


<b>HVERFORD TOWNSHIP POLICE DEPARTMENT OPERATIONS MANUAL</b>		
<b>Issue Date</b> February 2021	<b>Review Date</b> February 2022	<b>Directive Number</b> <b>6.2.11</b>
<b>Accreditation Index:</b>		<b>Rescinds:</b> Directive 6.2.11 of November 2019
<b>Chapter:</b> Six – General Procedures		<b>Section:</b> Two – Law Enforcement Functions
<b>Chief of Police:</b> <i>John F. Viola</i>		

**SUBJECT: DIVERSIONARY PROGRAMS**

***YOUTH AID PANEL AND NEIGHBORHOOD CRIMES TASK FORCE***

**I. PURPOSE**

The purpose of this Directive is to establish guidelines for all officers on the operation of and referrals to the Department’s Diversionary Programs. The Department uses two Diversionary Programs, the Haverford Township Youth Aid Panel and the Neighborhood Crimes Task Force.

**II. POLICY**

It is the philosophy of this Department to seek solutions to problems occurring in the Community. Alternative approaches to problem solving, other than formal judicial methods may afford the Community and the Department more viable solutions to problems and reduce recidivism, particularly in the youth of the Community. The establishment of a Youth Aid Panel and the participation in the Neighborhood Crimes Task Force will afford the Department the opportunity to provide this alternative to youth and adults that have committed minor offenses.

**III. DEFINITIONS**

**Diversionary Programs** – Are programs that address criminal behavior through a pre adjudication resolution. The two programs the Department uses are the Haverford Township Youth Aid Panel and the Delaware County Neighborhood Crimes Task Force.

**Haverford Township Youth Aid Panel** – was formed by the Department in conjunction with the Delaware County District Attorney’s Office and the Center for Resolutions. The panel consists of trained civilian volunteers, a police liaison and a juvenile officer. The function of the panel is to use alternative problem solving methods, in place of court proceedings for first-time juvenile offenders involved in non-traffic offenses and/or non-violent misdemeanors.

**Neighborhood Crimes Task Force** – is overseen by the Delaware County District Attorney’s Office. The intent of the task force is to target adult offenders or juvenile offenders that may not be eligible for submission to the Youth Aid Panel, who is charged with neighborhood disturbance offenses, such as graffiti, underage drinking, vandalism or other “nuisance” types of crimes.

**Police Liaison** – is a Supervisor assigned to the Detective Division. This liaison is responsible for referring appropriate cases to a Diversionary Program. He/she shall also act as the Chief of Police’s representative to the Panel.

**Police Juvenile Officer** – a sworn officer assigned to assist the Police Liaison in determining eligibility for submission to a Diversionary Program and coordination of cases with the Youth Aid Panel and appearing in district court as required for the Neighborhood Crimes Task Force.

**Youth Panel Volunteers** - civilian volunteers trained by the Center for Resolutions coordinators in finding appropriate resolutions for youths that appear before them. These volunteers are approved by and work at the discretion of the Chief of Police.

#### IV. PROCEDURES

##### A. All Diversionary Programs

##### 1. Eligible Offenses

- a) Referral to the Youth Aid Panel is limited to juveniles under the age of eighteen that have committed a first offense for Non- traffic summary offenses or non-violent misdemeanor offenses. Summary and misdemeanor motor vehicle violations are not eligible for referral to the Panel. Any misdemeanor, which involves physical injury or the direct or indirect use of a weapon, is excluded from referral. Violations of the Controlled Substance, Drug, Device and Cosmetic Act are excluded from referral. No felony offenses will be referred to the Panel.

or

Any adult or juvenile offender, not previously referred to the Task Force, and who is charged with a summary non-traffic neighborhood disturbance type of offense shall be eligible for referral to the Task Force. Felonies, misdemeanors,

motor vehicle summary and misdemeanors offenses are not eligible for submission to the Task Force.

- b) Eligibility is determined by the Police Liaison through a background investigation. Officers at the time of the offense need only ensure the offense qualifies for referral if the officer wants to refer the offender.
  - c) Participation in a diversionary program for first time offenders committing minor crimes is a preferable alternative to the official justice system. However, officers shall have discretion in referring to a diversionary program based on prior contacts and the behavior of the offender at the time of the incident.
2. Officer Responsibilities – Officers involved in incidents with adults or juveniles where the officer desires a referral to a diversionary program shall;
- a) Prepare all appropriate reports on the incident to include:
    - (1) An incident report to include the facts of the incident, victim information, juvenile information and a statement whether the officer does or does not recommend the offender be referred for consideration in a diversionary program.
    - (2) Prepare a Detainee Intake Report
    - (3) Complete a non-traffic citation for the adult or juvenile with a notation at the bottom indicating a referral to a diversionary program and retain all copies of the citation.
- or
- If the incident involves a juvenile and is a qualifying misdemeanor that the officer feels should be referred, the officer shall prepare a juvenile allegation and the petition alleging delinquency and attach a note requesting referral to a diversionary program.
- (4) Process the offender as required
    - (a) Juveniles referred to a Diversionary Program shall not be processed.
      - (i) If a juvenile *is not referred* to a Diversionary program ensure the juvenile is processed if the crime charged requires processing in

accordance with directive 4.7.1 Handling and Custodial Care of Juveniles and the District Attorney's guidelines as outlined in the directive.

(b) Adults who are being referred to a diversionary program for a summary violation shall only be processed if the offense charged is Retail Theft Title 18 PA C.S.A section 3929

(i) If an adult *is not referred* to a Diversionary program ensure the adult is processed if the crime charged requires processing in accordance with directives 1.2.4 Arrests and 4.4.1 Processing – Fingerprinting and Photographs.

(5) Issue the Adult offender or the parent or guardian of the Juvenile offender the Department's Diversionary Program Information Sheet.

- b) Follow all guidelines for the handling and release of detainees, including juvenile offenders, as outlined in directives for Arrests 1.2.4, Prisoner Transport 2.5.1, Cells and Temporary Holding Areas 3.1.1 and Handling and Custodial Care of Juveniles 4.7.1.
- c) Submit all reports to the Supervisor for review and approval.

3. Supervisor Responsibilities – Supervisors will insure the following duties and responsibilities are completed:

- a) Review and insure that all reports are completed properly and completely.
- b) Ensure that all copies of non-traffic summary citations are forwarded to Records Unit.
- c) Ensure that all requirements for the handling of detainees are followed.
- d) Ensure the proper and timely release of the juvenile to the parents, guardians or responsible adult.

## B. Youth Aid Panel

- 1. Eligibility - Referral to the Youth Aid Panel is limited to juveniles under the age of eighteen that have committed a first offense for minor non-traffic or non-violent misdemeanor offenses. Juveniles

that have committed prior offenses shall not be eligible for referral to the Youth Aid Panel.

2. Eligible Offenses – Non- traffic summary offenses shall be eligible for referral. Summary and misdemeanor motor vehicle violations are not eligible for referral to the Panel. Any misdemeanor, which involves physical injury or the direct or indirect use of a weapon, is excluded from referral. Violations of the Controlled Substance, Drug, Device and Cosmetic Act are excluded from referral. No felony offenses will be referred to the Panel.
3. Police Liaison Responsibilities:
  - a) Shall insure the highest degree of integrity is maintained by the Youth Aid Panel.
  - b) Shall insure a seamless, professional flow of information between the Department and the Youth Aid Panel.
  - c) Shall receive all officer recommendations for referrals to the Youth Aid Panel.
  - d) Shall conduct a records check to determine if the juvenile has a prior offense in the township, the county or any other venue. If no prior offense is found the juvenile may be offered referral to the Panel.
  - e) Shall forward all approved cases to the Juvenile Officer for the initial interview and scheduling.
  - f) Shall investigate any complaints or problems involving the actions and activities of the Panel. Submit a report of any such investigation to the Commanding Officer of the Special Services and the Chief of Police, detailing the problems or complaint and his/her findings and recommendations for resolve.
  - g) Ensure that the duties of the Juvenile Officer are conducted as outlined in this directive.
  - h) Ensure that the Commanding Officer of the Detective Division is informed of the routine activities of the Panel and any problems or complaints about the operations or activities of the Panel.
4. Juvenile Officer Responsibilities:
  - a) Shall conduct an interview with the juvenile and his/her parent(s), or guardian(s) with the purpose of explaining the Youth Aid Panel option to them.

- b) If the juvenile and parent(s) or guardian(s) accept the offer for referral the Juvenile Officer shall complete all necessary forms and have them signed by all parties.
  - c) Shall schedule the juvenile for appearance before the Panel.
  - d) Shall maintain all reports, citations, petitions and forms involving the referred juvenile.
  - e) Shall along with the detective division secretary maintain a records system to insure that a juvenile is referred to the Panel only once.
  - f) Shall ensure the expungement of the citation or petition at the successful completion of the resolution by the juvenile.
  - g) Shall insure that the victim of the offense is notified of the referral and afforded input into the resolution. Insure that any restitution is made prior to appearance before the Panel.
  - h) Shall assist the Police Liaison with any duties relating to the operation of the Youth Aid Panel.
5. Youth Panel Resolutions shall be subject to review by the Department.
- a) The Chief of Police shall maintain the discretion to approve or reject any referral or resolution of the Panel.
  - b) Youth Aid Panel Volunteers shall serve at the discretion of the Chief of Police.

C. Neighborhood Crimes Task Force

1. The Neighborhood Crimes Task Force implemented by the Delaware County District Attorney's Office. Cases eligible for the Task Force are heard at the appropriate District Court. Offenders opting for the Task Force must complete a specified number of community service hours. When these community service hours are completed their citation is withdrawn by the department.
2. Eligibility - Any adult or juvenile offender, not previously referred to the Task Force, and who is charged with a summary neighborhood disturbance type of offense shall be eligible for referral to the Task Force.
3. Eligible Offenses - Neighbor hood Disturbance Offenses are defined by the Delaware County District Attorney's Office as non-traffic summary offenses. Felonies, misdemeanors, motor vehicle misdemeanors and summary offenses are not eligible for submission to the Task Force.

4. Detective Division Responsibilities- All referrals to the Neighborhood Crimes Task Force will be handled by the detective division through the Police Liaison, Juvenile Officer and the detective division secretary.
  - a) Shall receive all officer recommendations for referrals to the Neighborhood Crimes Task Force.
  - b) Maintain a records system on all referrals to the Task Force.
  - c) The Juvenile Officer shall act as the Department's representative to the Task Force and appear in court as required.
  - d) Keep the Police Liaison advised of the activities and operations of the Task Force from court appearances.
5. Police Liaison responsibilities:
  - a) Oversee the handling of cases to the Task Force.
  - b) Shall conduct a records check to determine if the offender has a prior referral to the Task Force.
  - c) Shall contact the offender if they are determined to be eligible for the Task Force and offer this alternative to them.
  - d) Insure that the offender pays restitution.
  - e) Investigate complaints or problems concerning any cases referred to the Task Force by this Department.
  - f) Insure the Juvenile Officers duties are performed as outlined.
  - g) Keep the Commander of the Detective Division and the Chief of Police informed of the operations and/or problems encountered by the Task Force.

**BY THE ORDER OF THE CHIEF OF POLICE**