

PRESS RELEASE

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Prosecutor-Led Diversion Programs in Indiana Tied to Reduced Recidivism
Participation Also Moderated Effect of Race on Future Criminal Justice Contact

As an alternative to traditional prosecution, in Indiana, prosecutors can offer diversion for residents charged with low-level offenses, minimizing the collateral consequences of involvement with the criminal justice system. In a new study, researchers evaluated the effectiveness of two prosecutor-led diversion programs in the state. The programs were associated with reduced recidivism and participation moderated the effect of race on future criminal justice contact.

The study was conducted by researchers at Indiana University Bloomington, Indiana University Indianapolis, the Kansas Sentencing Commission, and George Mason University. It appears in a special issue of *Criminology & Public Policy*, a publication of the American Society of Criminology, focused on prosecutors and prosecutorial decision making.

“Withholding prosecution and offering diversion has been adopted widely in Indiana, but few studies have evaluated programs’ effectiveness,” says Tri Keah S. Henry, assistant professor of criminology and criminal justice at Indiana University Bloomington, who led the study.

Researchers evaluated two prosecutor-led diversion programs, one in a large jurisdiction and one in a moderately sized jurisdiction, to determine whether they limited future criminal justice contact for individuals charged with misdemeanors. They examined administration prosecution records from 2013 to 2023: In the larger jurisdiction, more than 21,500 filed cases were eligible for diversion and more than 4,500 individuals participated, while in the other jurisdiction, more than 17,000 cases were eligible and more than 6,000 individuals participated.

Participation in a diversion program was associated with a 4% to 11% reduction in the likelihood of a new criminal case filing one year later, the study found. The smaller jurisdiction had larger reductions than the larger one, reflecting factors related to size and diversity as well as how the programs were administered. While prior research has evaluated diversion programs in large, metropolitan jurisdictions, findings from this study suggest that similar programs can be effective in moderate to large jurisdictions that serve rural and urban/suburban populations.

However, the study also found that the discretionary design of these programs resulted in case- and defendant-level sorting and selection processes that shaped the efficacy of the programs. After considering these effects, the associations between the programs and favorable outcomes persisted, but the authors suggest they raise important questions about equitable access to the programs and the reliability of previous findings.

The study also found that program participation moderated the effect of race on future criminal justice contact. In the smaller jurisdiction, Black participants in diversion programs had larger reductions in recidivism than White participants; in the larger area, White participants had limited benefits, while Black and Hispanic participants experienced reductions similar to non-participants. This may be because of differences in the timing of referrals to diversion programs and continuing inequities in access to programs.

The authors note several limitations of their work: First, their analytic strategy was



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unable to account for unobserved factors that may have influenced enrollment decisions. Second, they could not completely rule out the effect of the COVID-19 pandemic on their findings in the smaller jurisdiction. Third, the study evaluated two midwestern U.S. jurisdictions and a relatively short recidivism period, which may limit the generalizability of the findings.

“Diversion programs may create opportunities for prosecutors to meet public safety goals while contending with the reality of a changing resource environment, which may be especially important in jurisdictions with limited prosecution resources and capacity,” adds Henry. “Our results can inform policy proposals to refine which cases are referred to diversion programs.”

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Summarized from *Criminology & Public Policy*, *Examining the Effect of Indiana Prosecutor-Led Diversion Programs on Recidivism Outcomes: A Case Study of Two Jurisdictions*, by Henry, TKS (Indiana University Bloomington), Grommon, E (Indiana University Indianapolis), Diaz, C (Kansas Sentencing Commission), and Lowder, EM (George Mason University). Copyright 2026 The Authors. All rights reserved.