
 <p><b>Cambridge Police Department</b></p>	<b>POLICY &amp; PROCEDURES</b>		<b>No. 461</b>	
	Subject/Title: <b>Community-Based Diversion</b>			
	Issuing Authority: 	Issue Date: <b>July 1, 2008</b>	Effective Date: <b>July 1, 2008</b>	Review Date:
	Robert C. Haas Police Commissioner	Rescinds:		
References/ Attachments:	Accreditation Standards: <b>44.1.2</b>			

## I. PURPOSE:

Consistent with the department's philosophy of differentiating between adult and juvenile offenders, and recognizing the unique challenges and issues that confront juveniles and their families, the department will actively seek alternative methods in addressing juvenile offenses and/or risky behaviors for the purpose of diverting juveniles away from the justice system when deemed appropriate. Through the establishment of a Community-based Diversionary program, it is the intent of the department to accomplish some specific objectives:

- Provide for an effective means whereby officers of the Cambridge Police Department have a systematic way of intervening with juveniles who are committing relatively minor offenses (both criminal and status offenses) or who may be engaging what would be considered risky or inappropriate behaviors.
- Provide for a consistent and predictable approach in terms of how incidents involving juvenile offenders and/or families in need of assistance will normally be processed.
- Seek a viable alternative means of providing for early detection and intervention for juveniles and/or their families that are strictly community-based with the specific intent of averting juveniles away from formal referrals to the juvenile justice system, and take advantage of the myriad of resources that already exist within the City.
- Work in a collaborative relationship with other city resources, community-based treatment or intervention programs, faith-based programs, and academia to connect juveniles and their families to services and programs, whenever possible and practical to do so.
- Provide for a direct connection between the youth of the community and the police department for any number of reasons that goes well beyond traditional enforcement measures.
- Strengthen and build upon the partnerships with the schools, youth centers, and other recreational entities within the city whereby members of the Cambridge Police

Department are interwoven into their respective operations and also serve as a resource that compliments their respective missions.

- Provide for an effective means of intervening with families that may be in crisis or in need of assistance, and connect them with the appropriate services or resources.

## II. POLICY:

It is the policy of this department to provide a consistent level of service and direct access to youth of the community. It is also the policy of this department to take active and progressive roles with respect to early detection and intervention among those juveniles who are engaging in illegal activities (both criminal and status offenses), risky behaviors, or who may be in need of services. Toward this end, the following set of procedures has been established to achieve these objectives.

## III. STRUCTURE OF THE YOUTH/YOUTH SERVICES UNIT:

The Cambridge Police Department will maintain a unit within its organizational structure that is specifically designed to focus on issues involving youth and their families known as the Youth/Family Services Unit. Consistent with the philosophical position with respect to dealing with youthful offenders and juveniles in need of assistance, the Youth/Family Services Unit will have a bifurcated structure, whereby officers assigned to this unit will primarily work within their respective functional areas, and yet maintain a coordinated approach as to the management of juvenile/family cases. The Youth/Family Services Unit will be comprised of one supervisory officer; School Resource Officers; Juvenile Detectives; and administrative support as deemed to be appropriate.

- A. **Duties of the Youth/Youth Unit Commander:** It is the responsibility of the Youth/ Family Unit Commander to coordinate and oversee all of the functions associated with the unit, in addition to supervise the personnel assigned to the unit.
- B. **Duties of School Resource Officers:** The Youth/Family Services Unit has a bifurcated function, the first of which has a community-based role and the other more of an investigative role. Those officers who are responsible for the community-based role are referred to as School Resource Officers. Some of the more central roles and responsibilities of the School Resource Officers will include the following:
  - Work closely with the schools within the city, and serve as a principal liaison between the police department and the students in the school setting. Also

serve as the principal liaison with the school's administration, faculty, and school security.

- Work in tandem with the Community Relations Unit with respect to coordinating juvenile-related activities and programs.
- Work closely with the Youth Centers and serve as the principal liaison with each of the youth centers' directors and staff. Also serve as a principal liaison and resource to the Department of Human Services and other city-based social service providers that are directly involved with the youth and families.
- Serve as the principal liaison between Juvenile Probation and those students who are under probationary supervision.
- Serve as the principal points of contact and resource to the officers of the police department who encounter youthful offenders or believe there are activities that may warrant an ongoing interaction or intervention with juveniles.
- Serve as a resource to families that are seeking assistance relative to juvenile behaviors.
- Participate as part of a multi-disciplinary team in the administration and coordination of the Community-Based Diversionary Program.
- Manage and oversee those juveniles who have been enrolled into the Community-Based Diversionary Program.
- Provide ongoing assistance and guidance to those juveniles who may have been identified as engaging in risky or inappropriate behaviors.
- Participate in the Middlesex County District Attorney's Community-Based Justice Program.

**C. Juvenile Detectives:** So as to distinguish and leverage the various resources available within the Juvenile Justice System, officers who have been designated as detectives, will be principally responsible for the investigation and management of cases involving juvenile offenders. The Juvenile Detective will be working in tandem with the School Resource Officer in a coordinated way, thus the rationale for maintaining an operational unit that is staffed by both specially trained officers. Some of the more central roles and responsibilities of the Juvenile Detective will include the following:

- Conduct investigations of criminal acts that involve juvenile or youthful offenders.

- Work with those families seeking court action relative to behaviors or other status offenses involving a juvenile.
- Work in tandem with personnel assigned to the Major Crimes Unit on those cases that involve both adult and juvenile participants, particularly those cases that may involve the sexual abuse or mistreatment of a juvenile.
- Serve as the principal liaison with the Clerk Magistrates who preside over juvenile cases for the purpose of coordinating the pathway of the cases and follow up management of those cases.
- Serve as the principal liaison with Juvenile Parole Officers in the monitoring of those cases that involve juvenile offenders returning to the community.
- Serve as the principal liaison with the Middlesex District Attorney’s Office, and work closely with members of the DA’s Office charged handling juvenile cases and involved in the DA’s Diversionary Program.
- Participate in the Middlesex County District Attorney’s Community-Based Justice Program.
- Work collaboratively with the Juvenile Probation Department, and when appropriate assist in the management and monitoring of those juveniles who under probationary supervision.

#### IV. COMMUNITY-BASED DIVERSIONARY PROGRAM:

- A. Purpose of the Program:** The Community-based Diversionary Program was designed to provide an alternative means of working with juveniles who may have committed relatively minor offenses, exhibiting risky behaviors, or family situations when it is deemed appropriate in providing early invention strategies in an effort to offset the potential for more a formalized intervention or referral. The Community-based Diversionary program is designed so as to coordinate the efforts of the police with other relative city services, social service resources, and any other support services relevant to the situations encountered.
- B. Coordination with Department of Human Services:** The Community-based Diversionary program will be a jointly administered program with the Family/Youth Services Unit working with representatives from the Department of Human Services and the School Department (including School Security). This coordination team will work closely with the following agencies:
- Juvenile Probation

- Department of Social Services
- Department of Youth Services
- Cambridge Health Alliance

**C. Guiding Principles of the Community-based Diversionary Program:** The Community-based Diversionary program was established to provide an effective means of addressing minor juvenile offenses (both minor criminal and status offenses) or address issues that are indicators of risky behaviors in a coordinated and systematic way. The intent of the program is to intervene early, in a consistent fashion, in an effort to offset the need of taking more formal action through the juvenile justice system. Some of the guiding principles that should be utilized in assessing the appropriateness of referring a youthful offender into the Community-based Diversionary program would include the following:

1. Participation in the Community-based Diversionary Program is purely voluntary on the part of the youth and his/her primary care family members. Any desire not to participate in the program on the part of these two parties will disqualify the juvenile from participating in the program.
2. Prior to offering a juvenile and his/her primary family members the opportunity to participate in the Community-based Diversionary Program, eligibility for participation the program must first be evaluated and assessed by the Coordination Team.
3. A written agreement addressing the perimeters and monitoring associated any juvenile being referred into the Community-based Diversionary Program will be required for any referral into the program. The written agreement should contain the following components:
  - a. A statement that references the reasoning for making a referral into the Community-based Diversionary Program.
  - b. A statement that acknowledges responsibility on the part of the juvenile resulting a referral into the Community-based Diversionary Program.
  - c. The terms and conditions that structure the causal response designed to seek appropriate redress (e.g., community service, code of behavior, counseling or treatment, etc.). The terms and conditions should be developed in consultation with the juvenile and the primary care providers. When there is a victim associated with a referral, it may be wholly appropriate to seek some input from the victim with respect to redress.

- d. The duration under which the juvenile will participate in the Community-based Diversionary Program.
- e. Any agreement structured between a juvenile and the primary family member should be signed both parties, reflecting their intention of abiding to the terms and conditions of the agreement.
- f. Every juvenile referred into the Community-based Diversionary Program will be referred to School Resource Officer to monitor and serve as the principal contact with the juvenile and the primary family member.

**D. Factors Utilized in Choosing Diversionary Approaches:** There are certain criteria that should be utilized in determining what would be the best approach in terms of handling a juvenile offender. Depending upon the seriousness of the offense and the actual threat that the juvenile represents to him/herself or the community, these factors should include:

1. The nature of the alleged offense, the more serious the offense, the greater the need to have the juvenile referred for more formal action, while relatively minor infractions may simply be referred to the juvenile's parents or guardians for appropriate action.
2. The age and circumstances of the alleged offender have a bearing on just how effective less coercive remedies may have on future conduct of the juvenile offender. Often an officer is able to determine if his intervention is sufficient enough to ensure that there is a reluctance of the juvenile to become involved at a future time.
3. The alleged offender's record, if any. Despite the seriousness of the offense committed, patterns of aberrant behavior may signify that more formal action may be necessary, even though the offense itself was relatively minor.
4. The availability of community-based rehabilitation programs. Depending upon what social services are available, and how they are accessed by this agency, should be part of the officer's consideration when making recommendations concerning the disposition of juvenile cases.