



RECLAMATION Felony Youth Diversion Program

Mission Statement: The Albany County District Attorney's **RECLAMATION** Felony Youth Diversion Program (FYDP) seeks to engage the entire community in redirecting youth away from the criminal justice system. Candidates are screened through a structured Diversion Board process. Once accepted, eligible participants aged 18 to 24 charged with certain felonies are offered the opportunity to take accountability for criminal wrongdoing, repair harm to any victimized party, and become contributing members of community – all without the stigma of a felony criminal conviction or time served in custody.

THE END RESULT OF THIS PROCESS WILL BE THE COMPLETE DISMISSAL OF CHARGES

What kinds of cases will be considered? “Non-violent” felonies committed by defendant aged 18 to 24, including drug crimes, grand larceny, and burglaries or robberies where no weapon is used and no physical injury results. Exempt cases include DWI related, SVU related, any case involving an illegal firearm or weapon, or defendants with serious mental health diagnosis or serious addiction issues. *Files to be considered on case by case basis.*

Defense Attorneys will be asked to complete an intake application including formal written waiver. Cases will then be scheduled for Defense Attorney to appear a Diversion Board meeting.

If Diversion Board votes to accept participant, then Defense Attorney and participant will be asked to contact the Community Justice Outreach Center (CJOC) for formal intake meeting at our 155 Clinton Avenue office. Rejected cases will return to traditional court process.

Next steps...

The participant will then be scheduled to attend a personalized Felony Community Accountability Board meeting where a reparative agreement will be reached and abided by. The reparative agreement outlines a contract between defendant, the victim, and community representative. Reparative agreements will be made on a case by case basis and will include required tasks that must be completed within the 18 to 24 month period of supervision, including a schedule for check in meetings and quarterly performance evaluations. The agreement will include any restitution repayment details if applicable. *The DA's Office shall not be a collection agent in the restitution collection process.*

The Felony CAB Youth Diversion Process

A Non-Violent Crime
is Committed by an
18-24 Year Old



Case is
Screened by
DA's Office
Staff and Sent
for Diversion
Review



Case is reviewed and
rejected by Felony Youth
Diversion Board

Case is Sent Back to Court for
Traditional Prosecution Process

Case is deemed
appropriate for
Diversion

Participant is
accepted in to
FYDP and
completes intake
application

Defendant
Reports to the
Rev. John U.
Miller
Community
Justice Outreach
Center



Defendant
Participates
in FCAB
Intake
Meeting



Defendant
and FCAB
Members
Create
Felony Level
Reparative
Agreement



Defendant
Participates in
FCAB for
Period of Time
Determined by
Agreement



Participant
Completes
Performance
Evaluations



Defendant Violates
Reparative Agreement and
the Case Returns to
Traditional Prosecution
Process

Defendant Successfully
Completes FCAB
Process and the Case is
Dismissed or Reduced
per Agreement

After successful completion of the **FYDP** requirements and reparative agreement, the case will be put back on the calendar where the People will join in a motion to dismiss all charges.

Unsuccessful performance evaluations or violations of reparative agreement will result in return to traditional prosecution process.

WHY NOT JUST REQUEST A CASE BE RETURNED FOR PROSECUTION AS A MISDEMEANOR? OR ASK FOR "YO" CONSIDERATIONS?

Our mission is not to simply prosecute an offender, but to employ restorative practice and engage community in the process.

Successful cases will be outright dismissed with the consent of the People.