

TITLE 6: CRIMES AND CRIMINAL PROCEDURE
DIVISION 4: DISPOSITION OF OFFENDERS

§ 4296. Program Content.

If an eligible person is accepted into the Program, the person shall be subject to the supervision of the Office of Probation under the terms and conditions set out in the Diversion Agreement. The Diversion Agreement may include any of the terms and conditions that could be lawfully imposed by the court upon granting a suspended imposition or execution of sentence, but shall include, at a minimum:

(a) *Supervision.* Program participants shall be supervised by the Office of Adult Probation for a period not to exceed two years. Regular contact shall be required. Such contact between probation and program participants may be in person, by written communication of information required of the participant by probation, or by telephone, at the discretion of the Office of Probation. The Office of Probation may also place restrictions on the travel, abode and association of the Diversion participant, require him to seek or maintain employment, to provide support for his family, or to observe a curfew during certain hours of the day or night. The participant may be required to refrain from the possession or use of alcoholic beverages or controlled substances, and shall be subject to random urinalysis upon the request of the Office of Probation to enforce any such requirement. The participant may also be required to participate in educational and vocational training programs, counseling services, in-patient or out-patient treatment programs, to the same extent that such requirements could be lawfully imposed by the court upon granting a suspended imposition or execution of sentence.

(b) *Restitution.* Each participant shall be required to make restitution in a manner and amount to be determined by the Office of Probation. The goal in each case shall be to make the victim whole, and to reimburse third parties who have incurred out-of-pocket expenses for the benefit of the victim, as a result of the participant's criminal acts, in accordance with Article I, section 11 of the Commonwealth Constitution.

(c) *Community Work Service.* All participants shall perform a minimum of 40 hours of community work service, at the discretion of the Office of Probation.

Source: PL 15-46, § 9 (4155), modified.