



News Release

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Teen Diversion Program Sees Success

FAYETTEVILLE – The Cumberland County Misdemeanor Diversion Program has shown to be a success in its first eight months. Introduced in September, the program diverts first-time arrests or citations for eligible misdemeanor charges for 16- and 17-year-olds who have no adult criminal record.

The first session was held in November and to date, 71 teenagers have been referred to the program. Of those, 15 have completed the diversion program and 50 are currently participating. Five teens were referred to the program but did not choose to enroll and only one enrollee did not complete the program.

Most of the teens were referred to the program to divert charges of simple affray (a fight between two people in a public place, likely to frighten others) and possession of marijuana. Other charges include weapons charges, larceny and disorderly conduct.

North Carolina is the only state that has not passed legislation to raise the age of teens prosecuted in the adult system to 18 years old. All 16- and 17-year-olds charged with criminal offenses are prosecuted as adults. On April 10, New York signed into law “Raise the Age” legislation that extends the age of criminal responsibility to 18 years of age. North Carolina has introduced similar legislation, the “Juvenile Justice Reinvestment Act – HB280.”

To give teens a second chance, the MDP allows law enforcement officers in Cumberland County to issue a referral to the program rather than issuing a citation or making an arrest.

Under the County’s MDP, teenagers have 90 days to complete the program plan, which is tailored to the individual and may include tasks such as 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.

To be eligible for the diversion program, the offender needs to be 16- or 17-years-old at the time offense, have no adult criminal record (they can have a juvenile record) and they must have committed a misdemeanor offense. However, sex offenses, firearms offenses and traffic offenses are specifically excluded. The final discretion on referrals to the MDP remains with law enforcement officers and the District Attorney’s Office.

The diversion program is a collaborative effort between Cumberland County government, law enforcement, the district attorney’s office, public defender and court system officials

For more information about the MDP, visit www.co.cumberland.nc.us/courts/misdemeanor_diversion_program.aspx. For more about HB280, visit <http://www.ncga.state.nc.us/Sessions/2017/Bills/House/PDF/H280v1.pdf>.

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