

TWIN FALLS COUNTY JUVENILE
ENHANCE DIVERSION PROGRAM

PARTICIPANT' S HANDBOOK

Enhance Diversion

Treatment Involved Diversion Program

Twin Falls County
Juvenile Probation Department
650 Addison Ave. West, Suite 3100
Twin Falls ID 83301
(208) 736-4215

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Mission Statement

“We protect and serve juveniles and families by providing accountability, life skills development, and community safety.”

Program Description

The Twin Falls County Enhance Diversion Board was established under the provisions of Idaho Code, Section 20-511, which allows the Twin Falls County Prosecuting Attorney to refer juvenile cases directly to a community-based diversion process for resolution if it is deemed that the referral is in the best interest of the community and the juvenile involved. The Diversion Board operates according to the principles of Balanced and Restorative Justice (BARJ), which is the basis of the Idaho state juvenile justice statute. It is a restorative, therapeutic, and competency-building process, not a punitive (i.e., punishing) process.

The purpose of this program is to offer an alternative to the juvenile corrections system by allowing low-risk offenders to be referred to the community for assistance and direction regarding their behavior and choices. *Participation in this program is a privilege and not a right and should be treated as such.*

Treatment expectations must be grounded in the realization that drug abuse is a chronic, relapsing disorder. Realistic treatment expectations should not be confused with long-range goals.

It is expected that youth participating in the Enhance Diversion Program will achieve reduced deviant and delinquent behavior, better school attendance and performance, and improved family functioning as signs of progress in the program. Specific expectations are individualized for each juvenile. The same treatment or accountability standards will not fit every participant at every stage of the process.

Eligibility Criteria

Enhance Diversion has been developed for first-time offenders who have received a drug charge (i.e.: possession or use of any intoxicants or substances prohibited by law or possession of drug paraphernalia or frequenting a place where illegal drugs are known to be used and/or located). Juveniles who are first-time offenders and require any type of drug and alcohol treatment may also qualify for Enhance Diversion. This program is established to serve Twin Falls County residents.

Supervision

The diversion board members are accountable to the Deputy Prosecuting Attorney for supervision of juveniles accepted for diversion. This supervision is focused on the participant's compliance with the terms of the diversion contract that they and their parent(-s) or guardian(-s) sign. This contract sets forth what is to be expected of the juvenile to have the pending case closed with no court involvement.

The purpose of the terms of the contract is not to punish the juvenile but to:

1. To enable the juvenile to make amends for any harm done to individuals or the community at large through victim reconciliation and community service;
2. To address, through appropriate means, the psycho-social needs of both the juvenile and the family that are underlying the use of illegal drugs, so that further drug use will be avoided;
3. To advance the development of competency in vocational and life skills through continued education, vocational training, and any other competency development resources available and deemed of value to the juvenile by the Board.

It must be clearly understood by all that the role of the board is not that of a probation officer or law enforcement officer, but one of a mentor, guide, and advisor. However, the Board does have and may exercise options for both rewards and sanctions, to motivate participants in the program to avoid what is negative and pursue what is positive in their lives.

Thus, juveniles participating in the program are accountable to the Board for their decisions and actions and must understand that openness and honesty are essential for success in the program. Any problems or difficulties that arise need to be brought before the Board or, between meetings, discussed with the Diversion Coordinator **immediately**. This is especially true of any new violations and/or citations; including substance use, or any instances of non-compliance with the terms of the contract. The Board's concern is not to punish but to assist the juvenile in achieving the contract goals. Sanctions, however, may be imposed for violations, not as punishment but as correctives, to help the juvenile make better decisions and avoid future poor choices and problems.

Program Rules

The program participants shall:

1. Attend all ordered treatment sessions;
2. Be on time for treatment sessions, board meetings, community service assignments, and any other required activities or programs;
3. Not make threats toward other participants or staff or behave violently or offensively;
4. Attend all scheduled Enhance Diversion meetings;
5. Not consume or possess tobacco, alcoholic beverages, or any other intoxicants or substances prohibited by law, nor be at a location where alcohol or drugs are present illegally;
6. Maintain the confidentiality of other Enhance Diversion participants;
7. Have no social association with other juveniles or adults on Enhance Diversion, regular diversion, or probation without permission from the Board.

Program Fees & Restitution

As a participant in the Diversion Program you agree to pay the \$100 Diversion Fee and all other applicable fees listed on the fee sheet. State assistance for treatment fees and expenses are available as needed. **\$100.00 Diversion Fee must be paid within 30 days of signed contract.** Unpaid fees will be turned over to collections at 90 days.

Restitution - Restitution must be paid by the end of the Diversion Contract to complete the program successfully. If restitution is not paid, your case will be returned to the Prosecutors office at the end of the contract term with a status “Failed Diversion”.

Treatment Procedures

Upon being identified as a prospective Enhance Diversion participant, the juvenile will receive a drug and alcohol assessment from a qualified substance abuse professional. The Board may also request a mental health assessment or further testing if it is deemed necessary for formulating and monitoring the treatment plan.

Treatment Planning

The board will develop a treatment plan that will be contained in the contract. The primary basis of the plan will be the recommendations of the drug and alcohol assessment. The Board may also establish guidelines suggested by any other professional input and what it observes of the particular situation of the participant.

Urinalysis

The juvenile will be drug tested by urinalysis (UA) throughout the entire diversion process. The juvenile will be tested frequently and randomly during the first few weeks. As the participant progresses through the program, tests may be required less or more frequently. A positive or “dirty” test for any intoxicants or substances prohibited by law may not alone, disqualify the juvenile from the program. No new charges will be filed as the result of any positive drug test, but sanctions may be imposed by the Board, in some cases, to help the juvenile get and stay clean. Juvenile will be charged for all positive drug test and lab fees through Twin Falls County Juvenile Probation. This does not include UA Testing while in treatment at Walker Center or TARC.

Education and Work

The participant shall attend school, while school is in session, with no unexcused absences or tardiness, and maintain “C’s” or better. Progress reports and attendance records shall be provided to the Board at each meeting. **Failure to do so may result in additional community service hours.** Alternatively, the juvenile shall actively pursue a GED, HSE, or other appropriate educational goals and provide progress to the board if the juvenile is not attending an accredited high school.

A participant who has graduated from High School or obtained a General Education Degree (G.E.D.) must obtain and maintain full-time employment.

Any juvenile over the age of fifteen and in school will be required to have employment or other productive activities, full-time, in the summer, when school is not in session. Summer employment requirements may be met by community service or other types of activities approved by the Board.

Treatment Phases

The Enhance Diversion Program is a three-phase, highly structured program lasting a minimum of 6 months, or longer, depending upon the juvenile's progress. Each phase consists of specified treatment objectives, therapeutic and rehabilitative activities, and specific requirements for "graduation" into the next phase. Community Service hours may be ordered as a "Sanction" and consequence only. The components and requirements for advancement from each phase are described below:

Requirements of all Phases

1. Clean random UA testing;
2. Compliance with Diversion contract;
3. Full-time school with acceptable attendance and academic progress or full-time employment or part-time school with acceptable progress and part-time employment; (school progress reports are required at each meeting).
4. Compliance with mandatory curfew established by parent (-s), guardian (-s), or the Board and all city and county curfew ordinances;
5. Compliance with medical requirements;
6. Regular attendance at all individual and group counseling sessions as required by the treatment provider and all other specified groups included in the diversion contract;
7. Attendance at board meetings as directed by the board;
8. Maintenance of confidentiality;
9. No violation of any laws or ordinances;
10. No social contact with any other juveniles or adults known to be on probation or diversion, or any drug or alcohol abuser and other persons identified by the Board.
11. No unexcused absences from scheduled meetings;
12. Active participation of both juvenile and parent (-s) or guardian (-s) in treatment as required by the contract, with acceptable progress.

Phase I - Engagement (Duration: At the Discretion of the DB)

****Phase I will not start until random urinalysis is set up at the Treatment and Recovery Clinic (TARC) or the Walker Center.***

To complete Phase 1 and graduate to Phase 2, juveniles must meet the requirements listed above and the following requirements.

1. Submit to random UA's per Color Code assigned;
2. Meet with the Board every two weeks.
3. Drug & Alcohol Assessment completed.
4. Drug & Alcohol Treatment is set up with the provider and sessions have started.

****If the juvenile produces a positive urinalysis during Phase 1 - house arrest, community service hours and/or an education class may be ordered and must be completed successfully to move to Phase 2.***

Phase II – Treatment (Duration: At the Discretion of the DB)

To complete Phase 2 and graduate to Phase 3, the juvenile must meet the requirements for all phases, as listed above, and the following requirements:

1. Submit to random UAs as determined by the Board or Treatment Facility.
2. Juveniles MUST test negative for any illegal substances.
3. Meet with the Board every two weeks and provide progress reports.
4. Successfully completed Drug & Alcohol Treatment.
5. Develop a proposal for a minimum 16-hour volunteer service project. The proposal must be submitted to the Board for approval before beginning the project. Please refer to the section below “Volunteer Service Project” for specific requirements and examples.

****If the juvenile produces a positive urinalysis during Phase 2 – house arrest, community service hours, an education class, and/or any other sanction deemed appropriate by the board may be ordered and must be completed successfully to move to Phase 3.***

Phase III – Maintenance (Duration: At the Discretion of the DB)

To complete Phase 3 and graduate, the juvenile must meet the requirements for all phases, as listed above, and these following requirements:

1. Produce negative (-) random UAs every week as determined by the Board;
2. Meet with the Board every two weeks or at the Enhance Diversion Board's discretion;
3. Satisfactorily complete the goals stated in the participant's treatment plan and all diversion sanctions;
4. Pay all fines and fees;
5. Conclude the volunteer service project and present a two-page essay about the juvenile's experience and growth with the program to the diversion board;
6. Provide visual aids (poster board or PowerPoint) and present them at the graduation ceremony.
7. Provide hours logged on individual volunteer service projects with a minimum of 16 hours completed.
8. Attend and present an oral report and volunteer service project visual aid at the graduation ceremony.

Rewards

The following list is not all-inclusive but does represent some of the rewards offered for positive performance in the program.

1. Group celebration of achievements
2. Verbal Praise
3. Later curfew times
4. Less frequent UAs
5. Furlough from meeting due to good behavior
6. Candy bar
7. Group graduation ceremony

Sanctions

The following list of sanctions is not all-inclusive but does represent some of the consequences of poor performance in the program.

1. Additional community service hours
2. Temporary loss of personal items or privileges
3. Reading or writing assignments
4. More frequent UAs
5. Completion of online education course(s)
6. Increased number of counseling sessions or meetings
7. Home detention (house arrest)
8. Staffing of case with Juvenile Probation Supervisor and Diversion Coordinator
9. Earlier curfew established
10. Suspension from the Enhance Diversion program
11. Dismissal from the Enhance Diversion program and the return of the case to the Prosecutor

Termination from Program

If a juvenile receives a new charge or tests positive for any illegal drugs, the original charge may be returned to the Prosecuting Attorney for further action.

This is a voluntary program. Any participant, at any time, is free to withdraw from the program. The Enhance Diversion Board and/or Diversion Coordinator has the discretion to make termination decisions. Youth may be suspended/terminated at any time and will require your case to be staffed with the Juvenile Probation Supervisor, Diversion Coordinator, or Prosecutor. If a youth withdraws or is terminated for non-compliance, the youth's original charge will be returned to the Prosecuting Attorney and formal charges may be filed.

Graduation

Upon successful completion of the criteria for each phase, the juvenile will advance to the next level and eventually “graduate” from the Program after a minimum of six (6) months. Advancement from each phase and graduation from the program shall be determined by the Board. Before graduation, the juvenile must fulfill all financial obligations to the Diversion Board including, treatment program and restitution, and be clean and sober for a minimum of 60 days. The juvenile who fulfills all but the financial obligations ***will not be allowed to graduate***, and all legal benefits remain on hold until these obligations are satisfied.

The participant is encouraged to invite family members to attend the graduation ceremony as the Board congratulates the juvenile on completing the program and achieving the goal of establishing a drug-free life.

Dismissal of underlying charges

Upon completion of the Enhance Diversion program, the underlying charge for which the case was sent to diversion will not be filed with the Court. *(Note: For those cases that start in court and were diverted - The Juvenile and Parent/Guardians may petition the court to have the record expunged once the youth turns 18)*

Conclusion

The Enhance Diversion Program has been developed to help juveniles achieve total abstinence from illicit and illegal drugs and alcohol. The program is designed to promote self-sufficiency and return the juvenile to the community as a productive and responsible member. The program is voluntary. The Board, the Coordinator, and the treatment counselor are present to guide and assist the participant, but the final responsibility is the juveniles. The juvenile must be motivated to make this change and commit to a drug-free life.

INDEPENDENT SERVICE PROJECT

Community Service is defined as voluntary work for the community with **no** financial compensation. This is your opportunity to give back to the community. Your proposal must be completed first and approved by the Diversion Board. ***Your project cannot include any previously performed volunteer work.***

The proposal is an overview and the beginning steps of planning. It must demonstrate the following steps:

1. Sufficient Opportunity - You must show that planning, development, and leadership will take place and how these three factors will benefit the community.
2. Feasible - You must develop a realistic plan.
3. Detailed Steps – You must make a list of key steps that you will take to make sure your final plan will have enough details to be carried out successfully.
4. Hours – You must track a minimum of 16 hours of hands-on work and provide a logged sheet of hours to the board. Do not include any time for planning development and reporting.
5. Remain on the right track to obtain a positive experience.

PROJECT REQUIREMENTS

- **Typed or Written Proposal.**
- **Approved Proposal with permission to begin.**
- **Typed or Written logged sheet to exhibit time involved with the project.**
- **Project**
- **Approved Visual Aide.**
- **Two-page essay about experience & growth achieved in the Diversion Program.**
- **Presentation of Visual Aide & Essay at Graduation.**

PHONE NUMBERS

Twin Falls County Juvenile Probation (208) 736-4215

Dez Skeen, Diversion Officer ext. 2501

Trent Kobayashi, Diversion Officer ext. 3114

Community Service Supervisor.....ext. 3125

Kevin Sandau, Chief Probation Officerext. 3117

Children’s Mental Health Assessment (208) 732-1630

**An assessment must be obtained by a facility/individual
with a CACD (Certified Alcohol and Drug Counselor)**

JUVENILE DRUG AND ALCOHOL TREATMENT FACILITIES

*Options for Juvenile Assessment and Treatment for Drug and Alcohol issues:
Any Treatment Facility outside of the two shown below must be pre-approved
by the Diversion Coordinator

Walker Center (208) 734-4200
1102 Eastland Dr. N.
Twin Falls, ID 83301

Treatment and Recovery Center (TARC) (208) 736-5048
Twin Falls County
630 Addison Ave. W.
Twin Falls, ID 83301

HANDBOOK ACKNOWLEDGEMENT

I acknowledge that I am being granted this opportunity for the Diversion Program in lieu of being criminally prosecuted. I have received a copy of the Enhance Diversion Program Handbook.

Juvenile

Date

I acknowledge that my child is being granted this opportunity for the Diversion Program in lieu of being criminally prosecuted. I have received a copy of the Enhance Diversion Program Handbook.

Parent

Date