



# **Durham County Misdemeanor Diversion Program for 16-17 year olds**

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# Why a Diversion Program for 16-17 year olds in Durham??

- North Carolina is one of only two states in the country that charges 16 year olds for misdemeanor crimes in adult criminal court.
- The impact of a criminal arrest or citation is public record and can indelibly harm a teenager's future.



# Durham Statistics for 16-17 year old misdemeanor offenders

- In 2012, 632 youth were charged with misdemeanors. 47 were placed on supervised probation, 90 on unsupervised probation, and **495 charges were dismissed with/out mandated program participation.**
- Estimates from Durham LEO and NC Administrative Office of the Courts show between 501-531 young people ages 16-17 would have been eligible for the Durham County Misdemeanor Diversion Program.



# Consequences of Adult Allegations

- All arrest/allegations in the adult legal system can have a lifelong negative impact for a young person, even if the case is diverted.
- Direct Consequences – jail, probation, fines, etc
- Indirect or Collateral Consequences – denial of employment, denial of public benefits (including financial aid for college), loss of housing, loss of professional licenses, deportation, etc.



# Support in Durham

The Durham County Misdemeanor Diversion Program for 16-17 year olds is endorsed and supported by: Chief District Court Judge Morey, Criminal Justice Resource Center, Police Department, Sheriff Department, District Attorney's Office, Public Defender's Office, Carolina Justice Policy Center, Crime Cabinet, Criminal Justice Advisory Committee, Department of Social Services, BECOMING/Alliance, and local community providers.



# Who is Eligible??

- Any 16-17 year old first time non-violent misdemeanor offender (with exception of firearms offenses, sex offenses, and traffic matters).
- Once Officer determines there is probable cause and verifies youth is a first time offender, an Incident Report (IR) will be done for youth in lieu of making an arrest.



# Where does IR go??

- The IR will be sent directly to Kelly Andrews and there will be a second verification to ensure youth is a first time offender.
- Youth/Parent will contact Kelly for screening within 48 hours of IR being issued.
- Following the screening, youth is given a Misdemeanor Diversion Program (MDP) Court date and referred to a diversion program.



# Diversion Compliance

- Youth has 90 days to successfully complete their diversion program.
- Upon successful completion of recommended program, Coordinator will notify involved law enforcement of completion date.
- If any youth does not comply or complete assigned program, law enforcement will be notified and can opt to move forward in criminal court for prosecution.





# Requirements for a Successful Diversion

- All youth will be required to attend an MDP Court session, with a Judge and prosecutor educating them about consequences of crime and taking responsibility for their actions.
- All youth will successfully complete a 90 day diversion program such as: Teen Court, Mediation at CRC, Making a Change , Durham TRY (LIFT), Independent Living groups at Carolina Outreach, BECOMING (male groups), PROUD, and The Volunteer Center (community service).
- Any youth in need of substance abuse and/or mental health services will be given a referral for an evaluation. Additional resources are also offered to youth/families for needed services.



# Thank YOU for making a lifelong difference in the futures of our youth!!

If you want more information or have questions please  
contact Kelly Andrews

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