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After more than a year of protests and public debate over the role race plays in the operation of America's criminal justice systems, a new report shines a light on racial disparities in a rarely examined area – diversion.

In a report produced by Prosecutorial Performance Indicators, Florida International University and Loyola University looked at the use of court diversion for misdemeanor and felony case in four jurisdictions – Milwaukee, Jacksonville, Tampa and Chicago.

Across all jurisdictions, Black people charged with a felony offense were less likely to have their case referred to a diversion program, which allows a person to complete programming to address the underlying behavior that got them in trouble with the law without receiving a criminal conviction that carries a lifetime of collateral consequences.

In Chicago in 2017, Black people charged with felonies were roughly half as likely to have their case diverted as white people charged with felonies. By 2019, that gap closed substantially as more Black people were offered diversion.

Similarly, the gap between Black and white people charged with felonies closed between 2017 and 2019. However, that change was heavily driven by fewer people of all races being offered diversion.

There was an opposite trend for people charged with misdemeanors, where in the three jurisdiction which provide data, Chicago not included, Black people were more likely to have their case diverted.

“The results of the research support the lived experiences of many people of color in the criminal justice system,” said Melba Pearson, Director of Policy and Programs at Florida International University's Center for the Administration of Justice and one of the co-managers of the Prosecutorial Performance Indicators Project. “It is our hope that our report sparks discussion, but more importantly, policy changes in prosecutors' offices across the country.”

In an effort to bring about more racial equity, the report offers five recommendations on how to move forward:

- Collect more data
- Conduct more research
- Reconsider prior records that may bar people from diversion
- Have prosecutors consider the racial impact of diversion programs
- Decline to prosecute cases rather than divert to reduce roadblocks

The full report is available here: <https://prosecutorialperformanceindicators.org/#publications>

Members of the research team will hold a Twitter townhall on Friday, July 30 [@ThePPIs](#)

Melba Pearson can be reached for further comment at mpearson@fiu.edu