## **Diversion Eligibility**

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## **Cases Considered for Diversion**

- Embezzlement

- Larcenv

False Pretenses

Uttering and Publishing

RCSP

UDAA / UTUA
Insurance Fraud
Computer Fraud
Identity Theft
False Felony Report

Counterfeit A/V Recordings / Property

- Credit Card Cases (FTD)

- Check - NSF and/or No Account

Retail FraudB&E Building

Malicious Destruction of Property

Arson - Personal Property

Failure to Return Rental Property

Larceny / B&E Motor Vehicle

Poss. Taser

- Resisting and Obstructing

## **Cases Not Considered**

- HYTA-eligible defendants

All Assaults
 All Homicides
 All CSC Cases
 Kidnapping
 Home Invasion
 Arson – Dwelling

- Arson – Real Property

ExtortionPerjury

Obstruction of Justice

StalkingCCW

Poss. Sawed-Off Shotgun
 Poss. Brass Knuckles
 Larceny from a Person
 Fleeing and Eluding

- OUIL - 3<sup>rd</sup>

- Controlled Substance Offenses

False Insurance / False Title

<u>Please Note</u>: In addition to the charged offense, other considerations may affect a case's suitability for placement in the Diversion Program. For example:

- As a general rule, the culpability of the defendant must be relatively low and the conduct at issue relatively simple. Crimes involving complex schemes, large amounts of money, and/or multiple fraudulent actions are not eligible for Diversion.
- 2) In theft and fraud cases, the value of money or goods taken must be less than \$10,000. Exceptions may be made in cases where the amount at issue is between \$10,000 and \$20,000. Cases involving amounts over \$20,000 will generally not be considered.
- 3) B&E /Scrapping cases are sometimes eligible, but, once again, only when the culpability of the defendant is relatively low. Factors to be considered will include damage to buildings and infrastructure, harm to the surrounding community, and value of the items taken or destroyed.
- 4) Drug Offenders should request a sentence under MCL 333.7411 or request placement in Drug Court.