



regional center for

healthy communities (metrowest)

Directory of Metrowest Diversion and Restorative Justice Programs for Youth

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Introduction

This directory contains information about diversion and restorative justice programs in the Metrowest Boston area. The directory was collected by the Regional Center for Healthy Communities (Metrowest)¹ in order to create a centralized source of information about these types of programs. We also hope to facilitate information sharing among those interested in diversion and restorative justice. (Both *diversion* and *restorative justice* are defined in this introduction.)

We hope that this directory will be useful to anyone with an interest in diversion and restorative justice, but it might be of special interest to:

- Police departments, DA's offices, and other organizations with existing programs
- Cities and towns that are thinking about implementing a program for the first time
- Community members or groups who would like to get a program started in their area
- Service providers would like to partner with police departments and DA's offices to provide services to the youth program participants
- School departments reviewing their substance use policies
- Legislators and other policy makers

There are many diversion and restorative justice programs within the state of Massachusetts; however, this directory is restricted to programs that meet the following criteria:

- Programs that fall in the 60 towns and cities in the Metrowest Boston region that are served by the RCHC-Metrowest
- Programs that serve juvenile offenders (ages 8-16) or youthful offenders (ages 17-21)
- Programs that allow police departments, district attorney's offices/prosecutors, clerk-magistrates, and/or other law enforcement agencies to divert youth in lieu of arrest or arraignment (both pre- or post- complaint models are included)

This directory is also limited to programs of which we are aware. If you know of a program that was not included, please email skretman@healthier-communities.org so that we can add it to future versions of this directory.

What is diversion?

The National Center for Juvenile Justice defines diversion as, “the practice of officially stopping or suspending a case prior to court adjudication and referring the juvenile to a community education, treatment, or work program in lieu of adjudication or incarceration.”² Diversion programs are designed to keep offenders out of the justice system and to assist in offender rehabilitation by providing services and learning opportunities. As you will see in this directory, diversion programs can take many forms. They can include opportunities for community service, counseling, education, and restitution, among other things.

¹ See pg. 22 to learn more about the Regional Center for Healthy Communities

² See the Glossary on the NCJJ website: <http://www.ncjj.org/stateprofiles/asp/glossary.asp>

Diversion can occur at several points during a justice process. In this directory, we only focus on programs that divert youth before they are arraigned in court. Of the programs listed in this directory, if an offender successfully completes the program, a complaint will not be filed against him/her (pre-complaint model), or s/he will not be arraigned in court (post-complaint model). As a result, the offender will not have a criminal record.

What is restorative justice?

“Restorative justice a process to involve, to the extent possible, those who have a stake in a specific offense and to collectively identify and address harms, needs, and obligations, in order to heal and put things as right as possible.”

-Howard Zehr, *The Little Book of Restorative Justice*³

Restorative justice is based on a set of principals, including:³

- A focus on harms and needs, including those of the victim, the offender and the community
- An effort to deal with obligations that result from harms and needs
- The use of an inclusive, collaborative process
- Involvement of all legitimate stakeholders affected by or involved in a crime
- An effort to put right the wrongs and harms that result from a crime

Restorative justice is an ancient concept that has been used (and is still used) by many peoples and cultures throughout the world. It is based on the idea that crime results in harm that hurts relationships in communities, and it is meant to mend tears in the fabric of communities. There are many ways to implement restorative justice in practice. Ideally, a restorative justice process allows the stakeholders involved in or affected by a crime to meet face-to-face (although this is not always appropriate or possible). The harms and the causes of a crime are addressed, and the offender takes responsibility. The stakeholders come to a consensus on the outcomes of the process. For an example of a restorative justice process used in Metrowest Massachusetts, see Communities for Restorative Justice (C4RJ) on page 13 of this directory.

How are restorative justice and diversion different from each other?

On the surface, restorative justice might sound like a type of diversion; however, there are some important differences. Some diversion programs contain elements of restorative justice(e.g., requiring restitution, getting victim input, involving multiple stakeholders such as parents and school personnel) without implementing all of the principals. Many diversion programs focus mostly on the offender, whereas a restorative justice process also works to ensure that victim and community needs are met. The principles of restorative justice indicate its use even for severe offenses, unlike many diversion programs. In some cases, offenders who participate in a restorative justice process may still face prosecution under the law.

If you have additional questions about restorative justice or diversion, please consult the resources listed at the end of this directory.

³ Zehr, Howard (2002). *The little book of restorative justice*. Intercourse, PA: Good Books.

Juvenile Diversion Programs in Middlesex County

Middlesex District Attorney's Office Juvenile Diversion Program (Middlesex County) Middlesex County District Attorney's Office

Contact info	Middlesex District Attorney's Office Community Programs Coordinator 15 Commonwealth Avenue Woburn, MA 01801 (781) 897-8815
Website	http://www.middlesexda.com
Program start	Post-complaint model: Initiated in 2004 Pre-complaint model: Initiated in October 2008 in the Cambridge & Waltham Juvenile Courts
Youth served	First time juvenile offenders (ages 7-17)
Program description	<ul style="list-style-type: none">▪ There are two models:<ul style="list-style-type: none">○ Pre-complaint model (no formal complaint filed by the police department before diversion)○ Post-complaint, pre-arraignment model (formal complaint is filed, and then the youth enters the diversion program prior to arraignment)▪ A representative from the district attorney's office meets with the parents and the youth to execute a diversion contract. Contracts conditions are determined on a case-by-case basis, and the diversionary period can last from 3 to 12 months. Contract terms can include:<ul style="list-style-type: none">○ Substance abuse program attendance (if the offense is substance-abuse related, or if it is determined that the youth has a problem)○ Counseling (if appropriate)○ A curfew○ Community service○ School attendance without incident○ Adherence to all rules at home▪ If a youth does not follow through on the terms of the contract, a formal complaint may be filed (if it has not already been filed), and the youth may be arraigned in court.▪ Local police departments can help coordinate some aspects of the program (e.g., helping the youth find community service opportunities)
Referral process	<ul style="list-style-type: none">▪ Police departments refer youth to the diversion program through the DA's office.▪ The District Attorney's office assesses eligibility for the program based on the following:<ul style="list-style-type: none">○ Age○ Prior record – must be clean (no prior offenses or diversions)

- Severity of the offense
- Input from the school that the youth attends when appropriate

Evaluation Collect the following data:

- Total number of youth diverted
- The number of youth who complete the diversion program
- The number and percent of youth who violate the terms of their diversion

Acton Police Department/Communities for Restorative Justice (Acton)

Contact info Acton Police Department
371 Main Street
PO Box 2212
Acton, MA 01720
978-264-9638

Website www.town.acton.ma.us/content.aspx?id=590&linkidentifier=id&itemid=590
www.c4rj.com

Program start April, 2007

Youth served Youthful offenders (through age 21) who commit a crime in Acton – they do not have to be an Acton resident

Program description

- Acton refers cases to the Communities for Restorative Justice (C4RJ) program (see pg. 13 for more detailed information about this program)
- At intake, the offender (if a youth, along with parents) signs a participation agreement which underscores the taking of responsibility, a willingness to engage in and prioritize the process, and a commitment see through obligations that result from a “circle” process.
- Following intakes with parties affected by the crime, C4RJ begins the restorative justice process (see pg. 13)
- A youth officer follows up with the youth and parents to ensure that the circle process is completed
- Youth officers also follow up with the youth at school, both during and after the process is completed
- An offender’s failure to complete the program, or a victim opting out during the process, results in the case returning to the police and going to juvenile court for criminal process.

Referral process

- Eligibility is determined on a case-by-case basis, with the following considerations:
 - Type of crime – only non-violent, non-motor vehicle offenses are eligible; most cases do not involve felonies
 - Prior criminal record
 - Victim’s wishes
- The responding officer determines if a case is a good candidate for the program. S/he does not arrest the youth and refers the case to a youth officer point person
- The youth officer reviews the case and makes the final decision about eligibility

- The youth officer then obtains permission from the parents and the victim in the case. If either party refuses permission, then the case does not go to C4RJ
- Referral consists of the police incident report, narrative, and other verbal details as needed delivered by responding officer to C4RJ personnel.
- Victims learn of the program through the responding police officer, and in additional contact from C4RJ personnel as needed. Victims can opt in out of participating themselves in the process (e.g. a representative may be appointed); they can also veto the referral of the offender entirely.
- If an arrest is made, the youth may be referred for participation in the Middlesex DA's diversion program

Evaluation

- The Acton PD collects data on the total number of cases referred
- The youth officers also follow up on the youth in school
- C4RJ will send data from their evaluation process to the police department (for more information, see the C4RJ entry on pg. 13)

**Arlington Community Diversion Program (Arlington)
Arlington Youth, Health and Safety Coalition**

Contact info Arlington Youth, Health and Safety Coalition
27 Maple Street
Arlington, MA
781-316-3179
781-316-3693

Website N/A

Program start Began in October, 2007 as a pilot program

Youth served Juvenile offenders (ages 7-18) who live or attend school in Arlington

- Program description**
- The diversion program components are determined on a case-by-case basis.
 - Contract terms are determined based on the needs of each participant and include community service and participation in specific tasks involving a unique home, school, mental health, and community plan.
 - Diversion cases are managed by a Diversion Program Coordinator, who works closely with the Police Department, School Department, and Health and Human Services.
 - The program coordinator meets regularly with program participants and oversees the contract conditions.
 - If the contract is violated within a year of the offense, then the police department will bring a criminal complaint forward.

- Referral process**
- Referrals are made by the police department and/or by the school department
 - Youth who are referred may be accepted into the program based on the following factors:
 - Age (maximum age is 18 years – any youth older than 18 at the time of the offense will not be accepted)
 - The type of criminal conduct that resulted in their referral, including:
 - Whether the incident involved threats, violence or the use of a weapon

- Whether the incident involved sexual misconduct
- Whether the incident involved bias motivated misconduct (i.e., a hate crime)
- The overall severity of the offense (e.g., the amount of property damage, value of items stolen, level of injury)
- The perspective of the victim(s)
- Any other aggravating or mitigating factor
 - The existence and nature of prior involvement with the court system, or the lack of a prior record
 - The motivation of the youth to participate in the program
- Referrals are also from the District Attorney’s office may also refer a youth after a complaint is filed. When this occurs, the District Attorney’s Office provides the contract, but the Diversion Program coordinator manages the case.

Evaluation

The following data is collected about each case:

- Crime type
- Services provided and community hours served
- Offender age and school grade
- Academic standing/changes
- School disciplinary actions
- Repeat offenses
- Substance type/use/recovery
- 1 and 5 year school/community status of the offender (graduation/new offenses)

**Youth Drug and Alcohol Education/Diversion Program (Bedford)
Bedford Police Department**

Contact info

Bedford Police Department
2 Mudge Way
Bedford, MA 01730
781-275-1212

Bedford Youth and Family Services
12 Mudge Way
Bedford, MA 01730
781-275-7727

Website

<http://www.bedfordpd.org/>
<http://www.town.bedford.ma.us/youth/youthindex.html>

Program start

Began in the 1990’s and adjusted over time

Youth served

First-time school-aged alcohol offenders who live in Bedford

Program description

- Program services are offered through Bedford Youth and Family Services
- Youth and their parents/legal guardians sign an agreement indicating that they will participate in the diversion program. The youth also agrees not use alcohol or illicit drugs.
- The program consists of 6 meetings (either group or individual).
- Meetings are psychoeducational (not therapy) and focus on:
 - Substance use history

- Drug education
- Risky behaviors
- Healthy decision-making
- Stress management
- Parents must attend at least two meetings:
 - An initial meeting without their child to learn about the program and ask questions
 - A wrap-up meeting with their child to give and receive feedback
- The program must be completed within 2 ½ months
- Youth who participate in sports may also receive sanctions from the school
- Any youth that misses more than one meeting is terminated from the program
- Youth who do not complete the program will be formally charged
- Youth and Family Services notifies the Bedford PD in writing when the program is completed (all meeting details are kept confidential – the police are only informed whether or not a youth has completed the program)

Referral process

- Police officers, the school, and parents can refer youth to the program.
- Referral is at the police officer’s discretion, and the officer must be able to reasonably be able to prove a criminal violation in order for the department to compel a youth to attend the program in lieu of arrest
- Only first-time alcohol offenses are eligible – youth with previous convictions or diversions are ineligible
- Once a youth is referred, a police officer delivers a letter describing the program to the youth’s parent(s) or guardian(s)
- The parent(s) or guardian(s) and the youth sign the agreement form and return it to the police
- The police give the referral to Bedford Youth and Family Services

Evaluation

No official evaluation is conducted, but police officers are aware when a youth who has been diverted goes on to re-offend. Detailed notes about each case are kept in the Police Departments Record Management System.

Burlington Police Department (Burlington)

Contact info

Juvenile Detective/Youth Services
 Burlington Police Department
 45 Center St
 Burlington, MA 01803
 (781) 270-1914

Website

<http://www.bpd.org/>

Program start

2002

Youth served

Youth under age 21 who are residents of Burlington

Program description

- The diversion is for youth caught with alcohol ONLY
- All offenders must complete community service 25
- Offenders have the option of completing the community service hours at the police station or at another site.

- If they choose to complete their community service at the police station, they must also donate \$50 to the department.
- The offender may have up to 6 months to complete the community service
- The high school administration is informed about the diversion and sanctions may be enacted by the high school (e.g., suspension from sports teams)

- Referral process**
- The responding officer can decide to arrest the youth or fill out a report only
 - The Juvenile Detective reviews all reports and makes the final decision about eligibility
 - Only underage youth caught with alcohol for the first time are eligible
 - Underage hosts of drinking parties are NOT eligible and will go to court

Evaluation No formal evaluation is conducted. The juvenile detective informally tracks the approximate numbers of program participants and re-offenders.

Boxborough Police Department/Communities for Restorative Justice (Boxborough)

Contact info Boxborough Police Department
520 Massachusetts Ave.
Boxborough, MA 01719
978-263-3000

Website www.BoxboroughPolice.com
www.c4rj.com

Program start January 2009

Youth served Any person who commits an offense in Boxborough may be eligible – there are no age restrictions.

- Program description**
- Boxborough refers cases to the Communities for Restorative Justice (C4RJ) program (see pg. 13 for more detailed information about this program)
 - At intake, the offender (if a youth, along with parents) signs a participation agreement which underscores the taking of responsibility, a willingness to engage in and prioritize the process, and a commitment see through obligations that result from a “circle” process.
 - Following intakes with parties affected by the crime, C4RJ begins the restorative justice process (see pg. 13)
 - An offender’s failure to complete the program, or a victim opting out during the process, results in the case returning to the police. A complaint may be filed, and the case may go to court.

- Referral process**
- All crimes are considered as potential candidates for restorative justice.
 - The Officer who responds to a crime makes the initial judgment and decides whether or not to make an arrest. If no arrest is made, the case is referred to a Sergeant.
 - If the Sergeant thinks the case is a good candidate for restorative justice, the case is then sent to the Chief for final approval.
 - Eligibility is determined on a case-by-case basis and can be determined by:

- The severity of the crime (serious crimes may still be eligible, depending on the circumstances)
- The circumstances of the offense
- The circumstances around the offender
- The preferences of the victim
- Referral consists of the police incident report, narrative, and other verbal details as needed delivered by responding officer to C4RJ personnel.
- Victims learn of the program through the responding police officer, and in additional contact from C4RJ personnel as needed. Victims can opt in out of participating themselves in the process (e.g. a representative may be appointed); they can also veto the referral of the offender entirely. If a victim would like the crime to be prosecuted in court, then the crime is not eligible for the restorative justice process.

Evaluation As of February, 2009, Boxborough has not had any cases that were candidates for restorative justice. The department plans to use the evaluation data collected by C4RJ to evaluate their program (see the C4RJ entry on pg. 13 for more information).

**Community-Based Diversion Program (Cambridge)
Cambridge Police Department, Youth/Family Services Unit**

Contact info Cambridge Police Department
Youth/Family Services Unit
125 6th Street
Cambridge, MA 02142
(617) 349-3300

Website http://www.cambridgema.gov/CPD/PoliceUnits/police_unit.cfm?unit_id=23

Program start January, 2008

Youth served School-aged youth (until ~22 years of age) who live in Cambridge

- Program description**
- The Cambridge PD coordinates community-based services for youth. School Resource Officers (SROs) serve as case managers.
 - SROs make a required, initial home visit and follow up to ensure that all diversion services are completed. In some cases, they follow up with youth even after the diversion program is completed. They keep detailed records of each case.
 - Diversion services are determined on a case-by-case basis and can include:
 - Counseling (mental health and/or substance abuse). Partnership set up with Cambridge Health Alliance.
 - Drug screening
 - Family interventions (especially in cases of domestic violence)
 - School-based consequences
 - Mentoring
 - Community service
 - The youth signs a contract agreeing to the terms of the diversion
 - As part of the contract, the youth admits fault in the offense. This will not be used against the youth in court at a later date.
 - The victim's input

Referral process ▪ Patrol officers create a juvenile report, which is followed up by officers in the

- Youth/Family Services Unit.
- SROs and juvenile detectives evaluate all youth they encounter (including those referred through a juvenile report) and assess eligibility for diversion on a case-by-case basis. The assessment considers:
 - The severity and circumstances of the offense
 - The threat posed by the youth to the public
 - The age and circumstances of the alleged offender
 - The alleged offender's record
 - The availability of community-based rehabilitation programs
- Entry into the diversion program is voluntary. Juveniles have the option of facing prosecution instead.
- Diversions may be formal or informal:
- Formal diversions are used in cases that involve criminal activity.
- Informal diversions make up the majority of the diversion cases seen by the department. Informal diversions are used in cases when a youth is exhibiting aberrant behavior that is not considered criminal activity (including status offenses). These youth qualify for all of the diversion services offered through the Cambridge PD and its partners.
- Referrals for informal diversions can come from anyone, including the School Department, Cambridge Human Services, and parents.
- More serious offenses/cases may still qualify for diversion through the Middlesex County District Attorney's office.

Evaluation

All youth in the diversion program are tracked through a computerized system. The following data is compiled annually:

- Total number of juvenile cases
- Total cases referred to court
- Total cases of formal diversion
- Total cases of informal diversion
- Total number of failures (number of youth re-arrested or who did not complete the program)

Carlisle Police Department/Communities for Restorative Justice (Carlisle)

Contact info Carlisle Police Department
41 Lowell Street
Carlisle, MA 01741
978-369-1155

Website www.carlisle.org/police
www.c4rj.com

Program start 2002

Youth served Offenders who commit a crime in Carlisle. The department focuses on juveniles, but has no age restrictions for program participation.

Program description

- Carlisle refers cases to the Communities for Restorative Justice (C4RJ) program (see pg. 13 for more detailed information about this program)

- At intake, the offender (if a youth, along with parents) signs a participation agreement which underscores the taking of responsibility, a willingness to engage in and prioritize the process, and a commitment see through obligations that result from a “circle” process.
- Following intakes with parties affected by the crime, C4RJ begins the restorative justice process (see pg. 13)
- An offender’s failure to complete the program, or a victim opting out during the process, results in the case returning to the police for possible court action.

Referral process

- Eligibility is determined on a case-by-case basis, and only minor, non-violent offenses are considered.
- Offenders are only eligible to participate in the circle process one time.
- The responding officer determines if a case is a good candidate for the program. S/he does not arrest the youth and refers the case to the police chief
- The police chief reviews the case and makes the final decision to refer a case to C4RJ
- Referral consists of the police incident report, narrative, and other verbal details as needed delivered by responding officer to C4RJ personnel.
- Victims learn of the program through the responding police officer, and in additional contact from C4RJ personnel as needed. Victims can opt in out of participating themselves in the process (e.g. a representative may be appointed); they can also veto the referral of the offender entirely.

Evaluation

- C4RJ will send data from their evaluation process to the police department (for more information, see the C4RJ entry on pg. 13)

Concord Police Department/Communities for Restorative Justice (Concord)

Contact info Concord Police Department
219 Walden Street
P.O. Box 519
Concord, MA 01742
978-318-3400

Website http://www.concordma.gov/pages/ConcordMA_police/index

Program start 2000 (as the Concord Restorative Circle)

Youth served All ages are served (program is not restricted to juveniles/youth)

Program description

- Concord refers cases to the Communities for Restorative Justice (C4RJ) program (see pg. 13 for more detailed information about this program)
- At intake, the offender (if a youth, along with parents) signs a participation agreement which underscores the taking of responsibility, a willingness to engage in and prioritize the process, and a commitment see through obligations that result from a “circle” process.
- Following intakes with parties affected by the crime, C4RJ begins the restorative justice process (see pg. 13)
- An offender’s failure to complete the program, or a victim opting out during the process, results in the case returning to the police for possible court action. (Note:

this is very rare and has happened only a few times since 2000)

- Referral process**
- Police officers can refer a case to the program in lieu of writing a warrant or arrest
 - The nature of crime, previous offenses, victim’s wishes, and officers’ assessments are all considered when determining eligibility
 - Responding officer has discretion to refer, occasionally in consultation with others in the department.
 - Referral consists of the police incident report, narrative, and other verbal details as needed delivered by responding officer to C4RJ personnel.
 - Victims learn of the program through the responding police officer, and in additional contact from C4RJ personnel as needed. Victims can opt in out of participating themselves in the process (e.g. a representative may be appointed); they can also veto the referral of the offender entirely.
- Evaluation**
- Concord uses data provided by C4RJ to evaluate its program. For more information about the data collected, please see the C4RJ entry on pg. 13.

Communities for Restorative Justice – C4RJ (Concord)

Contact info Communities for Restorative Justice (C4RJ)
219 Walden Street
P.O. Box 65
Concord, MA 01742
978-318-3447

Website www.c4rj.com

Program start 2000 (as the “Concord Restorative Circle”)
Program now active in other Metrowest Communities (Carlisle, Action, Boxborough, Littleton, Groton and others)

Youth served All ages are served (program is not restricted to juveniles/youth)

- Program description**
- The goal of the program is to repair the harm done as the result of crime and wrongdoing to individuals and the community. This is done through participation in a “circle” process.
 - Following intake with parties affected by the crime, C4RJ convenes a circle composed of: the offender, victim, supporters, a police officer, and trained volunteers. The goal is to address the harms, ask questions, and develop a plan of repair by consensus.
 - Agreements may include:
 - financial restitution for damages
 - apologies
 - direct victim or community service
 - written reflections or research
 - other educational measures
 - When a minor is found in possession of alcohol and/or marijuana, he or she must meet with a substance abuse counselor first. Circles are then conducted and include the offender and parents, and trained C4RJ volunteers. Agreements often include:
 - Attendance at substance awareness/recovery meetings

- Participation in education programs
- Counseling and/or treatment
- Reflective writing
- Participants meet in a closing circle after the offender has completed the terms of the agreement. At closing, the offender speaks about what he/she has learned from the process, victim has a chance to express satisfaction or ask additional questions and the case is closed.

Referral process

- Police departments can refer an offender to the program in lieu of writing a warrant or arrest. Referral consists of the police incident report, narrative, and other verbal details as needed delivered by responding officer to C4RJ personnel.
- Victims learn of the program through the responding police officer, and in additional contact from C4RJ personnel as needed. Victims can opt in out of participating themselves in the process (e.g. a representative may be appointed); they can also veto the referral of the offender entirely

Evaluation

- After a case is closed, all participants receive a survey, allowing all stakeholders in the process to give their feedback. The survey addresses the following:
 - Were the victim’s needs met?
 - Did the youth understand and accept responsibility for the harms done and learn valuable lessons?
 - Did the agreement provided repair to the victim and community?
 - Was the process good (as a whole)?
- C4RJ looks at the data in aggregate to see overall satisfaction with the program
- C4RJ also looks at the data broken down by different groups of survey respondents to determine satisfaction of offenders, victims, parents, police, etc.
- C4RJ is in the process of working with police departments to determine recidivism rates (the percent of offender program participants who re-offend).
- C4RJ returns case summaries and reflections to each referring police department.

**Court Diversion Services (Holliston)
Holliston Youth and Family Services**

Contact info Holliston Youth and Family Services
100 Linden Street
Holliston, MA 01746
508-429-0620

Website <http://www.townofholliston.us/youth.htm>

Program start 1999

Youth served School-aged youth (up to age 18) who are residents of Holliston

- Program description**
- The program is coordinated by HYFS and lasts for 6 months.
 - Participants must sign a contract that can include the following requirements:
 - At least 25 hours of community service
 - 6-8 weeks of group education about decision-making skills (sessions are tailored to the group)
 - Restitution

- Substance abuse assessment and services
- Weekly check-in with the HYFS Court Diversion Coordinator
- The HYFS Court Diversion Coordinator follows up with the offender to ensure that the program is complete.
- If a youth violates the contract terms, he or she may receive additional contract requirements. A formal complaint may be filed if contract terms are not met.

- Referral process**
- Police officers can refer youth to the program in lieu of arrest (no complaint is filed).
 - Youth can also be referred to the program by the court after a complaint has been filed (usually on the recommendation of the Holliston police).
 - Eligibility is determined on a case-by-case basis and is determined by:
 - The severity of the offense (only lower-level offenses are eligible)
 - The offenders record (only first time offenders are eligible)
 - The circumstances of the offense
 - Program participation is voluntary

Evaluation No formal evaluation is conducted.

Littleton Police Department/Communities for Restorative Justice (Littleton)

Contact info Littleton Police Department
20 Foster Street
Littleton, MA 01460
978-952-2300

Website <http://www.littletonpd.com>

Program start March 2009

Youth served Any person who commits an offense in Littleton may be eligible – there are no age restrictions.

- Program description**
- Littleton refers cases to the Communities for Restorative Justice (C4RJ) program (see pg. 13 for more detailed information about this program)
 - At intake, the offender (if a youth, along with parents) signs a participation agreement which underscores the taking of responsibility, a willingness to engage in and prioritize the process, and a commitment see through obligations that result from a “circle” process.
 - Following intakes with parties affected by the crime, C4RJ begins the restorative justice process (see pg. 13)
 - An offender’s failure to complete the program, or a victim opting out during the process, results in the case returning to the police for possible court action.

- Referral process**
- All crimes are considered as potential candidates for restorative justice.
 - The Officer who responds to a crime makes the initial judgment and decides whether or not to make an arrest. If no arrest is made, the case is referred to a Detective.
 - If the Detective thinks the case is a good candidate for restorative justice, he will consult with the chief to make a final decision on the case.

- Eligibility is determined on a case-by-case basis and can be determined by:
 - The severity of the crime (serious crimes may still be eligible, depending on the circumstances)
 - The circumstances of the offense
 - The circumstances around the offender
 - The preferences of the victim
- Referral consists of the police incident report, narrative, and other verbal details as needed delivered by responding officer to C4RJ personnel.
- Victims learn of the program through the responding police officer, and in additional contact from C4RJ personnel as needed. Victims can opt in out of participating themselves in the process (e.g. a representative may be appointed); they can also veto the referral of the offender entirely. If a victim would like the crime to be prosecuted in court, then the crime is not eligible for the restorative justice process.

Evaluation As of March, 2009, Littleton was in the process of referring their first case to C4RJ. The department plans to use the evaluation data collected by C4RJ to evaluate its program. (For more information see the C4RJ entry on pg. 13).

Wayland Diversion Program (Wayland) Wayland Youth and Family Services

Contact info	Wayland Youth and Family Services (WYFS) Wayland Town Building 41 Cochituate Road Wayland, MA 01778 508-358-4293
Website	http://www.wayland.ma.us/youthservices/yfsservices.html
Program start	More than 10 years ago (the program was redesigned in 2007 to specifically include collaboration between police, schools, and WYFS)
Youth served	School-aged youth who are residents of Wayland or enrolled in the Wayland Public Schools
Program description	<ul style="list-style-type: none"> ▪ WYFS coordinates the program. ▪ Program requirements are determined on a case-by-case basis, with input from the court, the police, and/or school administration ▪ A contract outlining the program requirements is signed by the offender and the parents and may include: <ul style="list-style-type: none"> ○ A psychosocial assessment that includes parent participation ○ Community service ○ Individual and/or family counseling ○ A psychoeducational group that teaches leadership skills, provides alcohol and drug education, and encourages self-motivation ○ Random drug screens (paid for by the offender) ▪ The program usually takes 3-4 months to complete. ▪ WYFS follows up with the offender and sends a letter to the Wayland Police Department when the program requirements are complete. ▪ If a youth violates the terms of the contract, the contract requirements may be

increased. If the youth continues to violate the terms of the contract, a formal complaint may be filed, and/or an arraignment may move forward in court.

Referral process

- Youth can be referred to the program in the following ways:
 - By Wayland police officers before a formal complaint is filed in court
 - By a court magistrate after a complaint is filed (usually based on the recommendation of the Wayland Police)
 - By the high school as part of a disciplinary action (for things like substance use, bullying) – may or may not involve the police.
- Eligibility is determined on a case-by-case basis and is based on:
 - Severity of the offense – only less-serious, non-violent offences are eligible.
 - Prior record of the offender – only first-time offenders without a prior diversion are eligible
 - The circumstances of the offense

Evaluation

- Wayland Youth and Family Services collects data on the total number of program participants and whether or not the diversion was successful (did the participant re-offend?)
- WYFS has also begun to survey participants and their parents after program completion on the participant's experience in the program and changes that occurred in the participant. Survey questions ask:
 - If the terms and conditions of the program were clear
 - If the participant perceived his/her experience with police to be fair and reasonable
 - Whether the assessment and counseling process was helpful
 - If there was adequate flexibility in appointment times and if meeting spaces were comfortable and private
 - If new skills and perspectives were gained
 - If the counselor was helpful and open to questions
 - If participant received support to complete community service
 - How family has changed
 - Whether the participant would recommend the program to others

Juvenile Diversion Programs in Norfolk County

Alternatives to Prosecution Program Services - APPS (Norfolk County) Norfolk County District Attorney's Office

Contact info	Norfolk District Attorney's Juvenile Unit 1515 Hancock Street Quincy, MA 02169 614-769-6145
Website	http://www.mass.gov/norfolkda/Juv_Justice.html
Program start	1999
Youth served	First-time juvenile offenders who live in Norfolk County
Program description	<ul style="list-style-type: none">▪ Prior to arraignment, youth are offered the option of participating in the diversion program.▪ Youth who participate in the program are required to sign a contract outlining the terms of their diversion. Contract terms can include:<ul style="list-style-type: none">○ Acknowledgment of behavior in the offense○ Community service○ Counseling assessment (up to 6 individual or family counseling sessions can be required). Counseling costs are assumed by the offender.○ Restitution for property damage○ Participation in the Gateway Program (4-hour program offered the Brain Injury Association of MA that includes information about the brain injuries, the effect of drugs and alcohol on the brain, and brain injury survivor stories). For more information, see: http://www.biama.org/whatdoes/gateway.html.○ Requirements to attend school and follow school rules○ Check-ins with staff person at the DA's office▪ A staff person at the DA's office follows up on the completion of all contracts▪ If the program is completed, the arraignment is dismissed, and the youth does not have a criminal record.▪ If youth do not complete the terms of their contract, the DA's office will proceed with the arraignment.
Referral process	<ul style="list-style-type: none">▪ Youth are referred by the DA's office at the time of arraignment; however, many cases come to the attention of the DA's office before this point through discussions with police.▪ The District Attorney's office assesses eligibility for the program based on the following:<ul style="list-style-type: none">○ Prior record – must be clean (no prior offenses or diversions)○ Severity of the offense – only non-violent, victimless crimes are eligible○ Input from the police
Evaluation	<p>On an annual basis, the DA's office collects the following data:</p> <ul style="list-style-type: none">▪ Total youth served through the program, their ages, and their city/town of residence▪ The offenses committed by the youth▪ The number of youth who complete the program successfully▪ The number of program failures (youth who re-offend and youth who do not follow through on their contracts)

Juvenile Diversion Programs in Plymouth County

Juvenile and Adult Diversion Program (Plymouth County) Plymouth County District Attorney's Office

Contact info	Plymouth County DA's Office 32 Belmont Street PO Box 1665 Brockton, MA 02301 508-322-4500
Website	http://www.mass.gov/daplymouth/juvenilediversion.html
Program start	Juvenile program – 1976 Adult program (youthful offenders) – 2004
Youth served	<ul style="list-style-type: none">▪ Juvenile program: first-time, non-violent offenders ages 7-16 who commit an offense in Plymouth County▪ Adult program: youthful offenders ages 17-20 who are charged with minor alcohol-related offenses (e.g., possessing or attempting to purchase alcohol while underage)
Program description	<ul style="list-style-type: none">▪ This is a post-complaint, pre-arraignment model.▪ The program is based on a contract, which can be amended to suit the needs of the individual offender.▪ Arraignment is postponed 3 months for the diversion and dismissed pending successful completion of the contract.▪ Any offender who does not complete the terms of the contract will be prosecuted.▪ Juvenile contracts can include:<ul style="list-style-type: none">○ Community service requirement (implemented through the DA's office, usually hands-on projects, sometimes done in groups)○ Restitution○ Counseling (if requested by parents)○ Requirements to follow school and home rules▪ Adult contracts include:<ul style="list-style-type: none">○ Community service requirement○ Abstinence from drugs and alcohol○ Attendance at a 4-session drug and alcohol education program run through High Point Treatment Center (http://www.hptc.org/). The cost of the program is paid by the offender.▪ The program is based on a restorative justice model in that the needs of the victims and community are considered.▪ Victims are consulted through the Victim/Witness Advocacy Program, and can impact the terms of the diversion through a Victim/Witness Impact Statement
Referral process	<ul style="list-style-type: none">▪ Assistant district attorneys prosecute all cases. All first-time juvenile offenders involved in non-violent (often victimless) incidents are considered for the program.▪ Assistant district attorneys may consult with the police and victims, but the DA's office has the final say about diversion.
Evaluation	<ul style="list-style-type: none">▪ The DA's office collects data on the number of youth who enter the program and the number of youth who successfully complete their diversion▪ The DA's office has also contracted with an outside data analyst to go through the data they have collected

Additional Resources

Below is a list of additional resources on juvenile justice, diversion and restorative justice. This list includes resources that can be found online, as well as books that can be found in the Regional Center for Healthy Communities (Metrowest)'s (RCHC) library. (The RCHC maintains a free public health lending library in our office at 552 Massachusetts Avenue, Cambridge, in the heart of Central Square. Visit our website at www.healthier-communities.org or call us at 617-441-0700 for more information.)

On Juvenile Justice...

Online:

- **The National Center for Juvenile Justice (NCJJ).** See www.ncjj.org
- **Center for Juvenile and Criminal Justice.** See www.cjci.org
- **NCJJ State Juvenile Justice Profiles: Massachusetts.** (Updated in 2006). See: www.ncjj.org/stateprofiles/
- **A Roadmap for Juvenile Justice Reform.** Annie E. Casey Foundation. (2008). See: http://www.aecf.org/~media/PublicationFiles/AEC180essay_booklet_MECH.pdf

On Diversion...

In the RCHC library:

- **Alternative routes: An Alcohol Diversion Program.** Laura Burney Nissen. (2002). Center City, Minnesota: Hazelden Foundation. (Facilitator's guide and participant workbook both available)
- **Families in Need of Critical Assistance: Legislation and Policy Aiding Youth Who Engage in Non-Criminal Misbehavior** by Jessica R. Kendall. (2007). Chicago: The American Bar Association.

Online:

- **Detention Diversion Advocacy: An Evaluation.** The Office of Juvenile Justice and Delinquency Prevention, U.S. Department of Justice. (1999). See: <http://www.ncjrs.gov/html/ojjdp/9909-3/contents.html>

On Restorative Justice...

In the RCHC library:

- **The Little Book of Restorative Justice** by Howard Zehr. (2002). Intercourse, Pennsylvania: Good Books.

- **Restorative Justice: How It Works** by Marian Liebmann. (2007). Philadelphia: Jessica Kingsley Publishers.

Online:

- **Communities for Restorative Justice** (in Concord, MA). See: www.c4rj.com
- **Suffolk University Center for Restorative Justice**. See <http://www.suffolk.edu/college/1496.html>
- **Restorative Justice Online**. See www.restorativejustice.org
- **Handbook on Restorative Justice Programmes**. UN Office on Drugs and Crime. (2006). See www.unodc.org/pdf/criminal_justice/06-56290_Ebook.pdf

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About the Regional Center for Healthy Communities (Metrowest)

The Regional Center for Healthy Communities (Metrowest) provides consultation, training, and education in the areas of public health and community development to the 60 communities in our service area. We also have a free resource library that anyone who lives our service area can use. The RCHC is a program of the Mount Auburn Hospital Center for Community Health and is funded through the Massachusetts Department of Public Health. For more information, please visit our website: www.healthier-communities.org.