



SALINE COUNTY ATTORNEY'S OFFICE

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**DIVERSION CAN BE GRANTED FOR THE FOLLOWING CRIMES
PROVIDING THE RESPONDENT/DEFENDANT QUALIFIES**

- | | |
|---|-----------------------------------|
| Theft (felony and misdemeanor) | Business or Vehicle Burglary |
| Attempted Theft | DUI / TOC |
| Minor in Possession of Alcohol | Domestic Violence Battery |
| Forgery | Disorderly Conduct |
| Making a False Writing | Trespassing |
| Marijuana (misdemeanor) | Consumption of Alcohol by a Minor |
| Criminal Damage to Property | |
| Possession of Drug Paraphernalia (felony and misdemeanor) | |
| Criminal Use of a Weapon (Possession of Unlawful Weapons) | |

**DIVERSION WILL NOT BE GRANTED FOR THE FOLLOWING CRIMES
REGARDLESS OF THE RESPONDENT'S HISTORY**

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|-----------------------------------|---------------------------------|-----------------------|
| Battery | Aggravated Battery | Kidnapping |
| Robbery | Aggravated Robbery | Obstruction |
| Rape | Indecent Liberties with a Child | Child Abuse |
| Aggravated Assault | Lewd and Lascivious Behavior | Resisting Arrest |
| Sexual Battery | Sodomy | Aggravated Sodomy |
| Battery of LEO | Felony Drug Charges | Residential Burglary |
| Worthless Checks | Violation of a Protective Order | No Proof of Insurance |
| Interference with Law Enforcement | | |

OTHER DISQUALIFIERS:

- *Prior criminal history/diversions. Traffic infractions do not count as prior criminal history.
- *Traffic infractions will not be diverted.
- *Continuous crimes such as forgeries or thefts committed over a period of time.
- *Criminal complaints with more than five (5) consecutive counts/victims, regardless of what they are.
- *Violation of employee/employer trust.
- *If the victim(s) insist on prosecution, diversion will be denied.
- *If the Officers involved in the case insist on prosecution, or if the defendant refused to help the officers in the investigation or otherwise failed to cooperate, diversion will be denied.
- *If the case has already been taken through a suppression hearing, diversion will not be considered.
- *If the case is an appeal from a conviction in a lower court, diversion will not be considered.

APPLICATIONS WILL BE CONSIDERED ON A CASE BY CASE BASIS. THIS LIST IS NOT EXCLUSIVE.