

Diversion & Pretrial Services

Court Diversion 3 V.S.A §§ 163 and 164(b)(1)

- youth cited into Family Division for a delinquency and adults charged with a crime are referred by the prosecutor and take responsibility for their unlawful actions
- participants engage in a restorative process with any victim, to the degree the victim chooses, aimed at repairing the harm, and may be referred to support services
- successful completion of the Diversion Program results in a dismissal of the delinquency or charge
- those charged with a misdemeanor eligible for expungement shall be offered Diversion unless the prosecutor states on the record why a referral would not serve the ends of justice

- ✓ Adult referrals increased 93% from FY 17 (1,210) to FY 18 (2,337)
- ✓ Percentage of misdemeanor cases filed in Criminal Division referred to Diversion doubled, from 10% in FY 17 to 20% in FY 18.
- ✓ 300 youth diverted from Family Division in FY 18
- ✓ 85% successfully completed the program
- ✓ Over \$70,000 in restitution paid to victims

Tamarack Program 3 V.S.A § 164(b)(2)

- adults charged with a crime and with substance abuse or mental health treatment needs regardless of their criminal history record are referred by the prosecutor
- staff connect participants to treatment and other resources with the aim of improving the person's health and reducing future involvement in the justice system
- participants engage in a restorative process with any victim, to the degree the victim chooses, aimed at repairing the harm
- successful completion of the Tamarack Program results in a dismissal of the criminal charge

- ✓ FY 2017: 518 referrals
- ✓ FY 2018: 819 referrals

Pretrial Services Monitoring 13 V.S.A. § 7554c

- adults with substance use or mental health treatment needs who are going through the court process and awaiting final case resolution may be ordered by the court to engage with Pretrial Services
- staff screen defendants, connect them with substance use and mental health treatment and other services, and assist individuals in meeting their court-ordered conditions of release
- Defendants may engage voluntarily

- ✓ FY 2017: 170 referrals
- ✓ FY 2018: 398 referrals
- ✓ Over 50% of those screened had both mental health & substance use treatment needs
- ✓ Approximately 1/3 facing DUI charge

Youth Substance Abuse Safety Program (YSASP) 7 V.S.A. § 756 & 18 V.S.A. § 4230b

- minors (under age 21) cited for possession of alcohol or less than an ounce of marijuana participate in screening and brief educational intervention; those at higher risk are referred to a licensed substance use clinician
- 1,878 referrals in FY 2018; 95% successfully completed the program

DLS Diversion Act 147 (2001 Adjourned Session)

- staff help people navigate DMV and Judicial Bureau records and requirements for regaining driving privileges, including filing motions for debt reduction and payment plans
- approximately 240 individuals regained their driving privileges while paying off their debt through Diversion in FY 2018; a total of 1,300 people received assistance