

## Wayne County Prosecutor's Office CCW Diversion Program

### Case Criteria:

- CPL expired within one year of arrest AND no prior record
- Mistake of law cases- fact driven and left to the discretion of the Gun Committee
- Gun cannot be stolen
  - Requires proof the gun is legally purchased and/or registered
- No prior felony convictions
- No prior felony cases taken under HYTA status
- No prior felony and/or misdemeanor expungements
- No prior misdemeanors where a gun was involved
- Non-assaultive older misdemeanor convictions will be left to the discretion of the Gun Committee
- No prior 769.4a/Domestic Violence cases
- No PPO cases

### Availability:

- Diversion is only available at the PCC/District Court level
- Not available if applicant is HYTA eligible (between 17-23 years of age)
- Only available on CCW cases during the COVID period as defined by the Prosecutor

### Resolution:

- Once the Gun Committee reviews the case, only those who qualify will be sent to Bill Heaphy to make the final determination if the applicant will be admitted to Diversion program
- Sentence is for one-year telephone reporting during COVID period and any other additional conditions required under Diversion
- Registered guns will only be returned to those accepted to Diversion who had a CPL which expired within 1 year of arrest. In all other cases, such as mistake of law, those guns must be forfeited to the arresting agency.
- 80 hours of community service will be suspended during the COVID period.
- Costs/fines will be reduced during the COVID period.
- The "COVID Period" is defined by the Prosecutor.

### Requests:

- All letters with supporting documents requesting Diversion must be sent to [WCPOGunBoard@waynecounty.com](mailto:WCPOGunBoard@waynecounty.com) while the case is pending in District Court.
- No request will be reviewed until all documents are received including but not limited to:
  - Proof gun is legally purchased/registered
  - Proof of continued education or vocational training or
  - Proof of employment within 1 year of the request, unless documented proof of health issues or education which has precluded an applicant from working
  - Any other positive points which you would like the Gun Committee to consider