

Arlington PACT: *Positive Alternatives to Court*

A diversion program sponsored by the Youth Health & Safety Coalition

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Diversion Program: Marijuana Possession PACT

I, [name of program participant], am [age] years old. I was born on [date of birth] and currently live at [home address] with my [names of parent(s)/guardian and brothers/sisters]. I attend [name of school] as a [grade level].

I was given a citation by the Arlington Police Department on [date] because I possessed an ounce or less of marijuana – a violation of G.L. c. 94C, § 32L. [Note if the citation also included a Public Consumption Bylaw Violation, which draws a civil fine of \$300.]

I voluntarily chose to enroll in Arlington PACT and am committed to successfully completing the program.

Successful completion of this diversion program means that I will *not* have to pay the minimum civil fine of \$100 or the maximum fine of \$1,000. I also will *not* risk having my civil offense filed as a criminal case in the juvenile court.

This program is designed to educate me about the health risks of marijuana, and to provide me with an opportunity to help my community.

I realize that if I do not follow through and complete all of my obligations in this agreement, the Program Coordinator and police department will:

- Charge me in the Juvenile Court with the crime¹ of Illegal Possession of Marijuana under G.L. c. 94C, § 34²; *or*
- Convene a hearing before a court clerk that I and my parent or guardian must attend. The clerk is authorized to increase my fine from \$100 to \$1,000³; *and*, if I was also cited for public consumption:
- Require that I pay an additional \$300 fine or face a separate criminal charge.

I do not want to end up in court, and I certainly want to avoid paying any expensive fines. This is why I am joining this program, and why I agree to:

- Cooperate with the staff of Arlington PACT;
- Speak truthfully to those people I meet in the program;
- Arrive on time and participate in all assigned activities (unless I notify the program director that I will be late for a good reason);
- Refrain from committing any other criminal offenses;

¹ The correct legal term for being found “guilty” in the juvenile court system is “adjudicated delinquent.”

² Under G.L. c. 94C, § 32M, the government may file a delinquency complaint for the crime of marijuana possession under § 34 if the young offender fails to carry out the conditions of receiving a civil citation within one year. Those conditions are the \$100 fine; drug awareness class; and community service.

³ The option of pursuing an increased fine is found in G.L. c. 94C, § 32N.

- Attend school daily, on time and without any disciplinary incidents;
and
- Successfully complete:
 - A drug and alcohol evaluation;
 - Random drug screening assigned by the Program Coordinator;
 - A four (4) hour drug awareness class;
 - Ten (10) hours of community service at [name of organization];
 - [other specific task(s), if applicable due to a marijuana violation that took place on school grounds]; and
 - A one page essay on my experience in the program.

I also understand that the Program Coordinator may need to discuss my case with law enforcement, school, or counseling professionals. There may be other representatives from various services or organizations involved with my diversion program that the Coordinator needs to speak with. I recognize that the Program Coordinator will be guided by what is in my best interests when she discusses my case with any organization or person.

I have completely read this agreement, and any questions that I had about its terms have been fully answered by the Program Coordinator. I understand the agreement fully, and I intend to do my best to successfully complete my obligations under it.

These are the reasons why I am signing it now.

Youth Program Participant

Date

I have also completely read this agreement and fully agree that its terms are fair and reasonable. Any questions that I had about its terms and conditions have been fully answered by the Program Coordinator. I understand this agreement, and I intend to support [name of participant] to successfully complete this program.

Parent or Guardian of Youth Participant

Date

Diversion Program Coordinator (or designee)

Date