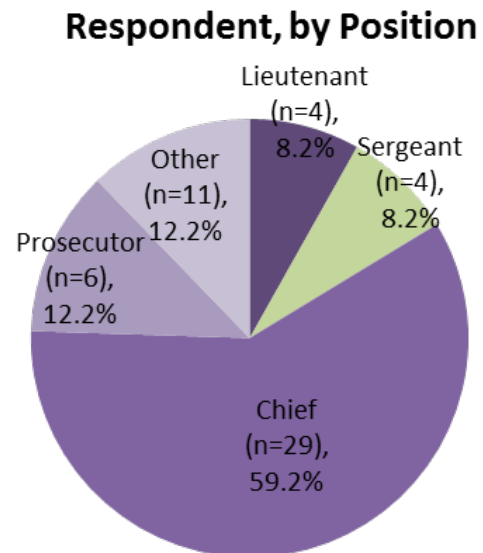


NH Juvenile Court Diversion Network Police Chief Survey Results

INTRODUCTION

The State Advisory Group on Juvenile Justice contracted with the Community Health Institute (CHI) to help advance the juvenile court diversion system in the state. In October 2013, CHI developed and disseminated a survey of Police Chiefs to capture information on how local police departments develop and utilize diversion options for first-time youth offenders. The survey was disseminated via e-mail through the Chiefs of Police Association and directly by hand following a presentation to the Chiefs Association. A total of 49 surveys were completed by the police chiefs (or their designees) which represents 19.6% of the 250 police chiefs across the state. The responding police departments are listed below. Primarily, police chiefs and town/city prosecutors completed the survey; however other respondents included a captain, juvenile division officers, lieutenants, and sergeants.



Responding Police Departments:

▪ Amherst Police Department	▪ Farmington Police Department	▪ NH State Fire Marshal
▪ Bedford	▪ Franklin Police Dept	▪ New Hampton
▪ Byron Charles	▪ Goffstown Police Department (3)	▪ Newfields
▪ Candia Police Department	▪ Grantham (2)	▪ Orford
▪ Carroll	▪ Greenland Police Department	▪ Peterborough Police department
▪ Charlestown PD	▪ Henniker Police Department	▪ Plainfield Police Department
▪ Cheshire County Sheriff's Office	▪ Keene	▪ Rochester
▪ Chester, NH	▪ Kensington Police Department (2)	▪ Sanbornton Police
▪ Claremont Police Department	▪ Lebanon Police Department	▪ Sandwich
▪ Colebrook	▪ Londonderry Police Department	▪ Thornton Police Department
▪ Conway Police Department (2)	▪ Meredith	▪ Warren Police Department
▪ Deering PD	▪ Merrimack Police Department	▪ Washington PD
▪ Derry Police	▪ Milford Police Department	▪ Wolfeboro Police Department
▪ Dover Police Department	▪ Nashua	▪ Woodstock Police Department

DIVERSION PROGRAM INTEGRATION

Three-quarters (75.6%, n=34) of respondents indicated that they currently work with or make referrals to a community-based diversion program (s) to hold first-time juvenile offenders accountable. Nearly sixteen percent (15.6%, n=7) indicated they do not currently work with a

NH Juvenile Court Diversion Network Police Chief Survey Results

diversion program. Four of the responding police departments (8.9%) stated that they have their own diversion program within their department.

Respondents were asked to provide feedback on their working relationship with the diversion program(s) in their area. More than half of the police department respondents (55.6%, n=25) report having a good working relationship with their available diversion program. However, seven of the respondents (15.6%) are not aware of any diversion program in their area. Below are a few of the comments provided by respondents about the programs in their area:

"... We work closely with the program/ refers juveniles to program."

"Our Department has a good working relationship with the diversion program(s) we have available. The diversion program has been successful keeping first time offenders out of the court system."

"This has been a valuable program but, like many others, is now closing due to lack of funding. Therefore, any opportunity for youths in northern Strafford County (other than the City of Rochester) will have NO access to diversion and other services."

"We conduct our own program and work with the family and child depending on the situation"

"We have a good working program within our department."

"We both have a good working relationship with our program, and refer to a program in our area, but we NEED a juvenile diversion program again."

"There is a more local diversion program, but have had concerns with costs levied against the town to use it, and when arguing such costs and benefits analysis, the program director's arguments and actions indicated factors we did not feel were in line with what we wanted from a diversion program for our children."

"We do it in house, on a case by case basis."

"We are aware of the program, but have not utilized it yet."

"We have been utilizing this Program since its inception, very successfully."

Following is a list of 24 diversion programs that were identified by the respondents. Most are community-based programs with seven located within the police department or court. It is notable that at least two of the listed programs have closed their doors or discontinued offering diversion services and are not available to the local police department for referring youth.

Diversion Program/Community Resource	Location	Community-Based Program
Belknap County Youth Services/Adult Diversion	Laconia	x
Bridging the Gap - Salvation Army	Portsmouth	x
Carroll County Circuit Court Diversion	Ossipee	
CHANCES (Northern Strafford County Juvenile Court Diversion Program)	Farmington	Closed Summer 2013

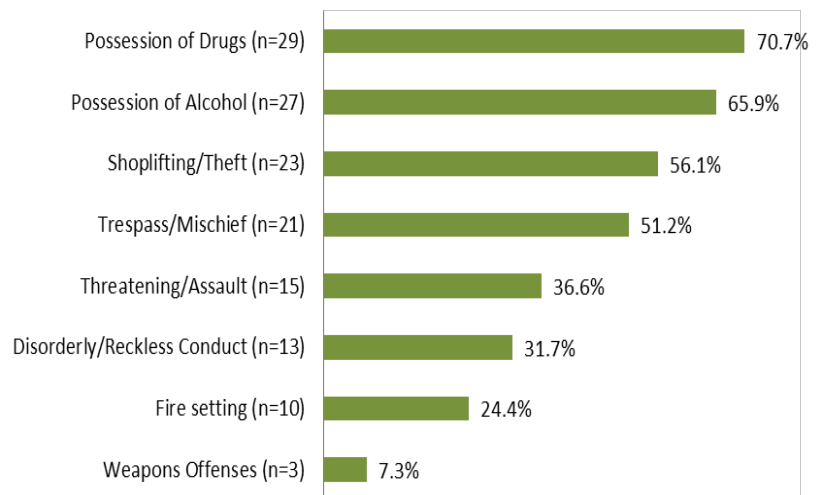
NH Juvenile Court Diversion Network Police Chief Survey Results

Community Alliance of Sullivan County	Newport	x
Crispin's House	Goffstown	x
Derry District Court	Derry	
Dover Diversion Program	Dover	x
Goffstown Diversion	Goffstown	
Greater Derry Juvenile Diversion	Derry	
Hillsborough Office of Youth Services	Hillsborough	x
Juvenile Conference Committee	Keene	x
Keene Fire Department Fire Safety	Keene	
Merrimack County Diversion	Concord	x
Milford Area Diversion Program	Milford	
Office of Youth Services	Manchester	x
Restorative Justice Program (CADY)	Plymouth	x
Restorative Justice Center Alternative Sentencing	Tamworth	Not offering diversion
Rochester Juvenile Court Diversion	Rochester	x
The Upper Room	Derry	x
The Youth Council	Nashua	x
Tri County Community Action Program	Chocorua	
Upper Valley Court Diversion	White River Junction	x
Woodstock Diversion Program	Woodstock	

YOUTH OFFENSES REFERRED FOR DIVERSION

Court approved diversion programs throughout New Hampshire serve youth who have committed a wide array of crimes. Police departments were asked to report which offenses led to diversion program referrals. The most common offense was possession of drugs, followed by possession of alcohol, followed by shoplifting or theft and trespass or mischief. Other offenses not included in the list to the right but reported by the respondents: *"Vandalism, Truancy, behavioral issues, etc."*; *"Motor Vehicle violations can be diverted in Woodstock"*; *"On the disorderly conduct/reckless conduct, it would highly depend upon the situation. If it is a domestic situation or involves weapons, then it is unlikely to be diverted."*

First-Time Offenses Referred to Diversion



When asked if they had additional comments about which offenses their department refers for diversion, the following was provided:

NH Juvenile Court Diversion Network Police Chief Survey Results

- *The more serious offenses end up in court. Violence, Disorderly, Weapons, etc.*
- *Youth is arrested and sent to community-based diversion program.*
- *We refer 1st time offenders for non-violent acts only.*
- *Greenland does not have many juvenile issues. In the limited numbers of cases we have had, we have usually worked closely with the parents or referred to court in serious cases.*
- *We usually do less than 2 diversions a year for offenses or issues occurring within the town of Deering.*
- *We also will divert adult cases and have them sign a contract for minor offences if it is deemed appropriate.*
- *We try to refer ALL first-time offenders and, in some cases, repeat offenders if the offense is unrelated to the first Diversion. We do not refer sexual assaults but may refer "sexting" cases or other internet-related offenses.*
- *We don't usually refer crimes against persons unless very minor in nature.*
- *We also use it for reckless and negligent operation cases.*

When asked about how a case is handled based on the relative age of the youth, a majority indicated that it depends on the unique situation of the case. The age of the youth plays a key role in determining how each case is handled. A majority of youth offenders under the age of 13 are counseled and release to their parents. However a few departments will do a combination of counsel and release while handing down consequences. Below are a few examples of how they handle youth under 13:

- *Depends on the type of offense and our past contacts. Can range anywhere from warnings/parents, to arrest and court.*
- *Usually a warning and speaking with the parents to resolve the issue. First time only.*
- *[It] depends on severity and nature of offense. Some cases require court intervention.*
- *Youth is warned, counseled and released to parents but in some cases we still offer the Diversion Program. Typically when there are co-defendants who are 13 or older.*
- *Generally consider 12 years old an appropriate age for Diversion. Younger than that, depending on the circumstances is often just a reprimand and release to Parent.*
- *Youth is arrested. Case cleared with counsel session.*

Approach used by police department for youth offenders by age		
When a youth is first picked up by the police for an offense, how does your department typically handle it?	13 years old or older	Under 13 years old
Youth is warned, counseled and released to parents	11.1% (n=5)	48.9% (n=22)
Youth is given consequence by department such as community service, but not arrested	11.1% (n=5)	4.4% (n=2)
Youth is arrested and given consequence by department such as community service	0.0%	0.0%
Youth is arrested and sent to community-based diversion program	24.4% (n=11)	6.7% (n=3)
Youth is arrested and sent to court	8.9% (n=4)	4.4% (n=2)
Other	44.4% (n=20)	35.6% (n=16)

NH Juvenile Court Diversion Network Police Chief Survey Results

For youth aged 13 or older, twenty percent indicated that the most common approach used is that the youth is arrested and sent to community-based diversion program. Respondents reported using a combination of consequences including parental involvement and some interaction with the legal system. The level of intensity mostly depends on the offense. Respondents offered the following descriptions of handling 13+ youth:

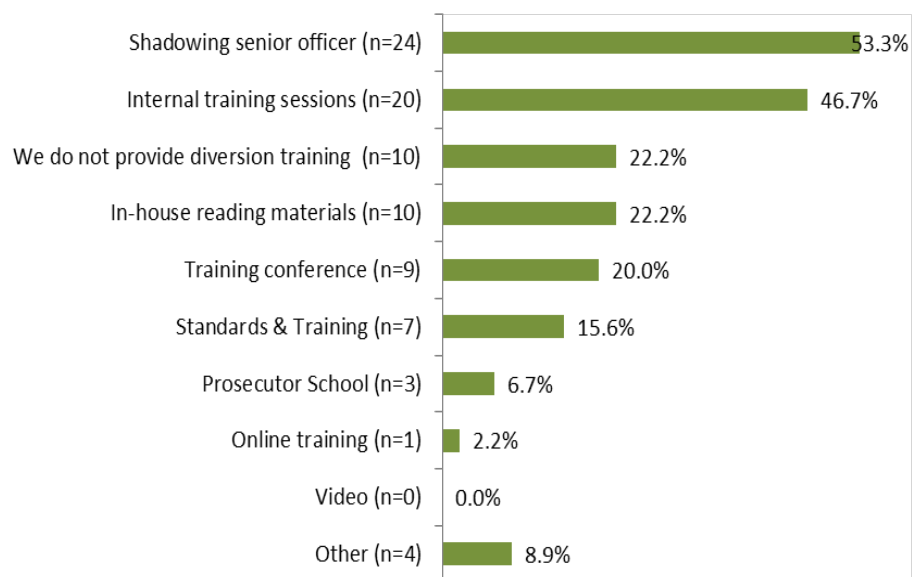
- *Case by Case-Typically the juvenile has petitions file in District Court and then forwarded to diversion if appropriate. If diversion is accepted, petitions are held and upon completion are nol pros.*
- *Youth is warned, counseled and released to parents; AND Youth is arrested and sent to community-based diversion program;*
- *We would refer first time offenders to CHANCES and give them the opportunity to complete the program rather than going to court. However, this program like many others, is now closing due to lack of funding. Therefore, any opportunity for youths in northern Strafford County (other than the City of Rochester) will have NO access to diversion and other services.*
- *Youth is arrested and sent to court. However, most cases like this result in court ordered diversion.*
- *Youth is warned, counseled and released to parents; AND Youth is arrested and sent to community-based diversion program.*
- *Youth is sent to community based diversion program - our court does not like to do pre-court diversion. If diversion is to be done, it will be done with full knowledge of the presiding justice.*
- *The youth is arrested and sent to either diversion or court based upon the severity of the offense and the juvenile's prior record.*
- *Youth and parent meet with officer, counseled and based upon meeting course of action is determined.*

DIVERSION TRAINING & SUPPORT

Each respondent was asked how they train officers in diversion options for first-time youth offenders, as they join the department or are transferred to work with juveniles. The most common modalities, as seen in the chart below, are shadowing senior officers, internal trainings, and in-house reading materials. Nearly a quarter (22.2%, n=10) indicated that they do not provide specific training about juvenile court diversion.

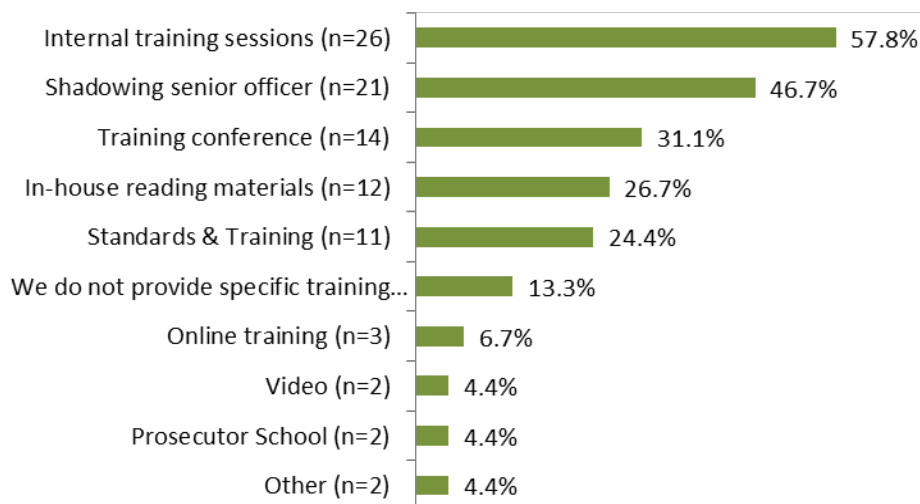
One department reported that “due to high turnover officers will contact supervisor if dealing with a juvenile until he or she is experienced enough to take care of it alone.” A few others stated that they would work with the diversion program coordinator on training their officers.

Departments Training on Diversion Options for Office



NH Juvenile Court Diversion Network Police Chief Survey Results

Preferred Training Methods



Respondents indicated that their preferred training methods are using internal training sessions (57.8%, n=26) and shadowing a senior officer (46.7%, n=21).

When asked how the NH Juvenile Court Diversion Network can assist local police departments with training needs, or provide additional information about programs and resources, respondents generally reported the following suggestions:

- **Increased, sustained funding to state and local diversion programs.**

“We need a permanent program! We need dedicated funding and Carroll County needs to stop being lumped into black grants with Belknap and Coos because we never see any money or services.”

Find ways to restore funding to programs. The State mandated diversion and then funding was reduced/eliminated.”

- **Improved data collection support for promotional and evaluation purposes.**

“Create a system that allows for information sharing between programs and police departments.”

“Complete program information so we may evaluate the program to see how it would best fit our needs.”

NH Juvenile Court Diversion Network Police Chief Survey Results

- **An information-sharing network between programs and police departments that includes updates on changes to laws impacting juveniles, best practices and effective strategies for utilizing diversion.**

“Updates on changes to Law and System”

“Develop a standardized procedure for Dept’s to utilize for diversion.”

“Strategy for use of diversion programs prior to filing of Delinquency or CHINs petitions.”

- **Professional development resources to include comprehensive website, training video, standardized procedures to divert youth, and packet of program materials.**

“Offering some professional development opportunities for diversion coordinators would be helpful. Discussions on creative sanctioning and education services would also be helpful. Hosting some one day opportunities for diversion program coordinators to gather and learn from each other would also be helpful.”

“Training on options for use of diversion prior to filing delinquency petitions”

“Power point or other type of packet that explains goals and rationale for Diversion that can be used as a training aid.”

- **Statewide list of resources available to local departments.**

“Materials, and a list of Best Demonstrated Practices for small departments that don't have resources.”

“Perhaps setting up a New England wide on-line website for communities that have a diversion program to share best ideas, find resources, and to list the coordinators' names and e-mail addresses.”

“Have every option online on the State of NH website, so we can see what we can do with a youth offender and include all contact info and costs associated with each program. Make programs statewide so ALL jurisdictions can use them.”

