

STATEWIDE POLICE DIVERSION POLICY

FINAL DRAFT

I. Purpose

This policy establishes a statewide standard for police referrals to youth diversion to prevent formal arrest and judicial involvement for eligible youth. It emphasizes early intervention, rehabilitation, and restorative practices while promoting public safety and accountability.

II. Policy Statement

All Connecticut law enforcement agencies shall prioritize pre-arrest diversion as a preferred response for eligible youth. Eligible youth shall be diverted, in lieu of arrest, for, at a minimum, their first and second-time offenses. Police officers retain their discretion and are not restricted from diverting a youth beyond their first two offenses or for offenses beyond misdemeanors. Diversion offers structured alternatives to prosecution, reduces recidivism, and fosters positive youth development by engaging youth in community-based services tailored to their needs, while prioritizing accountability.

III. Definitions

- Diversion: A structured alternative to arrest or prosecution that redirects youth into community programs while prioritizing accountability.
- Eligible Youth: Individuals aged 10–17 who could be charged with first and second-time misdemeanor offenses; other offenses and additional referrals will be subject to police discretion.
- Juvenile Review Board (JRB)/Youth Diversion Team (YDT): A multidisciplinary, community-based team that assesses referred youth and coordinates diversion efforts.
- Referral Officer: The officer who initiates the diversion referral and explains the rights and responsibilities to the youth and guardians.

IV. Eligibility Criteria

Youth are eligible for diversion if all the following apply:

1. Between the ages of 10 and 17
2. Could be charged for an offense that is eligible for Juvenile Court

3. First or second-time offenses; or additional offenses with police discretion.
 4. Youth and guardian agree to participate at the JRB/YDT diversion intake meeting
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V. Procedures

A. Officer Discretion & Referral

- Officers encountering an eligible youth must consider diversion before arrest.
- If diverting, the officer issues a Diversion Referral Form in lieu of a summons.
- The youth and guardian sign an initial agreement to participate and contact the diversion program within 2 business days, if applicable.

B. JRB Role and Responsibilities

- JRBs/YDTs can include, but are not limited to, representatives from law enforcement, probation, schools, youth services, mental health providers, and the community.
 - Upon referral, the JRB/YDT conducts an intake and risk screening and/or assessment to determine potential appropriate services (e.g., counseling, community service, restitution, or mentoring) to go along with the reparation of harm.
 - The JRB/YDT sets a diversion plan with defined expectations and timeline for completion.
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VI. Program Outcomes

- **Successful Completion:** If agreement is completed, youth avoids court for the diverted incident, and does not have a criminal record. Support services continue if needed.
 - **Non-Compliance:** If the youth fails to initially engage, or disengages during the process, the case may be forwarded to the juvenile court via a police summons/court referral
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VII. Tracking, Data, and Documentation

- Agencies must maintain:
 - A secure Diversion Tracking Log to include:
 - Documentation of each referral, outcome, and youth demographics
 - A record of the explanation for why an officer chose not to divert and eligible youth

- Annual reporting to POSTC and local oversight bodies
 - All diversion records are sealed and subject to data retention limits consistent with confidentiality statutes.
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VIII. Training Requirements

- Officers must be trained on this pre-arrest diversion policy as part of their 14 hours of statutorily required juvenile justice trainings and through POST accreditation requirements.
 - Agencies shall provide annual refresher training during roll call or in-service sessions provided by a Supervisor or other entity deemed suitable by POST.
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IX. Law Enforcement Supervisor Responsibilities

- Supervisors must:
 - Review all juvenile contacts for diversion eligibility
 - Ensure documentation is complete and timely
 - Provide guidance and feedback on diversion decisions
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X. Oversight and Review

- The Connecticut POST Council will oversee statewide implementation and evaluation.
- Each police department must designate a Diversion Liaison.
- Policy effectiveness will be reviewed biannually, incorporating feedback from stakeholders, youth, and community partners.