

NH JUVENILE COURT DIVERSION NETWORK

www.NHCourtDiversion.org

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JUVENILE COURT DIVERSION IN NEW HAMPSHIRE

New Hampshire is home to upwards of 21 programs that help hold **youth accountable for disruptive behavior** while ensuring they **benefit from education and support services to improve their behavior**. Whether housed in **police departments, governmental systems or community-based organizations**, New Hampshire's programs share common goals and core values, and are showing **program completion rates averaging 86%** across the state.

Four program philosophies are most often used in New Hampshire:

Restorative Justice outlines an alternative philosophy for addressing crime. When viewed from a restorative lens, crime is a violation of people and relationships – the relationships between the offender and his or her family, friends, victims, and the community – as opposed to merely an act against the state.

Teen Courts are structured to provide positive alternative sanctions for first-time offenders by providing a peer-driven sentencing mechanism that allows young people to take responsibility, to be held accountable, and to make restitution. Positive peer pressure is used in youth courts to exert influence over adolescent behavior.

Traditional Diversion is designed to enable youth offenders to avoid criminal charges through having volunteer panels design consequences. The purposes are to include relief to the courts, police department and probation office, better outcomes compared to direct involvement of the court system, and an opportunity for the offender to avoid prosecution by completing various requirements for the program.

Mediation/Counseling is a voluntary and confidential process through which victims are able to meet with their offender(s) in a monitored, neutral environment to help them verbalize the impact of the crime and understand its repercussions. The issue of restitution can also be addressed in mediation. Counseling services are provided by skilled therapists to help the youth explore their behavior toward making better choices.

NH is unique in that it has written into Statute NH RSA169 Delinquent Children-B:10 Juvenile Diversion the provisions for Police and Courts to refer first-time offenders for diversion services.

Youth referred to accredited programs can expect to:

- Participate in an **assessment** to identify areas of strength and those needing assistance
- **Include their parent or guardian** in discussions about their well-being
- Meet with a **panel of volunteers** (some of whom may be teens) or staff members to discuss their case and develop a contract or written agreement
- Spend approximately **three to six months** working on goals outlined in their contract/agreement
- **Attend educational classes or workshops** included in the contract along with participating in community service and/or paying restitution
- Have their **case closed with no juvenile court record**, provided the contract is complete with no further offenses committed.

In addition to using **evidence-based practices**, several Court Diversion programs also utilize **evidence-based curricula** within their programs or as outside referrals.

Diversion programs accept referrals from a wide variety of sources including **police departments, prosecutors, judges, schools and even parents.**

There are many terms that describe the case status of youth that may be referred to diversion.

- **Pre-incident** – misbehavior has occurred but has not risen to the level of arrest.
- **Pre-petition/Offense Charge** – a youth has committed a delinquent act and was arrested. Prior to filing a delinquency petition with the Court, the arresting department or prosecutor may file for participation in diversion.
- **Pre/Post Arraignment**– a delinquency petition has been formally written by police and has been submitted to the Court. A plea agreement is reached to have the crime “placed on file without a finding” pending completion of a diversion program.

New Hampshire’s diversion programs have demonstrated success helping young people turn their lives around in significant ways. The most common offenses sent to diversion programs include:

Threatening/Simple Assault/Bullying	Possession of Alcohol	Fire Setting
Disorderly/Reckless Conduct	Shoplifting/Theft	Weapons
Possession of Drugs	Sexting	Trespass/Mischief

Please go to <http://www.nhcourtdiversion.org> to read some true New Hampshire success stories connected to each of these offenses.

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The **NH Juvenile Court Diversion Network** was formed in the 1980’s by a group of professionals seeking to create more effective ways to assist low-risk juvenile offenders who didn’t belong in court. Governed by a dedicated group of volunteers, Network members **share ideas and knowledge, help programs meet accreditation standards, and work with communities to develop new diversion resources.**

Our members are from across the state of New Hampshire and represent a wide variety of organizations, police departments and citizens who are committed to helping youth improve their lives. By joining the NH Juvenile Court Diversion Network (\$50 per year), members are able to:

- Connect with a variety of professionals that care about youth
- Help us raise awareness of the benefits of diversion programming for youth.
- Learn about latest trends in juvenile justice.
- Join our bi-monthly meetings to share information and knowledge.
- Participate in state-wide collaborative efforts.
- Access resource materials and other shared documents.

The Network typically meets every other month on the third Wednesday, with sites rotating among members’ organizations. For more information about the Network, please go to <http://www.nhcourtdiversion.org>.