

**Royal Canadian Mounted Police – N.W.T. and the  
Community Justice Division, Government of the N.W.T.  
Present  
Alternative Measures for Adults and Youth**

**What exactly are alternative measures?**

Alternative measures are a diversion from the court system. Being sent to alternative measures means that you will not have to go to court and you will not have a criminal conviction. The alternative measures program is designed to:

- Lessen your involvement in the formal criminal justice system;
- Hold you responsible and accountable for your criminal acts;
- Protect society by deterring you from future criminal activity
- Involve the community and especially the victim of your crime in the criminal justice process.

**What kind of offences can be referred to alternative measures?**

- Theft
- Mischief
- Breaking and Entering (commercial/business)
- Alcohol and drug offences
- Vandalism
- Assaults (minor in nature-not between spouses)

**Can I be a candidate for this process?**

Once the police are satisfied that an offence happened, they know who is responsible for it and there is sufficient evidence to proceed with the prosecution of the offence, they have three choices about how to handle the matter. They may:

- Give you a warning and take the matter no further;
- Refer the matter to alternative measures and have the Community Justice Committee deal with the offence (out of court);
- Lay a charge and have you appear in court.

In making this decision the police look at factors such as:

- The seriousness of the offence;
- Your previous involvement in the justice system (previous criminal record);
- The feelings of the victim(s);
- Your attitude about the offence.

(A previous criminal record does not mean that you cannot be considered.)

Alternative measures will be considered for you if you accept responsibility for the offence and if, after hearing about alternative measures, you agree to take part in the process.

Alternative measures will not be used in your case if you believe that you are innocent or choose to go to court.

**You have the right to speak with a lawyer**, before you give a statement to the police, when you are questioned about or charged with a criminal offence.

It is a good idea to talk with a lawyer before agreeing to participate in an alternative measure process. A lawyer will explain to you the consequences of agreeing to alternative measures, this advice is free of charge though the Legal Aid Program.

### **Who is involved in the alternative measures process?**

The RCMP and the Crown Attorney can make referrals to the Community Justice Committee (alternative measure process) in your community. The Community Justice Committee will speak to the victim of your offence and may arrange for them to be present during the alternative measure hearing. The Community Justice Committee will also speak to the police to get the details relating to your offence.

You will be requested to meet with a person from the Community Justice Committee. This meeting is designed to assess your attitude towards the offence/process and possible conditions of an agreement will be discussed. If the committee decides to accept your referral a date for a future hearing will be selected. The hearing will be with the committee, the victim and support persons, you and your support persons and anybody else involved in or affected by the offence.

If the Community Justice Committee decides that alternative measures are not appropriate in your case or if you decide that you don't want to participate in this process, the information will be sent back to the RCMP or Crown Attorney for further action. Your case will then go through the regular criminal justice process and you will be given a date for your first appearance in court.

If your referral is accepted by the Community Justice Committee a hearing will be held in which a resolution can be created with input from all persons involved. Some of the possible outcomes of the hearing may include;

- Community Service Work;
- Restitution (money paid to victim to repair damage or loss of property);
- Counseling (drug/alcohol/personal problems);
- Attending special information/educational sessions;
- Apology (in person or letter);
- Curfew;
- No contact with victim or other persons involved in offence;
- Staying away from certain places.

**How long will I be on alternative measures?**

Most resolutions through the Community Justice Committee will be completed in less than 6 months. Once you have completed your part of the resolution agreement you are done.

**What will happen if I don't finish or comply with the resolution agreement?**

If you do not follow the instructions of the Community Justice Committee or if you do not comply with the resolution agreement, your case can be referred back to the RCMP or Crown Attorney who may lay a charge against you and send the matter to court.

For more information on alternative measures you can contact your local RCMP Detachment, your local Community Justice Committee or you can call the Restorative Justice Coordinator at (867) 920-3163.

For information on free legal advice you can contact Legal Aid at (867) 873-7450 during the day or (867) 445-5910 in the evening. If you live outside of Yellowknife you can call collect.

For further information you can contact:

- Your local RCMP Detachment;
- Your local Justice Committee; or
- RCMP Restorative Justice Coordinator  
(867) 920-3163