

Diversion Workgroup Meeting

July 8, 2025

Zoom

1. Proposed Draft Recommended Policy
 - a. Policy Update

THIS MEETING DID NOT CONTAIN A PRESENTATION

JJPOC Diversion Workgroup

July 8th, 2025

2:00 PM – 3:30 PM

Web Based Meeting- Zoom

Attendance

Agata Raszczyk-Lawksa
Brian Wright
Erica Bromley
John Saccu
Nateisha-LaShay
Neika Thompson
Shirley Ellis-West
Tasha Hunt
Thea Montanez
Victor Jones

TYJI Staff

Andrew Zhebrak
Brittany LaMarr
Paul Klee

Meeting Objectives:

The July 8th, 2025 Diversion Workgroup meeting consisted of reviewing the Final Draft of the proposed Statewide Youth Diversion Policy

Meeting Summary:

- Background – The Diversion Committee made 3 recommendations that were voted on and then approved by the JJPOC. The first consisted of creating a youth model diversion policy for all Connecticut law enforcement, the second examined current training requirements as they pertain to youth diversionary practices, and the third focused on promoting a youth diversion training curriculum for police interactions, ensuring in cultivating healthy relationships between young people and law enforcement.
- The first two recommendations had a deadline associated with it, the third recommendation did not, thus a smaller group that could work on a diversion policy for law enforcement, and potential training requirements. There was feedback from several members of the committee that were interested in participating in the youth diversion policy for law enforcement, and potential training requirements. There were several members of the committee interested in developing these requirements.
- When the model policy was developed, the committee sought to identify the format of pre-existing policies currently in use, but there wasn't a standard format developed. From

there, the committee identified commonalities in pre-existing policies, and those categories are reflected in the currently developed policy

- POST Council surveyed 19 other states for this project, with all of them lacking a standardized diversionary policy.

• 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.
 - A question is raised regarding the distinction between the differences in youth eligibility for diversion, on if it includes only first and second time offenses, or any offense?
 - This is clarified in the eligibility criteria section, which specifies that only misdemeanor offenses are eligible for first and second time offenses.
 - A question is raised regarding the differences between the term “services” and “programs”
 - These terms are used interchangeably throughout the document.
 - A question is raised regarding the specific language of the phrase “police officers retain their discretion and are not restricted from diverting a youth beyond their first two offenses or four offenses beyond misdemeanors.” Does this entail that police officers only have discretion during the first two offenses or that they maintain their discretion even after a second offense?
 - Police Officers would still have discretion after the second offense. The first and second offenses mandate diversion, after this, the police would have discretion to decide.
 - How do we incorporate victim rights into this framework? If someone is harmed, would they have the right to press charges?
 - Currently the State Attorney would have the power to press charges, not the victim, though the victim could seek restitution in civil court.

- There is a comment regarding a necessity for emphasising pre-arrest diversion, and if there's a way to solidify that, it should be completed. Specific exceptions should be outlined and defined rather than accepted as common practice.
 - There is a comment regarding the potential issue of diverting children to JRB's that are not capable of addressing their needs, thus expediting the court summons process.
 - There is a response noting that felonies could be addressed with discretion of the JRB, even if a case is diverted from the police, they have the right not to accept it.
 - There is a comment regarding the background of enforceability of this recommendation, as from a member's understanding, that once the JJPOC recommendations were passed into law, that the POST-Council will have the ability to ensure that they were standardized across all police localities. The member was informed that this is not the case, as it is not enforceable. Given this information, the member suggests that recommendation is incorporated into POST-Council's AIR accreditation process and would then be able to enforce the recommendations without requiring a change in statute.
- **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.
 - There is a comment regarding specifying second misdemeanor offenses regarding eligibility criteria
 - That will be noted, rather than misdemeanor offenses, it will be defined as offenses eligible for juvenile court.
 - What if a parent does not want a child to enter the JRB process? If a parent is not on board with the JRB process, what direction would the police take?
 - If a parent doesn't sign off, they aren't trying to participate in the program.

- There is a comment that discretion should be redefined, as there are now circumstances where 1st and 2nd offenses aren't referred.
 - This isn't applicable to the conversation regarding discretion, as it addresses police discretion rather than parental discretion.
 - There is a comment regarding that the document should emphasize the opportunity for diversion, to ensure that all that are eligible if they want to cooperate with the process.
 - The group moved onto the procedures section of the document
 - **A. Officer Discretion & Referral**
 - Officers encountering an eligible youth must consider diversion before arrest.
 - A member asked if this bullet point would conflict with the language in the policy statement, as the former mandates consideration, while the latter only requires it past the first and second offenses.
 - This comment will be noted and updated
 - 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.
 - There is a comment on the third bullet point, clarifying the distinction between some JRBs beginning the diversionary process through parental referral, and others requiring direct police referral
 - This information would be useful to include in a uniform ticket book.
 - There is a comment regarding the practicality of obtaining the agreement and contact with the diversion program in the span of 2 days, as other programs like referrals to Juvenile Court take 7-14 days, given the process of filling out and processing necessary paperwork.
 - This will be noted and updated.
 - There is an additional comment noting that their experiences with the JRB process took less than 7 days, as the process of acquiring documentation was limited and expedited.
 - The group briefly discusses adding the distinction between requiring contact within 2 days and then giving the police departments 7-10 days in sending the entire report.
 - There may be some regional variation contingent on staffing capacity between different police departments
 - **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.

- **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.
 - There is a comment from a member regarding the phrase “disengages during the process”, as the process could take upwards of 6 months, presenting an obstacle for the youth. The member recommends editing it to “disengages during the intake process”, which adds a qualifier compliant with the current restorative model.
 - JRBs explain to participating youth that if they don’t engage in this process, they are likely to be sent back into police discretion. This is part of the conversation regarding diversion.
 - There is a comment on if this level of detail is necessary for police, as this distinction is only applicable to JRBs.
 - There is a question asking about the distinction in school-based arrests compared to community arrests regarding differences in the statute of limitations between the two, if the youth doesn’t comply with the diversionary process.
 - It would be the same statute of limitations.
 - There is a comment advocating for wording to the police in letting them know that the case may come back to them, and that point there would be a discretionary decision about doing nothing or referring them to court.
 - This will be incorporated into the new language of the policy.

- **VII. Tracking, Data, and Documentation**

- Agencies must maintain:
 - There is a comment regarding editing this to “Law Enforcement Agencies”
 - This will be edited in.
 - 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 an eligible youth
 - There is a comment regarding simplifying the language so it would not conflict with the policy statement - “chose not to prioritize diversion”.
 - Annual reporting to POSTC and local oversight bodies
- All diversion records are sealed and subject to data retention limits consistent with confidentiality statutes.
 - There is a comment that this section is still a work in progress, with exact detailed language still in progress.
 - There is a comment that parental rights to records should be maintained, as they could be useful for suspension and expulsion hearings.
 - Police are not currently mandated to provide this record to parents and children; police departments have discretion with this. Police departments send records to Juvenile Court, and then parents and children are able to obtain them.
 - There is a discussion on if this applicable to documents sent out to JRBs, as they a
 - This varies between agencies, as all records from DCF are fully confidential, but the parent/guardian will always have access, likewise to the Diversion process.
- The language will be altered to incorporate parental access to the documents.

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.
 - There is a comment regarding the frequency of the trainings, on if they are both at the Academy and the three year accreditation window?
 - There is a comment recommending that this is completed tri-annually rather than annually, as this is part of the reaccreditation process for police officers in Connecticut.
 - There is an emphasis on completing this training through the accreditation process, as this could be enforced by POST-Council.
 - There is an agreement to alter this to “tri-annually”.
 - There is a question regarding on who conducts the training process
 - POST creates a process on identifying eligible instructors that could be accredited. This is an internal POST-Council decision.
 - There is a question of if supervisors and liaisons perform the same duties, and if not, what is the distinction.
 - The supervisor is responsible for examining the final check of information and reviewing the actions of officers under their preview.

- There is a question regarding on if supervisors would be the most qualified in determining training standards if they do not specialize in juvenile law
 - There is a conversation in altering the language and removing “supervisor “or other entity deemed suitable by POST, and rather simplifying it to POST.

IX. Law Enforcement Supervisor Responsibilities

- Supervisors must:
 - There is a comment to alter a term supervisor to law enforcement officer, which is agreed upon.
 - Review all juvenile contacts for diversion eligibility
 - Ensure documentation is complete and timely
 - Provide guidance and feedback on diversion decisions

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.

Next Meeting: October 14th, 2025

