

Via Zoom 12-1pm. Not an official RT meeting since only two Task Force RT members attended.

Attend: Marcia Owen, Mike Sstrom, Kelly Alexander, Libra Stevens, Marion Bailey, Rose Werth, Renee Shaw, Jessica Fludd, Leslie Nydick, and Dwayne Campbell.

We finalized the email text to send to local law enforcement heads about standing/general orders on referrals to the current Misdemeanor Diversion Program in place of citation or arrest. Mike sent those emails on 2/3/22 to the DCSO, DPD, campus police at Duke, NCCU, and Durham Tech, and the Duke Hospital and Durham VA Hospital police. To our knowledge, the DPD is the only agency that has, or had such a general order, as of December 2021. We also know that referrals to the MDP from the Sheriff's Office declined over the past years due to raising the age for misdemeanors and SROs no longer acting on misdemeanors that would have resulted in potential MDP referrals.

Once we get responses back from the LEA heads on referrals to the current MDP, we'll also engage them in discussion about other ways to expand pre-arrest diversion.

We then reviewed our work plan for the diversion topic, post pre and post-arrest diversion, for February and March. That generated important discussion and clarification of the difference between post-arrest deferment of cases for misdemeanors and some felonies to restorative justice options or some therapy program or a specialty court and post-arrest diversion. Deferment cases do not go through the MDP.

We recognized deferment and diversion are also distinct from outright dismissal of charges by the DA before or at a first court date. We've already discussed the dismissal before. Marcia will try to obtain dismissal data from Danny Speigl in the DA office.

We also brought up the issue of expunction of records for individuals who are deferred or diverted and then complete those programs. We agreed that expunction is a related, but distinct topic to post-arrest diversion we'll need to take up later.

We will meet again on Wednesday, February 16 to discuss with Kelly Alexander how to proceed with proposals for expanding pre-arrest diversion. Those can include eliminating the first time offender limit, the age limit, and expanding pre-arrest diversion to include some low level felonies. RT members agree to review the [CUNY Institute for Local and State Governance Evaluations of the Misdemeanor Diversion Program in Durham County, North Carolina \(2021\)](#) before our next meeting on the 16th.

Time permitting on the 16th, we can also discuss how to proceed on proposals to expand the Office of Pretrial Services/Pretrial supervision. Round Table members also need to review these three sets of CLS RT meeting minutes dealing with OPTS/PTS before the 16th:

- [CLS RT Mtg Minutes 8/18/21](#). Review of our 8/11 mtg w/ Christie Long about OPTS and follow up.

- [Magistrate Evans Mtg Notes 9/15/21](#). Includes discussion of if and how OPTS can be part of Magistrate appearance.
- [CLS RT Mtg Minutes 9/22/21](#). Includes discussion of needed follow up w/ Long and Evans.

If we don't have time on the 16th, we'll get to the OPTS/PTS at our next meeting. We'll then consider post-arrest diversion expansion more broadly.