Pre-DJS Youth Decision Process Flowchart

The Pre-DJS Youth Decision Process Flowchart was developed as a public education and system-mapping tool to clarify what typically occurs when a youth comes to the attention of law enforcement prior to involvement with the Department of Juvenile Services (DJS). The flowchart captures the earliest discretionary decisions that significantly shape youth trajectories, and before DJS interaction and intake. The tool reflects common operational pathways while explicitly acknowledging variation across jurisdictions, agency practices, and available resources. Used appropriately, it can support training, public education, cross-system coordination, and policy development while maintaining fidelity to the realities of how the system operates across Maryland.

Validation Process

The flowchart was developed through direct engagement with law enforcement leadership representing multiple jurisdictions. These working sessions and surveys focused on mapping actual decision points from first contact through referral, diversion, or case closure. Participants emphasized the central role of officer discretion, the prevalence of non-enforcement outcomes, and the variability in diversion structures and referral practices.

Potential Use Across Audiences and Domains

The following reflects how different stakeholders might draw on the Pre-DJS Flowchart and the questions it surfaces. The flowchart was built to describe a process. What stakeholders do with that description is where its value will be tested.

Youth and Families

One of the clearest findings from the flowchart's development is how much of the process is invisible to the people most directly affected by it. Most families do not know that a referral to DJS is not the same as an arrest, that many youth referred to juvenile services are not taken into physical custody, or that a law enforcement diversion, if one exists in their jurisdiction, leaves no official court record. These distinctions matter enormously for how families respond in the moment, and misinformation at early decision points can have consequences that follow a young person long afterward.

Families who have access to the flowchart before a contact occurs are better positioned to ask the right questions. Those who encounter it after the fact may find it useful for understanding what has already happened and what options might still exist. In either case, the resource is most effective in the hands of someone who can help interpret it, a public defender, a legal aid attorney, a community advocate, or a peer who has navigated the process themselves. The flowchart opens the conversation; it does not replace it.

The flowchart also makes visible something that emerged repeatedly during stakeholder engagement sessions: youth justice outcomes are shaped by a long series of discretionary decisions made by adults

before a case ever reaches intake or a courtroom. Law enforcement officers and prosecutors consistently emphasized that discretion is not an exception to the process but one of its defining features. Decisions about whether to warn, divert, refer, petition, release, or seek formal court involvement are shaped by judgment, context, available resources, and local practice. This is important because public discussions about juvenile justice often frame diversion or release as evidence that the system is failing to hold youth accountable. Yet the conversations underlying the flowchart suggested that disagreement is often not about whether discretion should exist but about the variability in decision-making or judgment of those applying discretion. Understanding that dynamic is critical to understanding how youth justice actually functions in practice. A young person's pathway into the system is not automatic or inevitable; it is shaped by multiple layers of human decision-making long before court involvement occurs.

Law Enforcement

The flowchart emerged directly from law enforcement input and reflects how officers actually make decisions, including the substantial discretion that operates at every stage before a referral ever reaches DJS. That discretion is not incidental; it is central to how the system functions, and the flowchart presents ot for the first time in a public-facing format.

One of the most significant findings surfaced during the flowchart's development is the uneven distribution of pre-arrest diversion options across Maryland's jurisdictions. Some counties have multiple programs available at the law enforcement stage; others have none. This is not a marginal distinction. Pre-arrest diversion, when it exists, keeps a young person's record clean. Once a referral reaches DJS, a record is established regardless of what happens next. Law enforcement agencies in jurisdictions that lack pre-arrest diversion programs may find in the flowchart a useful starting point for a conversation with local partners, including State's Attorney offices, local management boards, and community-based organizations, about what programs might be feasible to develop or access.

Schools and Educators

The flowchart clarifies something that school staff often handle without a clear framework: the boundary between what schools handle administratively and what involves law enforcement. That boundary is not fixed. It is shaped by the nature of the incident, whether there is an injury, whether the behavior is chronic, and the discretion of the officer involved. For schools with SRO programs, the flowchart may be a useful starting point for reviewing and revisiting the memoranda of understanding that govern how contacts are handled, particularly in jurisdictions where those agreements have not been recently examined.

School counselors, pupil personnel workers, and student services staff are frequently the first adults in a school building to learn that a student has come to police attention. Having a baseline understanding of how that process works, and where it might lead, could help those staff members have more informed conversations with students and families about what to expect and what questions to ask. It may also help schools distinguish more clearly between situations where their own response is the most appropriate intervention and situations where additional supports are warranted.

Community Organizations and Service Providers

Community-based organizations, diversion providers, behavioral health programs, and youth-serving nonprofits are already doing much of the informal work of explaining the juvenile justice system to youth and families. The flowchart offers a validated, shared baseline to anchor those conversations, particularly for organizations whose staff may have deep community knowledge but varying familiarity with the formal decision process.

The flowchart also highlights a gap that community organizations are well positioned to help address. When officers lack diversion options and exercise discretion informally, referrals to community resources often happen without documentation or follow-through. Organizations that can make themselves known to local law enforcement as referral partners at the pre-DJS stage may find that the flowchart helps structure that conversation, giving officers a visible, credible off-ramp to name rather than a general sense that "something" should be done.

Media and Public Information Professionals

The Workgroup views the flowchart as a reference tool that can help journalists, editors, producers, public information officers, and communications staff accurately explain what occurs before a youth reaches DJS. News coverage of youth incidents often begins after a high-profile event or arrest, when limited information is available and public assumptions can fill gaps in understanding. The flowchart provides a neutral description of the decision points that may occur before formal system involvement, including fact-finding, officer discretion, school-based handling, diversion, paper referrals, and detention screening.

The intention is not for the flowchart to influence reporting decisions or shape narratives about individual cases. Rather, it is intended to improve process literacy by helping media professionals distinguish between concepts that are frequently conflated, such as police contact and arrest, referral and detention, or diversion and formal court processing. The flowchart can serve as a factual reference when reporting on juvenile justice issues, helping ensure that public discussions are grounded in how the process actually operates rather than assumptions about how it works.

Media coverage plays a significant role in shaping public understanding of the juvenile justice system. By making the pre-DJS process more visible and understandable, the flowchart may help support more accurate reporting, clearer public communication, and more informed discussions about youth, public safety, accountability, and system reform. Because practices vary across jurisdictions, the flowchart should be used alongside local context and stakeholder input rather than as a definitive description of every case or community.