

Diversion Workgroup Policy Options for Status Offenders/Low Risk Youth

Policy Options (all of which will be through a phased-in approach with a delayed effective date and time for implementation planning)

Policy Option 1: Remove all status offenses from being under juvenile court jurisdiction. Status offenses will be referred to probation intake through a referral form without a formal petition being filed and status offense cases can never be escalated to delinquency court. Probation will make referrals to services, if necessary, and serve as case managers with minimal to no supervision.

Policy Option 2: Remove runaway and incorrigibility from juvenile court jurisdiction. All status offenses shall be referred to probation intake through a referral form without a formal petition being filed and probation will make referrals to services, if necessary, and serve as case managers with minimal to no supervision. Runaway and incorrigibility cases can never be escalated to delinquency court. Truancy cases can be escalated as a last resort to delinquency court and statewide policy will be created that enumerates procedural requirements, including written documentation, to ensure that a referral to court is a last resort prior to when a truancy case can be escalated to a formal petition to the delinquency court.

Policy Option 3: All status offenses shall be referred to probation through a referral form without a formal petition being filed, and probation will make referrals to services, if necessary, and serve as case managers with minimal to no supervision. All status offenses can still be escalated to delinquency court after following and documenting tried interventions. Statewide policy will be created to enumerate procedural requirements, including written documentation, to ensure that a referral to court is a last resort prior to when a status offense case can be escalated to a formal petition to the delinquency court.

Policy Option 4: Per the results of a validated risk screening tool, all youth who are screened as low risk are diverted from any court involvement (including consent calendar). Courts still retain discretion to override the results of the risk screening tool but must provide written documentation as to why diversion was not offered to a low-risk youth. Certain enumerated serious offenses cannot be diverted.