



News Release

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County Announces Misdemeanor Diversion Program

FAYETTEVILLE – The Cumberland County Board of Commissioners today announced the creation of the Misdemeanor Diversion Program (MDP) for 16- and 17-year-olds who have no adult criminal record.

The official announcement was made at a press conference in Courtroom 4A of the Cumberland County Courthouse. The diversion program is a collaborative effort between Cumberland County government, law enforcement, the district attorney's office, public defender and court system officials.

North Carolina prosecutes all 16- and 17-year-olds charged with criminal offenses in the adult system.

“Even when charges are dismissed, the incident of a youth's record of arrest will follow him or her into adulthood, creating significant impediments to employment, education, military service and other areas,” said **Commissioner Glenn Adams**. “These are kids; these are our kids. Kids sometimes make foolish decisions, not realizing the impact it will have for years to come. With this Misdemeanor Diversion Program, we in Cumberland County seek to mitigate the damages of these foolish indiscretions.”

Adams presented the idea to the County's finance committee in April and the Board of Commissioners directed staff to develop a strategy for implementing the program. The FY2017 budget included \$25,000 for the program, which is coordinated through the County's Pre-trial Services Department.

“This is not a get out of jail free card. If the youth does not successfully complete the program, the law enforcement officer will be notified and has the option to move forward with the criminal process,” Adams, who is the vice-chairman of the Board of Commissioners, said.

Additional Comments

“I think any program we have that we can keep young people out of jail and get them on the right road is a wonderful program. The Misdemeanor Diversion Program is needed very badly in this county,” said **Sheriff Earl “Moose” Butler**.

“We have been doing diversion programs for decades in North Carolina, but it's too late with the diversion programs we do because the young person is already arrested. They are already in front of a

judge, and that arrest record stays with them the rest of their life. You have to announce that, you have to admit that on a job application. This allows us to intervene before they are in the criminal justice system and give that young person a second chance and a great future and a good life” said **Fayetteville Police Chief Medlock**.

“In Cumberland County, we want all our young people to have all the educational opportunities and all the financial aid opportunities they can. In Cumberland County, we want our young people to be able to join law enforcement, join the armed services, join our fire departments and many other careers that involve licensing. This program is going to make it easier for them to do that. The District Attorney’s office fully supports this program as an opportunity for our young people to learn valuable lessons, while at the same time hopefully avoiding future involvement with the criminal justice system,” said **District Attorney Billy West**.

“This is the right program. It comes at the right time. It is not a substitute to raising the juvenile jurisdictional age, but it’s a start. This is a universal application of a program that is right, that is proper; it’s in the community’s interest,” said **Chief District Court Judge Robert J. Stiehl III**.

Rather than issuing a citation or making an arrest where probable cause exists, law enforcement officers in Cumberland County will issue the youth a referral with instructions to contact the Misdemeanor Diversion Program. The teenager has 90 days to complete the program, which may include community service, classes, mentoring and other requirements. If the teen does not complete the assigned program, law enforcement will be notified and can opt to move forward with criminal court prosecution.

The eligibility requirements are:

- 16 or 17 years old at time of offense
- No adult criminal record (can have a juvenile record)
- Must be a misdemeanor offense. However, sex offenses, firearms offenses and traffic offenses are specifically excluded
- Final discretion on MDP referral remains with law enforcement officers and the District Attorney’s Office