

<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><b>CHAPTER:</b></p> <p><b>OPERATIONS</b></p>	<p><b>STANDARD NO.</b></p> <p><b>IIP-04-106</b></p>
	<p><b>SUBJECT:</b></p> <p><b>RESTITUTION</b></p>	<p><b>PAGE: 1 of 1</b></p>
<p><b>REFERENCES: None.</b></p>		<p><b>DATE ADOPTED: 02-01-2017</b></p> <p><b>DATE REVIEWED: 08-02-2021</b></p>

**STANDARD:** Written policy, procedure and practice shall require the payment of restitution, as determined by the county/district attorney, to be requested up front for Immediate Intervention Programs (IIP's) with the exception of the youth and their family demonstrating an inability to pay restitution as determined by federal poverty guidelines <https://aspe.hhs.gov/poverty-guidelines>.

If the youth demonstrates an inability to pay, they may be offered a payment plan to restore the victim in full. If the youth fails to pay or make satisfactory payments towards their restitution for the duration of their IIP, the case shall be referred to the multidisciplinary team (MDT). If, after referral and action by the MDT, the youth subsequently fails to pay the restitution in full, the case shall be referred to the county/district attorney for consideration.

Whenever possible and as part of the local agreement, per IIP-01-100, a process shall be identified in which IIP staff do not collect, accept or distribute restitution payments. If there is no other means for restitution to be collected by another agency, written policy shall outline a detailed process for accepting and distributing restitution payments. In addition, the agency and/or staff must be bonded or hold insurance for processing payments.

**DISCUSSION:** Restitution payments are often processed through the county/district attorney's office.

**ATTACHMENTS:** 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.