



MPPS Policy Brief

Pretrial diversion programs work, according to Michigan police chiefs, sheriffs, and county prosecutors

By Debra Horner and Ingrid Hofmann

In spring 2024, the Michigan Public Policy Survey (MPPS) asked local chiefs of police, county sheriffs, and county prosecutors from around the state about their views on the impacts of pretrial diversion programs and whether they would support diversion programs in their jurisdictions.

Pretrial diversion programs are designed to divert certain lower-level offenders into alternative programs instead of standard criminal prosecution. They are widespread in Michigan, with 90% of Michigan county prosecutors statewide reporting they have some sort of pretrial diversion program operating in their counties, including drug or alcohol treatment courts or programs, mental health diversion, Veterans court, or other general diversion programs for lower-level, non-violent cases (e.g., theft and fraud cases).

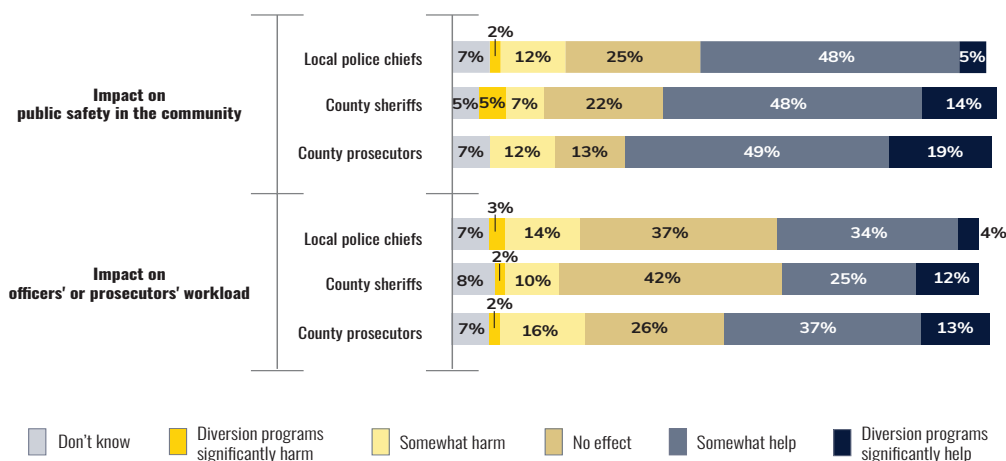
Most law enforcement leaders who responded to the MPPS say these programs are helpful on a variety of fronts. A majority of prosecutors (68%), sheriffs (62%), and police chiefs (53%) say pretrial diversion programs help public safety in their counties, while assessments of impacts on agency workload are more mixed, but still generally positive (see *Figure 1a*).

In addition, 62% of police chiefs and 78% of sheriffs and prosecutors believe the programs help defendants with mental health and substance abuse issues, while 65% of police chiefs and prosecutors and 67% of sheriffs say the programs help alleviate recidivism rates.

County sheriffs and prosecutors are somewhat more likely to have positive assessments about the impacts of diversion programs than are police chiefs.

Figure 1a

Assessments among law enforcement leaders whether pretrial diversion programs help or harm their community and their agency



Larger counties are more likely to say pretrial diversion programs help with public safety

Michigan’s 83 counties vary greatly in population size, from four with over 500,000 residents (Wayne, Oakland, Macomb, and Kent) to eight counties with a population of less than 10,000. In most Michigan counties—those with 100,000 or fewer residents—42% of police chiefs, 56% of sheriffs and 63% of prosecutors believe pretrial diversion programs somewhat or significantly help public safety (see *Figure 1b*). In the 20 largest counties —those with more than 100,000 residents — law enforcements leaders are significantly more positive, with 64% of police chiefs, 88% of sheriffs, and 86% of prosecutors saying diversion programs help public safety.

When asked whether pretrial diversion programs would reduce or increase their workload, there were significant differences between larger and smaller jurisdictions, and between the three groups surveyed.

Both police chiefs and sheriffs in larger counties (48%) were more likely to view these programs as something that would *help* with workload compared to those in smaller counties (27% and 35%, respectively), while chiefs and sheriffs from smaller counties are more likely to be concerned diversion programs *harm* their officers’ or deputies’ workload. The responses from prosecutors showed the opposite pattern. Prosecutors in smaller counties are slightly more likely to see diversion programs as beneficial to their workload (51%) compared with prosecutors from larger counties (47%) and less likely to believe office workload suffers.

Figure 1b

Assessments among law enforcement leaders whether pretrial diversion programs help or harm public safety, by county size

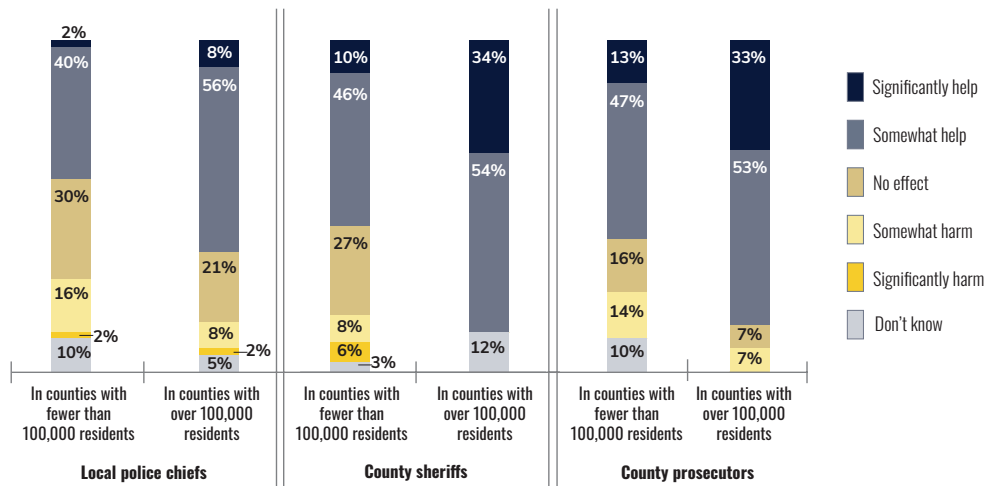
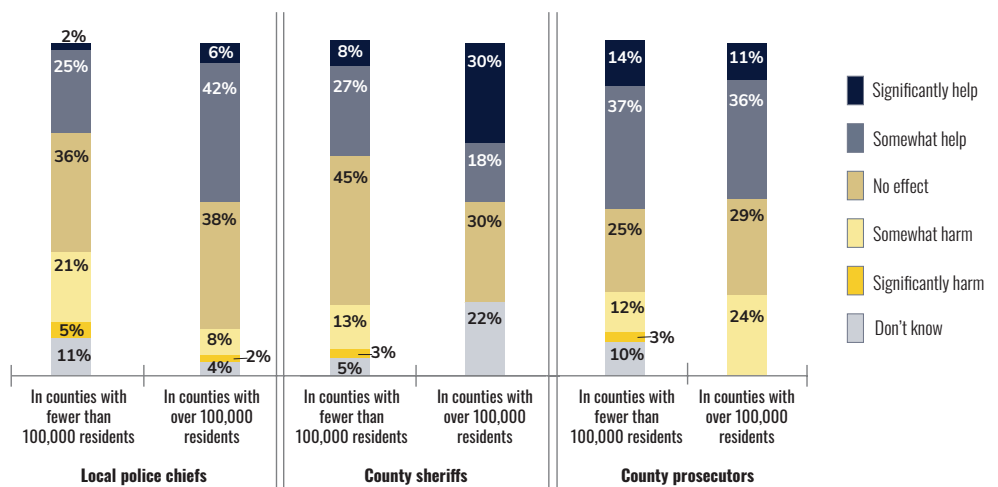


Figure 1c

Assessments among law enforcement leaders whether pretrial diversion programs help or harm office or department workload, by county size



Most law enforcement leaders support the use of diversion programs in their counties

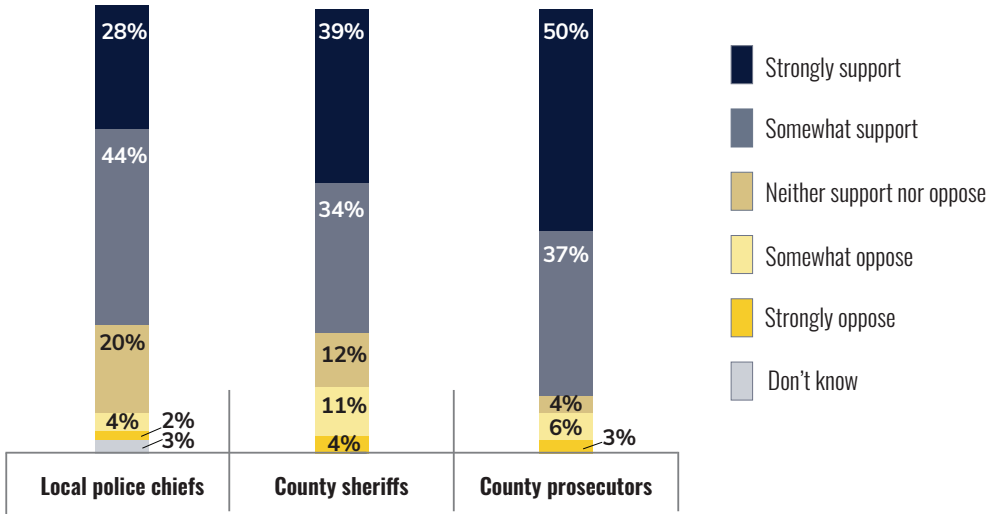
Although there are a wide variety of pretrial diversion programs, when asked about diversion programs as a whole, there is widespread support from Michigan sheriffs, police chiefs, and county prosecutors. Whether or not their county currently operates any pretrial diversion programs, 62% of police chiefs, 73% of sheriffs, and 87% of county prosecutors statewide express some level of support (see *Figure 2*).

However, prosecutors report stronger support than police chiefs and sheriffs. Half of county prosecutors (50%) say they “strongly support” pretrial diversion programs in their county, compared to 29% of police chiefs and 39% of sheriffs who “strongly support” these programs.

Meanwhile, there is relatively little outright opposition from chiefs (6%) or prosecutors (8%), and only slightly more among sheriffs (15%).

Both sheriffs and prosecutors are elected on the partisan ballot in Michigan, so we can also look at whether there are partisan differences in support for diversion programs. Republican and Democratic sheriffs are fairly aligned, with 43% of Democratic sheriffs saying they *strongly* support pretrial diversion programs in general and 38% of Republican sheriffs strongly supporting them. By contrast, prosecutors show more divergence. While 65% of Democratic prosecutors *strongly* support pretrial diversion programs, fewer than half (45%) of Republican prosecutors do.

Figure 2
Support for or opposition to local pretrial diversion programs among law enforcement leaders



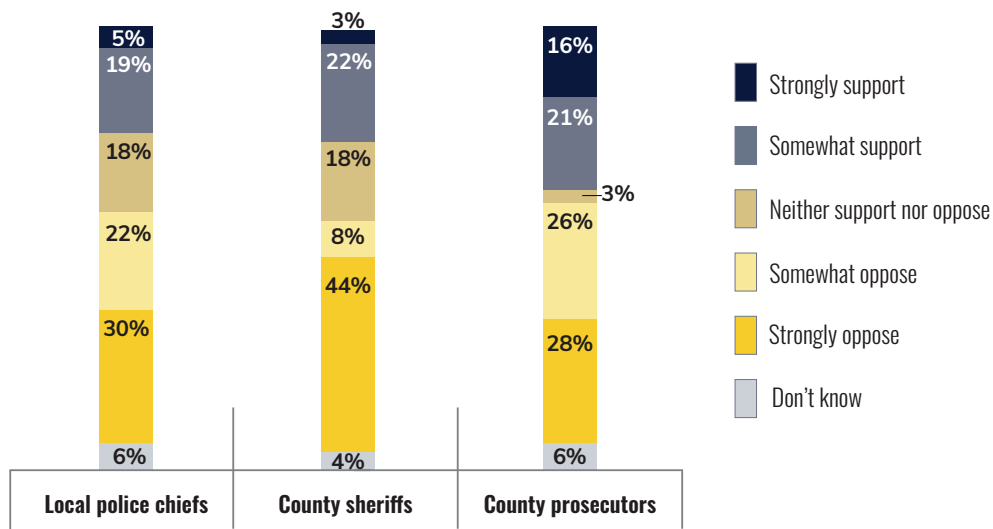
Gun diversion is different, law enforcement support is substantially lower

The MPPS also asked about support or opposition in particular regarding gun diversion programs. Specifically, respondents were asked about diversion programs that focus on individuals with no prior criminal history who are facing charges for criminal possession of a weapon and “through a gun diversion program, they would have an opportunity to avoid incarceration and have their conviction dismissed in return for participating in an intervention program (e.g., a nightly curfew, random drug tests, unannounced home visits by police, therapy, skills training, etc.)”

Despite widespread support for the use of general pretrial diversion programs, gun diversion programs are more divisive. As shown in *Figure 3*, a majority of Michigan law enforcement leaders oppose gun diversion programs in their county, with 44% of sheriffs *strongly* opposing them. Support was weak among all three groups, with around a quarter of local police chiefs and sheriffs and 37% of prosecutors expressing support for the use of county gun diversion programs.

Looking once more by party identification, the gap in support is again smaller among sheriffs than among prosecutors. Approximately a quarter of both Republican sheriffs (23%) and Democratic sheriffs (38%) either somewhat or strongly support gun diversion program. Meanwhile, Republican prosecutors (31%) are much less likely to support gun diversion programs than are Democratic prosecutors (56%).

Figure 3
Support for or opposition to local gun diversion programs among law enforcement leaders





Survey Background and Methodology

The data presented in this policy brief come from the Spring 2024 Michigan Public Policy Survey (MPPS). The MPPS is an ongoing census survey of all 1,856 general purpose local governments in Michigan conducted since 2009 by the Center for Local, State, and Urban Policy (CLOSUP) at the University of Michigan's Gerald R Ford School of Public Policy. The program is a partnership with Michigan's local government associations. The Spring 2024 wave was conducted April 1 – June 10, 2024. For the first time, the MPPS not only surveyed leaders of counties, cities, villages, and townships, but surveys were also sent to all 83 county sheriffs and county prosecutors, and 430 local police departments and departments of public safety. A total of 343 law enforcement leaders returned valid surveys (54 sheriffs, 234 police chiefs, and 55 county prosecutors) for a 58% response rate across various agencies. More information is available at <https://closup.umich.edu/michigan-public-policy-survey/mpps-2024-spring>.

See CLOSUP's website for the full question text on the survey questionnaires. Detailed tables of the data in this report, including breakdowns by various jurisdiction characteristics, will soon be available at <http://mpps.umich.edu>.

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