Misdemeanor Diversion Program

Cumberland County Pretrial Services



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. In 2021 the Board of Commissioners approved the age change to 16-21-years of age.
- 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 an MDP referral form directing the youth to contact the MDP office.
- This diversionary process is initiated when the officer



Eligibility

- 16-21 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.



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.
- 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 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 La	w Enforcement Referral Received:	
Law Enf	orcement Officer:	Email/Cell#
Fa	yetteville Police Department	
a	mberland County Sheriff's Office	
Н	pe Mills Police Department	
Sp.	ring Lake Police Department	
OCA#_		
Youth B	eing Referred:	
To the best of my knowledge, following a search of criminal record check sources, the		
abo	ve-named 16-or 17-year-old has never been charged w	vith a crime as an adult and
is e	ligible for Cumberland County's Misdemeanor Diversio	n Program
l ha	ve attached a copy of the Incident Report; or Nar	rrative
	Please Note: This Referral Form should be submitted,	, along with the Incident Report,

within 48 business hours of the incident to the MDP Representative.

Cumberland County Pretrial Services | www.co.cumberland.nc.us

Fax: 910-437-1909

Email: mdp@co.cumberland.nc.us

CUMBERLAND COUNTY NORTH CAROLINA

cumberlandcountync.gov



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.

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



cumberlandcountync.gov

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.		

THANK YOU

for making a lifelong difference in the future of our youth

For more information please contact:

Nichelle Gaines mdp@co.cumberland.nc.us





NORTH CAROLINA

