

diversion

Diversions Programs

Offering
alternatives
for low-level
misdemeanor
offenses

What is diversion?

Prosecutors in the City of Minneapolis may offer defendants charged with certain criminal offenses the opportunity to have the charge(s) dismissed by participating in a diversion program.

Referral process

PRE-COURT

Minneapolis City Attorney's Office will dismiss certain offenses if the defendant agrees to participate in a pre-court diversion program. Eligible defendants are identified and contacted during the citation and charging phase. If responsive, defendants have the opportunity to avoid a court appearance or, in some circumstances, formal charges.

COURT REFERRALS

Prosecutors may offer a diversion program as part of the case resolution in a plea bargain for eligible offenses during a court appearance. Referrals from court are typically ordered through:

- Agreement to Suspend Prosecution;
- Stay of Adjudication; or
- Stay of Imposition.

Am I eligible for diversion?

Minneapolis City Attorney's Office reviews cases for diversion program eligibility. If you believe your case is eligible for diversion, speak to your defense attorney. Defendants who do not have a defense attorney may discuss the option with the prosecutor at their court hearing.

Excluding factors for diversion programs include:

- Assaultive history
- Felony convictions

Please contact the Diversion Coordinator if you have questions about diversion programs or eligibility.

Diversion@minneapolismn.gov

Phone: 612-673-2225

Fax: 612-673-2189

Minneapolis City Attorney's Office
City Hall, Suite 210
350 S. Fifth St.
Minneapolis, MN 55415

Disclaimer: The materials in this brochure are for informational purposes only and not for the purpose of providing legal advice. You should contact your attorney to obtain advice with respect to any particular issue or problem.

For reasonable accommodations or alternative formats please contact Minneapolis City Attorney's Office, Stephanie Enerson, diversion@minneapolismn.gov, 612-625-2225. People who are deaf or hard of hearing can use a relay service to call 311 at 612-673-3000.

TTY users can call 612-673-2157 or 612-673-2626.

Para asistencia 612-673-2700, Rau kev pab 612-673-2800,

Hadii aad Caawimaad u baahantahay 612-673-3500

Shoplifting Diversion Program

Defendants who agree to complete the Shoplifting Diversion Program take part in 3-hours of classroom instruction and training. Offenders may be required to write a letter to the victim of their offense, complete community service, or pay restitution to the victim.

ELIGIBLE OFFENSES

- Theft/Shoplifting
(misdemeanor/gross misdemeanor level)
- Failure to Pay Cab Fare
- Defrauding innkeeper *(dine and dash)*

Traffic Education

Traffic Education teaches better driving habits and understanding of driving laws to offenders charged with moving violations. Program requirements include an online training course and exam.

Driving Diversion Program (DDP)

DDP allows drivers who have lost their license due to unpaid citations to obtain provisional reinstatement of their license so they can drive legally while participating in educational classes and paying off outstanding citations through a payment plan. Cases involving accidents are not eligible. Eligible offenses include Driving After Suspension and Driving After Revocation.

Community Restorative Justice

This community-based diversion program facilitates a meeting between the defendant and a small group of community members to discuss the impact of livability crimes on the community and how the defendant can make amends for the harm that resulted from the behavior. Together the group forms a restitution agreement that the defendant must execute after the meeting. Agreements usually include volunteer service in the neighborhood of the offense or a letter of apology.

Some eligible offenses:

- Disorderly house
- Dog leashing/cleanup
- Fare evasion
- Furnish alcohol to a minor
- Jay walking
- Littering
- Loitering with intent
- Noise violations
- Open bottle/consuming in public
- Possession of drug paraphernalia
- Possession/Sale - small amount of marijuana
- Public urination
- Underage consumption of alcohol.

* *Other livability offenses may be considered*

Additional information can be found on the City of Minneapolis website at:

minneapolismn.gov/attorney

Interact Diversion Program

Interact offers an alternative way to address misdemeanor-level obstructing legal process offenses that do not involve use or a threat of force against an officer. Instead of traditional prosecution, individuals are offered the opportunity to engage in a facilitated discussion with a representative of the Minneapolis Police Department. The individual is provided the opportunity to share his or her viewpoint and to hear from the Department representative about the reason the charge was brought and to improve understanding of law enforcement needs and procedures. Our goal is to achieve better outcomes on these cases for all involved by increasing participants' understanding of police procedures and needs and increase the understanding of police officers of the impact that police interactions can have on members of the community.

ELIGIBLE OFFENSES

- Obstructing Legal Process *(misdemeanor-level only)*
- Some accompanying petty/misdemeanor charges involved in the incident

Incidents involving use of force or threats of force against an officer are not eligible for participation in this program.



Interact meeting with Deputy Chief Arradondo, facilitated by Restorative Justice Community Action.