

Diversion Eligibility

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Offenders with no prior record (or minimal contacts) are eligible for Diversion consideration. Please see the list below.

Other considerations may affect a case's suitability for placement in the Diversion Program. The culpability of the defendant must be relatively low and the conduct at issue relatively simple. Crimes that involve complex schemes, large amounts of money, or a long pattern of criminal behavior may not be suitable for Diversion placement.

Cases Considered for Diversion	Cases Not Considered
<ul style="list-style-type: none">• <u>Theft Offenses</u> Includes Larceny, Embezzlement, Receiving/Concealing Stolen Property, Uttering and Publishing, Check NSF/No Account, UDAA/UTUA, Retail Fraud, Failure to Return Rental Property, Credit Card Fraud (FTD) as well as other miscellaneous fraud charges (Insurance Fraud, Computer Crime, etc.)• <u>Malicious Destruction of Property</u>• <u>Public Order Offenses</u> Resisting and Obstructing, False Felony Report, Lying to Police, etc., may be considered where the disruption to public safety is minimal and the conduct at issue is not part of a larger pattern of criminal behavior.• <u>Possession of a Taser</u> May also consider other miscellaneous weapons offenses (e.g. brass knuckles) depending on the circumstances.• <u>Breaking and Entering a Building</u> Factors to be considered will include damage to buildings and infrastructure, harm to the surrounding community, and value of the items taken or damaged.	<ul style="list-style-type: none">• <u>Assaultive Offenses</u> In addition to FA, GBH, and AWIM, also Includes Homicide, CSC, Stalking, Robbery, and Larceny from a Person.• <u>Home Invasion</u>• <u>Firearms</u> Includes CCW, Felony Firearm, Felon-in-Possession. Requests for a reduced plea should be referred to the Gun Board.• <u>Arson</u>• <u>"Driving" Offenses</u> Includes Fleeing and Eluding, Failure to Stop at the Scene, Driving with a Suspended License, OUIL, etc.• <u>Controlled Substance Offenses</u> Drug Offenders should request a sentence under MCL 333.7411 or request placement in Drug Court.