reentry Advocacy Project Facebook pages. The work team conducted personal outreach via emails and phone calls to Planning Council members, listening session participants, past Reentry Advocacy Fellows, participants from the Reentry Advocacy Project focus groups conducted in 2020, and other personal contacts. Folks were encouraged to share the opportunity with their networks.

An example of one of the outreach messages sent to the Planning Council can be found below:

Posted on Reentry Roundtable's Mobilize page on February 9, 2022 by Madeleine Jordan-Lord.

Hi Planning Council,

As you all know, Reentry Roundtable is planning to conduct a series of focus groups to engage women in Travis County who have previously been incarcerated or who have previously participated in a criminal justice diversion program. For the purposes of this project, diversion is defined as a formal or informal program or policy that allows a defendant's case to be removed from the criminal justice system and avoid jail or prison time.

We have developed a survey to help us choose focus group participants and fit them into the right date and time. A limited number of respondents will be invited to participate in the focus groups. For now, please do not share the survey link widely (i.e. social media). **We would appreciate it if you could send the survey information to folks who you think may meet the eligibility requirements and be interested in participating in a focus group, or to the appropriate contact in your organization to make those connections.**

Focus group survey (English): <https://www.surveymonkey.com/r/FM22DDP>

Encuesta de grupos de enfoque (Español): <https://es.surveymonkey.com/r/TQCH9GC>

If possible, we would like to collect these surveys by next **Monday, February 14th** to begin determining focus group times and participants next week. Please feel free to email me with any questions!

Appendix 2: Focus Group Facilitator Guide & Questions

1. Welcome, Consent, & Ground Rules (5 minutes)

a. Welcome people as they arrive

Welcome participants. Support facilitator sends chat msg (#1) to welcome anyone who comes in late.

Chat #1 (if needed for late comers)

Welcome! Thank you for joining us today. We're just getting started. We will be introducing ourselves in a moment.

The focus group will last 1.5 hours, and we will record this meeting. At the end of the focus group, we will coordinate with you on the best way to send your \$50 Visa gift card for participation.

b. Introduction (10 minutes) - Mia

- i. Thank you so much for joining us today. Your voice is important - thank you for making time for this conversation.
- ii. Introduce yourself to the participants and allow your co-facilitator to introduce themselves (identify as a person with lived experience). Explain that you will be facilitating the discussion, not joining in with your own opinions. Introduce any other team members who are present and explain that they will be helping with any technical assistance needs during the conversation and taking notes.
- iii. The Austin/Travis County Reentry Roundtable is a community coalition with a mission is to be a robust collaborative promoting safe and healthy communities through effective reentry and reintegration of formerly incarcerated persons and individuals with criminal histories. This focus group is conducted by the Roundtable in partnership with Community Coalition for Health and Woollard Nichols & Associates.

Zoom Check-in/Overview:

- Please keep your camera on unless you need to take a break. When you come back, please turn it back on.
- Ask if everyone is familiar with muting/unmuting, review if needed

c. Purpose/Consent Reminder: READ WORD FOR WORD - Amanda

As was indicated in the survey you previously completed, the purpose of this focus group is for you to provide the Travis County Commissioner's Court with your thoughts about women's needs, attitudes, and hopes for diversion. For the purposes of this focus group, diversion is defined as a formal or informal program or policy that allows a defendant's case to be removed from the criminal justice system and avoid jail or prison time.

[Support Facilitator sends Chat #2]

Chat #2: For the purposes of this focus group, diversion is defined as a formal or informal program or policy that allows a defendant's case to be removed from the criminal justice system and avoid jail or prison time.

Explain that we would like to record the focus group in order to be able to create a transcript of the meeting. We will not share any of the recording publicly and it will be deleted after the final summary report of the focus groups is completed. Ask each participant to verbally consent to participate and affirm that they are okay with the meeting being recorded.

This focus group should last approximately 1.5 hours. If at any time you decide you no longer wish to participate, you may feel free to leave. If you leave it will not impact in any way your relationship with us.

At the end of the focus group, we will coordinate with you on the best way to deliver your \$50 Visa gift card for participation.

What questions do you have before we begin? OK, we will begin recording now.

[Support Facilitator starts recording]

d. Group Agreements - Mia

To help our conversation flow, we'd like to establish some ground rules for the group. Group Agreements are meant to help create a safe space where everyone feels comfortable speaking and sharing their ideas. We ask that you follow these, and if you have anything you'd like to add to the list, you are welcome to!

- i. Some of what we talk about will be very personal. We will not share anything from this conversation with people outside of this group, unless we all say it is OK.
- ii. Each person gets a chance to talk.
- iii. Pass the conversation around, you are always free to pass.
- iv. There are no right or wrong answers.
- v. All perspectives are respected.
- vi. Ask for clarification if you need it.
- vii. Be kind to yourself and respond to your personal needs during the session. (If you are in the zoom platform and you have children or others who need assistance in the house, we understand that you may need to care for them.)

Does anyone have anything they'd like to add to this list? Can everyone agree to follow these? If at any time it seems that we need to, I will call our attention back to the ground rules.

[Support Facilitator sends Chat #3]

Chat #3: Group Agreements:

1. Some of what we talk about will be very personal. We will not share anything from this conversation with people outside of this group, unless we all say it is OK.

2. Each person gets a chance to talk.
3. Pass the conversation around, you are always free to pass.
4. There are no right or wrong answers.
5. All perspectives are respected.
6. Ask for clarification if you need it.
7. Be kind to yourself and respond to your personal needs during the session. (If you are in the zoom platform and you have children or others who need assistance in the house, we understand that you may need to care for them.)

Discussion: (60-75 minutes) - Amanda

Now we're going to move into our discussion.

- For each question, we'd like to hear from everyone. It works well if you use the "raise hand" button to indicate that you would like to speak.
- We may invite you to respond if we haven't heard from you.
- Your opinions matter and there are no wrong answers.
- You are welcome to share your own experiences, or you can talk about things in the context of other people's experience such as, "I know a friend who...". You can always say, "I agree with what he/she said," or decline to answer any question you don't want to answer.
- You can also use the chat to agree with what's being or include additional thoughts.

(1) Engagement Question - Amanda

Please tell us your name and a sentence of two about your current hopes and dreams for your life.

(2) Exploration Questions

Part One: Past experience with diversion programs - Mia

To start, we want to discuss your past experience with diversion programs, good or bad. As a reminder, for this group, we are defining diversion as a formal or informal program or policy that allows a defendant's case to be removed from the criminal justice system and avoid jail or prison time. Some examples of diversion programs include pre-trial diversion, DWI diversion, drug court, and Deferred Adjudication.

We would like to better understand everyone's past experience with diversion programs – let's go around the room and hear about each of your engagement (or non-engagement) with diversion programs. Can you share briefly whether you are currently participating in a diversion program; you previously participated and finished a diversion program; you participated and did not finish; you were offered and declined participation; or you were denied or not offered a diversion program.

For those who participated in a diversion program

- Did you feel like you had the choice to participate in the program?
- Why did you choose to participate?

- Was there a cost to participate? If so how much?
- What was helpful about participating in a diversion program?
- What was stressful about participating a diversion program?
- Why did you leave the program? (if applicable)

For those who declined participation in a diversion program

- Why did you decline participation in the program?
- What would have made you participate in a diversion program?

For those who were denied/weren't offered a diversion program

- Why do you think you were denied or not offered a diversion program?
- Would you have wanted to participate in a diversion program? Why or why not?

Part Two: Designing better diversion programs - Amanda

Next, we are going to switch gears and discuss how you think we can design better diversion programs in the future.

- What do you think would make more women choose to participate in diversion programs?
- What would help more women complete diversion programs?
- Think about the people who run this diversion program. What traits and qualities are important for them to have?
- Does it make a difference to you whether the diversion program is operated by a government entity versus a community-based non-profit organization?
- Does it make a difference if the staff operating the diversion program have the power to send you back to incarceration?

Final exploratory question (if time allows) Amanda

If you had a magic wand, what would you go back in time to change or fix to prevent you from being incarcerated or needing a diversion program?

Exit Question - Mia

Is there anything that we didn't have a chance to discuss that you'd like to add?

Conclusion (5-10 minutes) - Mia

1. Summarize general themes brought up in the focus group
2. Next steps: The Roundtable will be compiling your feedback with the feedback we receive from other focus groups and presenting a report of the findings to Travis County by the end of March 2022. As a reminder, the survey and focus group responses will not be made public and you will not be quoted by name in the final report. Your responses will remain confidential, and no names or other personally identifiable information will be shared. The

results of the focus groups are anticipated to inform the Travis County Commissioners Court's stated intention to reduce the women's jail population and to invest in reentry and diversion services.

[Support Facilitator sends chat #4]

Chat #4: Please confirm whether you would like to receive your gift card electronically or via mail. If electronically, please indicate the email address where you would like to receive it. If by mail, please indicate the mailing address where you would like to receive it.

You will receive your gift card in the next two weeks.

Thank you again for participating in this focus group.

Appendix 3: Pre-Screen Survey Questions

Women in Reentry and Diversion Focus Group Survey

The Austin/Travis County Reentry Roundtable is planning to conduct a series of focus groups to engage women in Travis County who have previously been incarcerated or who have previously participated in a criminal justice diversion program. For the purposes of this project, diversion is defined as a formal or informal program or policy that allows a defendant's case to be removed from the criminal justice system and avoid jail or prison time.

The Reentry Roundtable is hosting these focus groups on behalf of Travis County in support of the Travis County Commissioners Court's stated intention to reduce the women's jail population and to invest in reentry and diversion services. The goal of these focus groups is to learn more about women's needs, attitudes, and hopes for diversion.

This survey is to collect information about your interest and qualifications to participate in an upcoming focus group, and well as to better understand the needs of women who have been previously incarcerated or have participated in criminal justice diversion programs.

If you are interested and meet the qualifications to participate, we may be in touch with an invitation to participate in a focus group. The focus groups are anticipated to be scheduled on evenings or Saturdays during the last two weeks of February 2022. All focus groups will be conducted virtually via Zoom (you will need a computer, smart phone or regular phone to participate), and are expected to run approximately 90 minutes. All focus group participants will receive a \$50 Visa gift card for their participation.

Please complete this survey by Monday, February 14th. The survey is estimated to take 10 minutes to complete.

Confidentiality statement: Your individual responses from this survey will be used by the Reentry Roundtable facilitators to structure the women in reentry and diversion focus groups. The survey and focus group responses will not be made public and you will not be quoted by name in the final report. Your responses will remain confidential, and no names or other personally identifiable information will be shared.

1. Do you live in Travis County? (Multiple choice)
 - Yes
 - No
2. Have you previously been incarcerated? (Multiple choice)
 - Yes
 - No
3. If yes, what year was your most recent release? (Short answer)
4. Have you previously participated in a criminal justice diversion program? (Multiple choice)
 - Yes
 - No

5. If yes, what year did you participate in the program? (Short answer)
6. What diversion program did you participate in? (Short answer)
7. Please rank your current needs in priority order: (Ranking)
 - a. Help addressing substance use disorder (addiction)
 - b. Connection to mental health services
 - c. Accessing physical and reproductive health care
 - d. Receiving services where my culture and identity is respected
 - e. Services that help me with my past trauma
 - f. Building healthy, trusting relationships
 - g. Reconnecting with family
 - h. Paying justice system fines and fees
 - i. Connecting with others with similar experiences (peer support)
8. In addition, do you have other current needs? (Short answer)
9. When would you be available to participate in a focus group? Please select all options where you will likely be available. (Multiple selection)
 - Monday evening
 - Tuesday evening
 - Wednesday evening
 - Thursday evening
 - Friday evening
 - Saturday morning
 - Saturday afternoon
 - Saturday evening
 - I am not interested in participating in a focus group at this time
 - None of the above
 - Other (please specify)
10. Are you able to attend a virtual event using Zoom? You can participate on a computer, smartphone, or by calling in. (Multiple choice)
 - Yes
 - No
11. Do you need Spanish language interpretation to participate in a focus group? (Multiple choice)
 - Yes
 - No
 - Other (please specify)

12. Are there any accommodations you will need to participate in this focus group? Example:
ASL interpreter (Short answer)

13. Contact information (Short answers)

- a. Name
- b. Street Address
- c. City/Town
- d. State
- e. ZIP Code
- f. Email Address
- g. Phone Number

14. What is your age? (Multiple choice)

- Under 18
- 18-24
- 25-34
- 35-44
- 45-54
- 55-64
- 65+

15. What is your gender? (Multiple choice)

- Female
- Male
- Non-binary
- Another gender identity, please describe below
 - Self-describe below:

16. What is your race or ethnicity? (Multiple choice)

- Asian
- Black or African American
- Hispanic or Latino
- Middle Eastern or North African
- Multiracial or Multiethnic
- Native American or Alaska Native
- Native Hawaiian or other Pacific Islander
- White
- Another race or ethnicity, please describe below
 - Self-describe below: