

<p style="text-align: center;">Immediate Intervention Program Standards</p> <p style="text-align: center;">Kansas Department of Corrections- Division of Juvenile Services State of Kansas</p>	<p>CHAPTER:</p> <p>OPERATIONS</p>	<p>STANDARD NO.</p> <p>IIP-04-100</p>
	<p>SUBJECT:</p> <p>ELIGIBILITY</p>	<p>PAGE: 1 of 2</p>
<p>REFERENCES: K.S.A. 21-5507, K.S.A. 38-2344, K.S.A. 38-2346</p>		<p>DATE ADOPTED: 02-01-2017</p> <p>DATE REVIEWED: 11-01-2017</p>

STANDARD: Written policy, procedure and practice shall govern eligibility for each Immediate Intervention Program (IIP).

At a minimum, each jurisdiction must have an IIP for youth who meet the following criteria:

- Charged with a misdemeanor that is not a sex offense
- Has no prior adjudications; and
- Goes through Juvenile Intake and Assessment System (JIAS) or is referred by either the county/district attorney or court.

IIP is not required to be offered to a youth who:

- Was initially charged with a felony that was pled down to a misdemeanor;
- Participated in IIP for a previous misdemeanor charge; or
- The county/district attorney declines to continue with prosecution of an alleged offense.

Not completing an intake at JIAS shall not automatically result in case filing by the county/district attorney's office and shall not result in ineligibility for any pre-file IIP. Local rule shall define a process between the county/district attorney, JIAS and/or IIP to establish contact with the youth and their family.

ADDITIONAL ELIGIBILITY: A youth may also participate in an IIP if the youth is referred by the county/district attorney pursuant to K.S.A. 38-2346(d).

Each director of JIAS in collaboration with the county/district attorney may develop guidelines to include offenders beyond those listed above to be eligible for referral to IIP's. Written eligibility requirements shall specify if each IIP is pre and/or post-file.

The court, pursuant to K.S.A. 38-2344, has a duty to inform youth of their right to be offered an IIP. In some instances, IIP's will receive referrals from the court as a result of this process.

DISCUSSION: None.

NOTE: The standards and procedures set forth herein are intended to establish operational guidelines for immediate intervention programs operating through the board of county commissioners and their employees/contractors and youth participating in the immediate intervention process. They are not intended to establish state created liberty interests for immediate intervention programs or the board of county commissioners, or their employees/contractors, or youth, or an independent duty owed by the Kansas Department of Corrections- Division of Juvenile Services to immediate intervention programs operating through the board of county commissioners or their employees/contractors, supervised juveniles or third parties. This standard and procedure is not intended to establish or create new constitutional rights or to enlarge or expand upon existing constitutional rights or duties.

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ATTACHMENTS: None.

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