CURFEWS

After being accepted into the Buffalo County Juvenile Diversion Program, some juveniles may be required to observe a curfew. The juvenile, the parent(s); and Juvenile Diversion Program Administrator will help in determining the curfew guidelines.

#### DURATION OF THE PROGRAM

The program will be tailored to the individual needs of each juvenile; consequently the minimum duration of the program will depend on the youth. The maximum time shall not exceed one (1) year.

##### NO PLEA REQUIRED

While the participant should acknowledge his/her participation in the offense, they will not be required to enter a plea of guilty or no contest. The prosecutor will not use any admissions if charges are subsequently filed.

#### VICTIM/OFFENDER MEDIATION

If the victim agrees to meet with the offender then the parties may be considered for victim-offender mediation.

##### SPONSOR

A juvenile participating in the program will be asked to have a responsible adult sponsor them. The diversion program administrator must approve the sponsor. The sponsor may be a parent, relative or friend.

**SPECIFIC PROGRAM REQUIREMENTS MAY INCLUDE:**

* Pay all required fines, fees, and restitution
* Satisfactorily complete all required community service
* Attend and participate in all educational classes
* Write a letter of apology
* Inform the school in writing about your participation in the diversion program and serve all, if any, school-related consequences
* Avoid all social situations that may involve criminal behavior
* Obey all school and household rules and work towards a good academic standing
* Receive no additional violations
* Sign a release of information permitting open communication with the school and other interested parties and the juvenile diversion program

# Each individual is entitled to and capable of

being responsible for his or her lawful participation in society

Buffalo County Juvenile Diversion Program

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Buffalo County Juvenile Diversion Services



“The only real mistake is the one from which we learn nothing.”

-John Powell

The **Buffalo County Juvenile Diversion Program** is committed to assisting youth in avoiding delinquent and criminal behavior. We are also dedicated to facilitating the youth’s just and full participation in society.

## ELIGIBILITY

Individuals who wish to participate in the **Buffalo County Juvenile Diversion Program** Must:

* Under the age of 18
* The juvenile must accept responsibility for the offense and acknowledge the extent of their involvement.
* Prior criminal or juvenile court records will be evaluated on a case by case basis
1. The juvenile must be willing to comply with all of the program requirements
2. Participation is voluntary
3. Offenses must have occurred in Buffalo County

SERIOUSNESS OF THE OFFENSE

In determining the eligibility for juvenile diversion the Buffalo County Attorney shall consider the seriousness of the offense. The factors listed below will be considered in the seriousness of the offense.

1. The offender’s number of previous encounters with the law; including but not limited to multiple occurrences of delinquent behavior
2. The length of time over which the repeat offenses occurred, and the similarity of offenses.
3. Whether the offense involved violence, was committed in aggression and/or whether the offense was premeditated
* Number of victims involved in the case
* Potential or actual harm to victims even if not intended
* The monetary damages
* The motivation for committing the offense
* The likelihood of future offenses and the amenable nature of the offender

ADVANTAGES TO PARTICIPATE?

The **Buffalo County Juvenile Diversion Program** includes the following:

* All charges related to program completion will be dismissed
* There will be no court record (based upon offense)
* Improvement in areas of personal responsibility and coping skills
* The opportunity to develop a sense of community responsibility and accountability

### JUVENILE DIVERSION PROGRAM REQUIREMENTS

##### ASSESSMENT

The Buffalo County Juvenile Diversion Program will complete an intake assessment of each youth referred to the program. The offender will be required to meet with the diversion administrator to discuss the referring charge, the diversion process, and the offenders’ willingness to participate. In addition, the youth’s history, family life, academic performance, and other relevant factors will be examined. The Juvenile Diversion Program may also provide avenues for additional services and/or make referrals to other agencies.

##### DRUG/ALCOHOL ASSESSMENT

All youth who are referred with drug/alcohol related offenses would be required to have a complete drug/alcohol assessment at their own expense. The results of the assessment will be shared with the youth and parent(s) and the youth will be required to follow the recommendations of the assessment.

##### DRUG/ALCOHOL TESTING

Once accepted into the program the offender may be asked to submit to drug/alcohol screens at anytime while they are involved in the Buffalo County Diversion Program. The diversion administrator may request that the results of the test be submitted to the Buffalo County Attorney for review of the youths continued participation in the program. If deemed that the youth is no longer eligible the diverted charge will be remanded back to the courts.