

Program Name	Court Diversion	TASP
Governing Statute	3 VSA §163 (juvenile) & 3 VSA §164 (adult)	7 VSA §656
Nature of violation	Criminal violation	Civil violation
“Referral” source	State’s attorney	Law enforcement officer
Voluntary participation?	Yes	Yes
Outcome if choose not to participate	State’s attorney prosecutes case; individual may be found guilty or not guilty	Ticket is issued and case referred to the Judicial Bureau; if found liable, individual is subject to \$300 fine & driver’s license suspension for 90 days
Typical program requirements	<ul style="list-style-type: none"> -varies depending on nature of offense & review board -meet with review board of community volunteers -perform community service -pay restitution for victim’s financial loss -write letter(s) of apology -complete educational component -pay fee 	<ul style="list-style-type: none"> -participate in a substance abuse screening or assessment with a licensed or certified drug and alcohol counselor, and follow counselor’s recommendations - complete educational component such as ENCARE - perform community service - some variation depending on county program’s policies -pay fee
Outcome if complete program successfully	<ul style="list-style-type: none"> - state’s attorney is notified and typically dismisses the case - record is sealed two years later if individual has not been convicted of a misdemeanor or felony and the state’s attorney does not object. 	- ticket is voided
Agency that runs program	County Court Diversion program (may be part of a larger agency in some counties)	County Court Diversion program (may be part of a larger agency in some counties)
Number of times may participate in program	Determined by state’s attorney and Court Diversion program	Determined by state’s attorney: 1 time only in 4 counties (Caledonia, Essex, Windham, & Bennington); 2 times in other counties
Consequence if don’t complete program	Case is referred back to the state’s attorney for prosecution	Ticket is issued and case referred to the Judicial Bureau; if found liable, individual is subject to \$300 fine & driver’s license suspension for 90 days.

