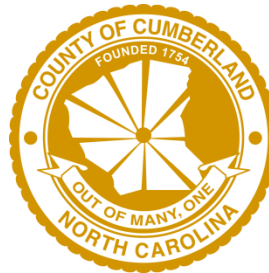


# Misdemeanor Diversion Program

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## Cumberland County Pretrial Services

**Callie Gardner** *Director*

**Caroline Melvin** *Assistant Director*

# Misdemeanor Diversion Program

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## Background

- Cumberland County, with the support and approval of the Board of Commissioners, started a new Misdemeanor Diversion Program (MDP) in 2016 for 16- and 17-year-olds who have no an adult criminal record.
- The purpose of the MDP is to divert first-time arrests or citations for eligible misdemeanor charges. Rather than issuing a citation or making an arrest where probable cause exists, law enforcement officers in Cumberland County will issue a referral directing the youth to contact the MDP office.
- This diversionary process is initiated when the officer completes an incident report and the Law Enforcement Referral Form.

# Misdemeanor Diversion Program

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## Eligibility

- 16 or 17 years old at time of offense.
- No adult criminal record (can have a juvenile record).
- Must be a misdemeanor offense. Sex offenses, firearms offenses, and traffic offenses are specifically excluded.
- Final discretion on MDP referral remains with law enforcement officers.
- Restitution, if required, must be resolved outside the MDP program.

# Misdemeanor Diversion Program

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## Referral Process

- Officer determines there is probable cause to arrest or issue a citation for a criminal charge and that an arrest or citation would otherwise occur.
- Officer gives youth an MDP referral form and explains the MDP program and the requirement to contact the MDP office within 48 hours either by email or phone.
- Officer completes and submits Law Enforcement Referral form and Incident Report (IR) within 48 working hours by e-mail, fax, or hard copy to Room 218 in the Cumberland County Courthouse.

 Cumberland County Pretrial Services  
**Misdemeanor Diversion Program**

Cumberland County Courthouse | 117 Dick Street | Suite 218 | Fayetteville, NC 28301  
mdp@co.cumberland.nc.us 910-437-1884

**Cumberland County Misdemeanor Diversion Program  
Law Enforcement Referral**

Date Law Enforcement Referral Received: \_\_\_\_\_

Law Enforcement Officer: \_\_\_\_\_ Email/Cell# \_\_\_\_\_

- Fayetteville Police Department  
 Cumberland County Sheriff's Office  
 Hope Mills Police Department  
 Spring Lake Police Department

OCA# \_\_\_\_\_

Youth Being Referred: \_\_\_\_\_

- To the best of my knowledge, following a search of criminal record check sources, the above-named 16-or 17-year-old has never been charged with a crime as an adult and is eligible for Cumberland County's Misdemeanor Diversion Program
- I have attached a copy of the Incident Report; or  Narrative

**Please Note: This Referral Form should be submitted, along with the Incident Report, within 48 business hours of the incident to the MDP Representative.**

Email: [mdp@co.cumberland.nc.us](mailto:mdp@co.cumberland.nc.us)

Fax: 910-437-1909

## Misdemeanor Diversion Program

### IMPORTANT INFORMATION - KEEP THIS PAPER!

**You have been referred to the Cumberland County Misdemeanor Diversion Program (MDP) for 16- and 17-year-olds.**

This is a new initiative in Cumberland County designed to keep 16- and 17-year-olds charged for the first time with non-violent offenses from the criminal justice system and from having a criminal record. Instead of being arrested and charged with the offense, you have been referred to the Misdemeanor Diversion Program and to the MDP Coordinator.

**Contact the MDP Representative within 48 business hours of referral at 910-437-1884 or [mdp@co.cumberland.nc.us](mailto:mdp@co.cumberland.nc.us).**

You will have **90 days** to complete a minimum of 10 hours of community service, classes or diversion programming.

You **must attend** one mandatory court session that will educate you on the consequences of an adult criminal record.

Upon successful completion of the MDP, law enforcement will be notified by the MDP Coordinator and the allegations will be dismissed. However, if you do not complete the program or you are charged with a new offense, the MDP Coordinator will notify law enforcement and criminal proceedings may begin on the case.

We are excited to have this opportunity in Cumberland County to keep you and other eligible youth out of the adult criminal justice system, which can have lifelong negative consequences.

### CONTACT INFORMATION

## Cumberland County Pretrial Services Misdemeanor Diversion Program

Cumberland County Courthouse  
117 Dick Street, Suite 218, Fayetteville, NC 28301

**910-437-1884**

# Misdemeanor Diversion Program

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## Completion Process

- Upon successful completion of recommended program, MDP will notify involved law enforcement of completion date.
- If youth does not comply or complete assigned program, law enforcement will be notified and can opt to move forward in criminal court prosecution.

 Cumberland County Pretrial Services  
**Misdemeanor Diversion Program**

**MDP Completion Data Sheet**

**Youth Name:** \_\_\_\_\_

**Law Enforcement Officer Notified:** \_\_\_\_\_

**Agency OCA#:** \_\_\_\_\_

**MDP Case Number:** \_\_\_\_\_

**Total Hours:** \_\_\_\_\_

**Intake Date:** \_\_\_\_\_

**Completion Date:** \_\_\_\_\_

**Additional Referrals Made:** \_\_\_\_\_

**If you have any questions, please call the MDP Representative  
\_\_\_\_\_ at (910) 437-1884.**



# Misdemeanor Diversion Program

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**THANK YOU**

*for making a lifelong difference  
in the future of our youth*

**For more information please contact:**

Callie Gardner [mdp@co.cumberland.nc.us](mailto:mdp@co.cumberland.nc.us)

Caroline Melvin [mdp@co.cumberland.nc.us](mailto:mdp@co.cumberland.nc.us)