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September 15, 2023

BPC #23-184

The Honorable City Council  
City of Los Angeles, Room 395  
c/o City Clerk's Office  
Los Angeles, CA 90012

Dear Honorable Members:

RE: COUNCIL FILE NO. 23-0270 OVERVIEW OF LAPD DIVERSION AND RECIDIVISM PROGRAMS.

At the regular meeting of the Board of Police Commissioners held Tuesday, September 12, 2023, the Board APPROVED the Department's report relative to the above matter.

Respectfully,

BOARD OF POLICE COMMISSIONERS

Handwritten signature of Rebecca Munoz in blue ink.

REBECCA MUNOZ  
Commission Executive Assistant

Attachment

c: Chief of Police

INTRADEPARTMENTAL CORRESPONDENCE

23-184  
RICHARD M. TEFANK  
EXECUTIVE DIRECTOR  
DATE 9/6/23

August 25, 2023  
1.8

**TO:** The Honorable Board of Police Commissioners

**FROM:** Chief of Police

**SUBJECT:** RESPONSE TO COUNCIL MOTION, FILE NO. 23-0270, OVERVIEW OF LAPD DIVERSION AND RECIDIVISM PROGRAMS

**RECOMMENDED ACTION**

1. That the Board of Police Commissioners (Board) REVIEW and APPROVE the Los Angeles Police Department's (Department) response to the City Council (Council File No. 23-0270).
2. That the Board TRANSMIT to the Los Angeles City Council the attached response.

**DISCUSSION**

On June 13, 2023, the Los Angeles City Council adopted the Public Safety Committee Report relative to an overview of all diversion and recidivism programs (Council File No. 23-0270). The Department is committed to its Core Values of Quality Through Continuous Improvement and Respect for People. In those values lay a commitment to change the way things are done more efficiently and effectively while ensuring the communities' best interests. Currently, both adult and juvenile offenders who are arrested for certain crimes are provided with an alternative to incarceration through established diversion. The fact sheet attached herein provides an overview and current status of the Department's diversion and recidivism programs for both adult and juvenile offenders.

If you have any questions, please contact Deputy Chief Kris E. Pitcher, Chief of Detectives, Detective Bureau, at (213) 486-7000.

Respectfully,



MICHEL R. MOORE  
Chief of Police

BOARD OF  
POLICE COMMISSIONERS  
Approved *September 12, 2023*  
Secretary *Rebecca Munoz*

Attachment

## FACT SHEET

### Overview of Los Angeles Police Department Diversion and Recidivism Programs

#### **I. Overview of Adult Diversion Programs**

##### *A) Restorative Enhanced Diversion for Young Adults (REDY-Adult)*

On October 25, 2022, consistent with ongoing efforts to provide a more effective level of public safety to the many diverse communities it serves, the Los Angeles Police Department (Department) partnered with the District Attorney's Office in a pilot program to divert qualified individuals, arrested for non-violent/non-serious felony offenses, for inclusion into viable community-based therapeutic intervention programs.

Essentially, the Restorative Enhanced Diversion for Young Adults (REDY-Adult) is a program that focuses on the post-booking diversion of arrested individuals between the ages of 18 and 25 years belonging to or associated with a gang, having no prior felony convictions or open felony charges, and not arrested for an offense involving any dangerous or deadly weapon or serious or great bodily injury to the victim. Furthermore, the consent of crime victims is required for the arrested individuals to participate in the program.

Department personnel currently working in the Community Violence Reduction (CVR) Program Areas (77th Street, Newton, Foothill, and Mission) would identify individuals who potentially qualify based on participation criteria and present that individual to the Detective Commanding Officer (or their designee) for approval and presentation to the REDY-Adult program representative for evaluation. Once reviewed and selected, the individual will be placed on a one-year full-service diversion pathway linking them to housing, mental health services, substance use counseling, job training and education, restorative justice conferences, and therapeutic interventions as a bridge to long-term stability.

##### Current Status:

As of January 2023, the program remains under suspension due to ongoing funding challenges. No participants were enrolled in the program. Despite the efforts of the District Attorney's Office to secure necessary funds, a definitive timeline for the program's resumption has yet to be established. As a result, the screening of potential participants will continue to be put on hold until supplementary funding is secured.

##### Recommendations:

The Department's Detective Bureau will maintain regular communication with the District Attorney's Office regarding resuming the program in the future.

## B) *Alternatives to Incarceration (ATI)*

On February 12, 2019, the Los Angeles County Board of Supervisors passed a motion that paved the way for the Alternatives to Incarceration (ATI) pre-filing diversion program for adults. The ATI pilot program brought together the Department, the District Attorney's Office, the City

Attorney's Office, and the Los Angeles County Office of Diversion and Reentry (ODR). The program was constructed to divert individuals arrested for select misdemeanors<sup>1</sup> and non-violent or non-serious felonies to community support programs in lieu of filing criminal charges, prosecution, and transportation to County jail facilities.

All adult offenders are initially screened by Department personnel to determine their eligibility for the program. Once screened, if the adult offender meets the eligibility requirements to participate in the program, they are assessed by a navigator approved by the Los Angeles County Justice Care and Opportunities Department (JCOD) who will offer them the opportunity to participate in one of several community-based support programs. If an adult offender declines to participate in the program, or they are not suitable to participate, they continue through the criminal justice system. If an adult offender qualifies for the program and accepts, they are released to the navigator and participate in one of the community-based support programs available. To qualify for graduation from the program, the City Attorney's Office requires a diverted individual complete at least 90 days in an approved program, while the District Attorney's Office requires 180 days of continuous participation in an approved program. Upon successful completion, the original charge is dismissed and the participant is issued a certificate of release per Section 849 of the California Penal Code. The certificate of release is also electronically uploaded to the California Department of Justice to accurately update the status of the arrest as a detention only.

The program was approved for participation by the Department in June 2021, and the pilot was limited to the 77th Street Regional Jail Section at JCOD's request. However, the program had limited success at that location as a significant number of offenders being booked there were ineligible for the program based on their booking charges and/or criminal histories. In addition, the zero-bail policy established by the Los Angeles Superior Court in response to the pandemic emergency limited the incentives for eligible offenders to participate in the program.

### Current Status:

On May 17, 2023, the program was shifted to the Metropolitan Detention Center (MDC) from the 77th Street Regional Jail Section at JCOD's request to potentially increase the number of qualified offenders in the program.

The following is a statistical analysis of the program results by year and jail location:

- **2021 - 77th Street Regional Jail Section**
  - Screened – 5,821
  - Qualified for diversion – 212
  - Declined diversion – 145

<sup>1</sup> See ATI charge sheet (available on the LAN under Reference Library, Alternatives to Incarceration (ATI) and attached at the end of this fact sheet).

- Ineligible or not suitable – 6
- Accepted diversion – 67
  - Total Reported for Non-Compliance – 47
  - End of year-Active/Pending – 0
  - Obligation completed/graduated – 20
- **2022 - 77th Street Regional Jail Section**
  - Screened – 9,349
  - Qualified for diversion – 90
  - Declined diversion – 76
  - Ineligible or not suitable – 1
  - Accepted diversion – 14
    - Total Reported for Non-Compliance – 8
    - End of year-Active/Pending – 0
    - Obligation completed/graduated – 6
- **2023 - 77th Street Regional Jail Section (through May 17, 2023)**
  - Screened – 3,747
  - Qualified for diversion – 6
  - Declined diversion – 3
  - Ineligible or not suitable – 0
  - Accepted diversion – 3
    - Total Reported for Non-Compliance – 1
    - Active/Pending – 2
    - Obligation completed/graduated – 0
- **2023 – Metropolitan Detention Center (beginning May 17, 2023)**
  - Screened – 1,316
  - Qualified for diversion – 4
  - Declined diversion – 3
  - Ineligible or not suitable – 0
  - Accepted diversion – 1
    - Total Reported for Non-Compliance – 1
    - Active/Pending – 0
    - Obligation completed/graduated – 0

Challenges:

On May 24, 2023, the Department complied with the Los Angeles Superior Court’s preliminary injunction reactivating the 2020 Emergency Bail Schedule. This required individuals arrested for certain felonies and most misdemeanors to be immediately released from custody on zero-bail. Consequently, the ATI program was greatly affected as eligible offenders had limited incentives to participate since program eligibility and the Emergency Bail Schedule requirements closely aligned and offenders are often released prior to being assessed by the provider’s personnel. Eligible offenders also have little incentive to commit to either 90-day or 180-day programs when charges in their cases are unlikely to be filed by prosecutors. With the presence of zero-bail, it is unlikely eligible offenders will participate in the program in greater numbers as hoped for by JCOD.

## Recommendations:

It is recommended the Department continue its cooperation with JCOD in the ATI pilot program as an opportunity for eligible offenders to obtain critical services from legitimate Community-Based Organizations (CBOs). The Department's continuing participation in the program despite the challenges of zero-bail provides opportunities for rehabilitation for offenders residing in the City.

### *C) Community Violence Reduction (CVR) Program*

On April 15, 2021, the District Attorney's Office reorganized the Hardcore Gang Division and created the Community Violence Reduction (CVR) Division. In the initial stage, the Department collaborated directly with the CVR Division and the community in an effort to reduce violent crimes in the City. In the roll-out stage, four Areas were tasked to participate in the program: 77th Street Area (Operations-South Bureau), Newton Area (Operations-Central Bureau), Foothill Area, and Mission Area (both Operations-Valley Bureau).

Under the CVR Program guidelines, patrol, detectives, and Gang Enforcement Detail (GED) personnel from the above Areas work collaboratively with the embedded Deputy District Attorneys (DDAs) to prevent and vertically prosecute violent crimes in their respective Areas. Additionally, the CVR Program incorporates the following strategies and organizations to further enhance prevention, intervention, and diversion methods:

- Gang Reduction and Youth Development (GRYD);
- Online GRYD Referral;
- Juvenile Arrest and Diversion Program;
- Adult Diversion; and,
- Other established Los Angeles City and County programs addressing substance abuse disorders, mental health wellness, homelessness, and appropriate CBOs within the individual Areas.

## Current Status/Challenges:

In Newton Area, the assigned DDA meets with detectives assigned to violent crime investigations and provides training to GED officers and detectives. Accessibility and steady communication with an experienced DDA has been a successful outcome of the program. However, the CVR program in Newton has had minimal impact. This program has changed in concept multiple times and has never been fully implemented with support from the District Attorney's Office.

In 77th Street Area, the same DDA assigned to Newton Area meets with the Gang Intervention Team supervisors twice a week to review cases for filing consideration and is tasked with assisting detectives in reviewing and pre-screening cases and search warrants. The DDA also assists gang detectives in researching repeat offenders, advising on gang intervention techniques, and possible GRYD diversion. A particular challenge for 77th Street Area is that a significant number of violent crimes committed in the Area by juveniles and adults are ineligible for many services such as diversion due to the nature of the crime. A total of six juvenile cases were diverted in 2022 compared to one case diverted in 2023, and GRYD referrals were primarily for firearm possession and non-criminal gang contact referrals.

As of May 2023, Foothill Area has utilized portions of the CVR Program, with 226 online GRYD referrals, and four of nine juveniles eligible for diversion diverted to the Juvenile Arrest Diversion Program (JADP). As of June 2023, Mission Area has also utilized portions of the CVR Program, with in-person GRYD referrals to include 174 Preventions and 225 Interventions, and, 26 juveniles diverted to JADP.

Recommendations:

At the inception of the program, each Area was to have an assigned DDA. To date, this has not occurred, and there is only one DDA assigned to cover all Areas participating in the program. As a result, cases are not vertically prosecuted as intended by this program. Increased collaboration and services from the District Attorney's Office would multiply the available resources for detectives to assist them in their investigations, especially in 77th Street Area, where a high volume of violent crimes and gang arrests exist. Until these resources are provided by the District Attorney's Office, the program will not realize its full potential.

**II. Overview of Juvenile Diversion Programs**

A) *Juvenile Arrest Diversion Program (JADP)*

The Department's JADP began in 2013, working in partnership with CBOs to divert juvenile offenders with no prior or minimal criminal history from the juvenile justice system. The intent of JADP is to provide an alternative to booking for low-level, non-serious, 602 Welfare and Institutions Code (WIC) offenses. The program began in the 77th Street Area, followed by other Areas within Operations-South Bureau. During 2018-2020, Juvenile Division expanded JADP from 11 Areas to all 21 geographic Areas.

Current Status:

Community-Based Organization (CBO) Partnerships:

There are currently six CBOs that provide JADP services within the following Areas:

- Centinela Youth Services (CYS) – Partnership established in 2013
  - Newton Area
  - 77th Street Area
  - Hollywood Area
  - West Los Angeles Area
  - Olympic Area
  - Operations-Valley Bureau (excluding Mission Area)
- Parents, Educators/Teachers & Students in Action (PESA) – Partnership established in 2018
  - Northeast Area
  - All Operations-Valley Bureau
- Hollenbeck Police Activities League (HPAL) – Partnership established in 2018
  - Hollenbeck Area
  - Central Area
  - Rampart Area

- Southeast Area
- Southwest Area
- California Conference for Equality & Justice (CCEJ) – Partnership established in 2019
  - Harbor Area
- Inside Out Writers (IOW) – Established May 2023
  - Wilshire Area
- Youth Advocacy Program (YAP) – Established May 2023
  - Pacific Area

Juvenile Arrest Diversion Program Metrics:

The JADP was initially a pre-booking diversion program for juveniles 11-17 years of age. However, on January 1, 2019, Senate Bill (SB) 439 amended 602 WIC to restrict the age of the court’s jurisdiction to 12-17 years. As a result, the JADP now diverts juveniles 12-17 years of age. There are minimal crime reports involving juveniles 11 and under, and as a result, SB 439 had a negligible impact on JADP referrals.

The number of referrals by the geographic Areas since the inception of the program, as well as the number of juvenile arrests by geographic Areas, are listed in the below matrix. Juvenile arrest numbers include arrests for offenses that are non-divertible and/or do not meet the Department’s criteria for JADP. The Department’s criteria for juveniles participating in JADP is involvement in non-violent, non-serious criminal offenses. Juveniles are precluded when on probation, a firearm is involved, or when there is a serious injury to the victim. Additionally, juveniles do not meet the criteria when there was a prior arrest or diversion for the same or similar wobbler felony charge within two years. The juvenile or their parent or guardian may also refuse to participate. A juvenile is not eligible when 707(b) WIC offenses are involved, which are considered serious and/or violent offenses.

<b>Year<sup>2</sup></b>	<b>JADP Referrals</b>	<b>Area Juvenile Arrests</b>	<b>JADP Implemented in Areas</b>
2013-2015	276		11 Areas established between 2013-2017
2016	116	1729	
2017	197	1490	
2018	259	1646	3 Areas added
2019	520	1510	6 Areas added
2020	391	1151	1 Area added
2021	310	961	
2022	415	1016	<b>TOTAL - 21 Areas</b>

<sup>2</sup> Excluded: 300 WIC, Dependency, LAMC, Cites, Warrants, etc.  
 Source: CAMS run 8/9/21 (2016-2020); CAMS run 2/23/23 (2021-2022)  
 2016-2019 Juvenile Arrests (11-17 years)  
 2020-2022 Juvenile Arrests (12-17 years)\*  
 \*In accordance with SB 439.

During the period of January 1, 2023, to April 30, 2023, geographic Areas reported approximately 584 contacts with 602 WIC juveniles. Approximately 330 juveniles were arrested for non-eligible reasons. The offenses for the remaining 254 juveniles met the criteria for JADP. However, approximately 11 were not diverted due to the discretion of Areas for reasons that included gang-related crime, involved a use of force, etc. During this timeframe, approximately 96 percent of those that met the criteria for JADP were referred to a service provider.

#### Challenges:

##### Gang Reduction and Youth Development (GRYD):

On January 1, 2021, the Mayor's Office, GRYD began providing youth diversion services in Hollenbeck, Central, Rampart, and Southeast Areas. The CBOs which elected to receive funding to provide JADP services were HPAL, CYS, and Soledad Enrichment Action (SEA). The funding was in effect until November 2022 to March 2023. In 2022, GRYD applied for renewal of funding for the continuance of services in Hollenbeck, Central, and Rampart Areas. However, GRYD did not receive the additional funding and concluded JADP services in the late part of 2022 and early 2023. During the time GRYD was awaiting the funding renewal response, HPAL continued providing services in Hollenbeck and Central Areas utilizing other funding sources. Juvenile Division requested HPAL also provide program services to Rampart and Southeast in the interim. The HPAL initiated its program in those Areas in September and October 2022, which continues to date via their funding sources.

##### Probation Citation Diversion:

The Los Angeles County Probation Citation Diversion program, in effect since 2012, enabled officers to complete a traffic citation for designated misdemeanors and infractions which included shoplifting. The Probation Citation Diversion program concluded on April 30, 2022, which impacted JADP referrals. Misdemeanor shoplifting offenses that were previously completed on traffic citations were not referred to JADP. However, since the Probation Citation Diversion program concluded, crime reports can be JADP referrals. Referrals have increased for shoplifting crimes in Areas where there are retail shopping malls, such as Wilshire, West Los Angeles, and Topanga Areas. As a result, there are capacity concerns with the influx of these cases. For example, in 2022, there was a significant increase in shoplifting cases in Wilshire Area referred to California Conference for Equality and Justice (CCEJ). In mid-January 2023, CCEJ advised they reviewed their service model and determined they would no longer provide services for specific offenses, which commenced on January 1, 2023. Offenses no longer accepted included resisting an officer without violence, trespass, and shoplifting cases from corporate retail stores. Restorative justice is a considerable aspect of CCEJ's program, and corporate retailers were not responsive or interested in participating. Consequently, it necessitated an alternate CBO capable of servicing all JADP referrals to replace CCEJ. As of May 2023, the Los Angeles County Department of Youth Development's (DYD) contract service provider, Inside Out Writers, is providing JADP services in Wilshire Area. Although not affected by the shoplifting cases, CCEJ changes also applied to Pacific Area. As a result, the Youth Advocacy Program (YAP), a DYD contract service provider has commenced services in May 2023 as well.

The increase in misdemeanor shoplifting JADP referrals since the conclusion of the Probation Citation Program is as follows:

<b>Shoplifting Referrals to JADP</b>			
<b>Area</b>	<b>2021</b>	<b>2022</b>	<b>2023 YTD 1/1/23 – 4/30/23</b>
Wilshire	6	28	25
West Los Angeles	0	34	42
Topanga	2	9	26

**Prior Community-Based Organizations:**

There was an issue of CBOs not contacting or engaging the juvenile in a timely manner. The juvenile is to be contacted and enrolled in a program within 30 days or the case is returned to the Area for filing considerations. Parents have contacted Juvenile Coordinators when they have not been contacted by the CBO. The CBO’s length of time for initial outreach enrollment of juveniles in a program is beyond the 30-day timeline, and they tend to hold onto unresponsive juveniles for prolonged periods, rather than return the referral.

There are ongoing concerns with referral progression and the significant length of time until completion, including referrals that remain in the diversion process for 13-18 months. The Department has addressed the expectations of outreach, referral progression, non-responsive families, and when to return a referral. Additionally, the statute of limitations has been discussed, and the time needed for investigating officers, as well as Probation or District Attorney’s Office, to process a case submitted for filing consideration.

Over the last several years, several JADP CBOs exhausted funding and had to cease operations, severely impacting their services provided to several of the geographic Areas as well as the involved juveniles. One such program, CYS, experienced considerable staff turnover on more than one occasion, which was exhibited by not receiving timely monthly status reports to the Areas; they were overdue for several months. Receiving up-to-date information is needed to reconcile data, mitigate missing referrals, and ensure all referrals are logged, tracked, and provided timely diversion services. In addition, reporting accuracy is a concern, as well as file purging which affects the reconciling of information.

**Addressing the Challenges:**

In June 2023, the Chief of Police and the head of DYD met and entered into a Memorandum of Agreement (MOA) to provide JADP services in geographic Areas utilizing their contract service providers. Per the contract, the DYD is working directly with the CBOs to ensure overall compliance and to monitor the progress, personnel vetting, program performances, evaluation, funding expectations, and management of required insurance with JADP. The DYD will also be required to report monthly to the Department regarding juveniles referred to DYD programs. In addition, DYD will notify the Department’s Area Juvenile Coordinators of the juvenile’s enrollment and completion or non-completion of programs to meet Department requirements.

Recommendations:

Since DYD is working directly with the CBOs to ensure compliance, and essentially removing the Department from direct service issues, there are no recommendations currently.

Prepared by:  
Detective Services Group,  
Detective Bureau

**ALTERNATIVES TO INCARCERATION ADULT DIVERSION PROGRAM  
ELIGIBLE CRIMINAL OFFENSES FOR CONSIDERATION**



**EFFECTIVE DATE – May 1, 2023**

**The below criminal offenses have been approved for pre-filing diversion when all other eligibility requirements are met:**

**FELONY OFFENSES**

**PENAL CODE**

- 337a(1) BOOKMAKING
- 470(a) FORGERY
- 470a FORGERY/COUNTERFEITING DRIVER LICENSE OR I.D. CARD
- 470b DISPLAYING OR POSSESSING FORGED DRIVER LICENSE OR I.D. CARD WITH INTENT TO ACCOMPLISH A FORGERY
- 471 FORGERY, FALSE ENTRIES IN RECORDS OR RETURNS
- 472 FORGERY OR COUNTERFEITING ANY PUBLIC OR CORPORATE SEAL
- 475(a) FORGED BILLS OR NOTES, POSSESSION OR RECEIPT
- 476 FICTITIOUS CHECKS, MAKING, UTTERING
- 476a NONSUFFICIENT FUND CHECKS
- 477 COUNTERFEITING OR PASSING OF COUNTERFEIT COIN
- 479 POSSESSION OF COUNTERFEIT COIN, W/INTENT TO SELL OR PASS
- 480 MAKING OR POSSESSING EQUIPMENT USED TO MAKE COUNTERFEIT COIN
- 484b THEFT, DIVERSION OF MONEY RECEIVED FOR SERVICES, LABOR, MATERIAL, etc.
- 484c EMBEZZLEMENT OF FUNDS FOR CONSTRUCTION
- 484e SELLING, TRANSFERRING OR CONVEYING AN ACCESS CARD WITHOUT OWNERS CONSENT (GRAND THEFT)
- 484f MAKING, DESIGNING OR USING A COUNTERFEIT ACCESS CARD
- 484g USING AN ALTERED OR STOLEN ACCESS CARD OR ACCESS CARD ACCOUNT INFORMATION
- 484h PROVIDING GOODS OR SERVICES KNOWING ACCESS CARD IS COUNTERFEIT OR IN VIOL OF 484e.
- 484i POSSESSING AN INCOMPLETE ACCESS CARD, WITH INTENT TO COMPLETE
- 487a GRAND THEFT OF HORSE OR OTHER LIVESTOCK IF VALUE EXCEEDS \$950, OR WITH QUALIFYING PRIOR CONVICTION(S) IF VALUE DOES NOT EXCEED \$950
- 487d GRAND THEFT OF GOLD DUST, AMALGAM OR QUICKSILVER IF VALUE EXCEEDS \$950, OR WITH QUALIFYING PRIOR CONVICTION(S) IF VALUE DOES NOT EXCEED \$950
- 487e GRAND THEFT OF COMPANION ANIMAL IF VALUE EXCEEDS \$950
- 487g GRAND THEFT OF ANIMAL FOR PURPOSE OF SALE, MEDICAL RESEARCH, SLAUGHTER OR OTHER COMMERCIAL USE IF VALUE EXCEEDS \$950, OR WITH QUALIFYING PRIOR CONVICTION(S) IF VALUE DOES NOT EXCEED \$950

**ALTERNATIVES TO INCARCERATION ADULT DIVERSION PROGRAM  
ELIGIBLE CRIMINAL OFFENSES FOR CONSIDERATION**



**EFFECTIVE DATE – May 1, 2023**

**FELONY OFFENSES – CONTINUED**

**PENAL CODE**

- 487g** GRAND THEFT OF ANIMAL FOR PURPOSE OF SALE, MEDICAL RESEARCH, SLAUGHTER OR OTHER COMMERCIAL USE IF VALUE EXCEEDS \$950, OR WITH QUALIFYING PRIOR CONVICTION(S) IF VALUE DOES NOT EXCEED \$950
- 487h** GRAND THEFT OF CARGO IF VALUE EXCEEDS \$950, OR WITH QUALIFYING PRIOR CONVICTION(S) IF VALUE DOES NOT EXCEED \$950
- 487i** DEFRAUD A HOUSING PROGRAM OF A PUBLIC HOUSING AUTHORITY OF VALUE EXCEEDING \$950, OR WITH QUALIFYING PRIOR CONVICTION(S) IF VALUE DOES NOT EXCEED \$950
- 487j** GRAND THEFT OF COPPER MATERIALS IF VALUE EXCEEDS \$950, OR WITH QUALIFYING PRIOR CONVICTION(S) IF VALUE DOES NOT EXCEED \$950
- 496** RECEIVING STOLEN PROPERTY IF VALUE MORE THAN \$950, OR WITH QUALIFYING PRIORS IF VALUE DOES NOT EXCEED \$950
- 497** STOLEN PROPERTY, BRINGING INTO STATE
- 502(c)(1)-(7)** UNLAWFUL ACCESS, DATA USAGE /DAMAGE/DELETION/ ALTERATION, NON PERMITTED USE, DENIAL OF SERVICES
- 502(c)(8)** INTRODUCTION OF A CONTAMINANT INTO A COMPUTER, SYSTEM OR NETWORK
- 502(c)(10-14)** GOVERNMENT COMPUTER SYSTEM OR PUBLIC SAFETY INFRASTRUCTURE
- 504(a)** EMBEZZLEMENT, DISPOSAL OF PERSONAL PROPERTY UNDER LEASE OR LIEN
- 505** EMBEZZLEMENT BY CARRIER OR INDIVIDUAL TRANSPORTING PROPERTY FOR HIRE
- 506** EMBEZZLEMENT, MISAPPROPRIATION BY TRUSTEE, CONTRACTOR
- 518, 519** EXTORTION, NOT AMOUNTING TO ROBBERY
- 522** EXTORTION, OBTAINING SIGNATURE BY THREATS
- 523(a)** EXTORTION, THREATENING LETTERS
- 523(b)(1)** EXTORTION, RANSOMWARE
- 529(a)** FALSE PERSONATIONS OF ANOTHER
- 530.5(a)** UNAUTHORIZED USE OF PERSONAL INFORMATION TO OBTAIN CREDIT, GOODS, ETC
- 532(a)** FALSE PRETENSES
- 548(a)** DEFRAUDING INSURERS
- 550(a)** FALSE OR FRAUDULENT INSURANCE CLAIM
- 653w(a)(1)** FAILURE TO DISCLOSE ORIGIN OF RECORDING OR AUDIOVISUAL WORK

**ALTERNATIVES TO INCARCERATION ADULT DIVERSION PROGRAM  
ELIGIBLE CRIMINAL OFFENSES FOR CONSIDERATION**



**EFFECTIVE DATE – May 1, 2023**

**MISDEMEANOR OFFENSES**

**PENAL CODE**

- 369i(a) TRESPASSING ON RAILROAD
- 369i(b) TRESPASSING ON TRANSIT RELATED PROPERTY
- 459.5 SHOPLIFTING
- 484 PETTY THEFT
- 490.1 PETTY THEFT, VALUE UNDER \$50
- 555 TRESPASS ON POSTED PROPERTY
- 602(a)-(v) TRESPASS
- 602.1(a)-(b) TRESPASS, BUSINESS OR PUBLIC AGENCY
- 647(b)(1)-(2) SOLICITING, AGREEING TO, ENGAGE IN ACT OF PROSTITUTION
- 647(e) ILLEGAL LODGING
- 647(f) UNDER THE INFLUENCE OF ALCOHOL, DRUGS, CONTROLLED SUBSTANCE OR COMBINATION IN PUBLIC

**HEALTH AND SAFETY CODE**

- 11350 ILLEGAL POSSESSION OF CERTAIN SPECIFIC OR CLASSIFIED CONTROLLED SUBSTANCES WITH QUALIFYING PRIOR CONVICTION
- 11364(a) POSSESSION OF DRUG PARAPHERNALIA
- 11377 POSSESSION OF CONTROLLED SUBSTANCES WITH QUALIFYING PRIOR CONVICTION(S)
- 11532(a) LOITERING FOR DRUG ACTIVITY
- 11550(a) UNDER THE INFLUENCE OF A CONTROLLED SUBSTANCE

**VEHICLE CODE**

- 12500(a) DRIVING A VEHICLE AS AN UNLICENSED DRIVER
- 14601(a) DRIVING WITH A LICENSE SUSPENDED OR REVOKED FOR RECKLESS DRIVING
- 14601.1(a) KNOWINGLY DRIVING WITH A SUSPENDED OR REVOKED LICENSE
- 21200.5 RIDING A BICYCLE UNDER THE INFLUENCE OF ALCOHOL OR DRUGS

**NOTE:** Booking charges **NOT** on this approved offense list are **INELIGIBLE** for diversion, **WITHOUT** exception. Department personnel (sworn or civilian), City Attorney or District Attorney personnel, or JCOD personnel have **NO** discretionary authority to disapprove any listed offense or modify, add, remove, or change this list without the expressed written approval from the Chief of Police.