

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

§ 4297. Diversion Agreement.

(a) As a condition of an otherwise eligible person's participation in the Diversion Program, the person shall be required to enter into an agreement with the Office of Probation. Prior to signing the agreement, the person must fully cooperate with the Probation Office's investigation into the person's conduct leading up to his referral to Adult Diversion. The agreement shall contain, at a minimum:

(1) The amount of restitution the person agrees to be responsible for, with a schedule of payments to be followed in satisfying any restitution obligation. The victim or victims and the Criminal Division of the Attorney General's Office shall be consulted in formulating this portion of the agreement;

(2) An admission of the conduct leading up to the person's referral; and

(3) A stipulation that upon the person's acceptance into the Program, the police may make a photographic record of any physical evidence in the case, and return the evidence itself to its rightful owner. In the event the person is revoked or fails to complete the requirements of the Program, the photographic record of the evidence may be admitted into evidence at trial or any hearing, and the person waives any foundation, chain of custody or best evidence objections to its admission.

(b) Reserved.

Source: PL 15-46, § 9 (4156), modified.