

***Centre County District Attorney's Office
Misdemeanor Marijuana Diversion Program***



I. Objectives of the Program

The Misdemeanor Marijuana Diversion Program (“MMDP”) is a voluntary program provided by the Centre County District Attorney’s Office for individuals who have been charged with Possession of a Small Amount of Marijuana and/or Possession of Drug Paraphernalia related to marijuana use. The MMDP teaches participants the physiological and social consequences of marijuana usage, provides an overview of marijuana laws, and teaches techniques participants can use to stop using marijuana. Successful completion of the MMDP allows individuals to have their charges dismissed.

The MMDP will hold offenders accountable for their criminal behavior through participation in the program, while avoiding the collateral consequences of exposure to jail and court for low-level, non-violent offenders. If an individual does not wish to participate in the MMDP, the charges will continue in the court system.

II. Description of Program

A prior criminal history is not an automatic bar to participation. The prosecutor assigned to the case has the discretion to determine what history and circumstances prohibit participation based upon the interests of public safety. There are circumstances when even small amounts of marijuana may threaten the health and safety of the community, so offenders who possess marijuana in drug-free zones or correctional facilities will not be eligible for this program.

Approval will be made by the assigned prosecutor at the time of the scheduled preliminary hearing. Participants must waive their preliminary hearing and be fingerprinted and photographed in order to participate in the program.

The program will be offered online. Booklet and DVDs are available for those who do not have internet access or a smartphone. There will be both a Marijuana Education Level I and Level II program. The ADA assigned will designate which program must be completed. The courses are fully browser-based for compatibility with language translation and assistive technology available in most all commercial internet browsers.

The Level I program takes approximately 120 to 150 minutes to complete. The Level II program, available for more serious or repeat offenders, takes approximately 360 to 480 minutes to complete.

The Level I program costs \$60.00, and can be paid online, by telephone or by mail, using either check or credit and debit cards. The Level II program costs \$120.00. This cost will be paid by the participant directly to the provider.

An individual who previously completed the Level II program and commits a subsequent minor marijuana offense will no longer be eligible for the diversionary program and will face traditional prosecution.

The program must be completed within sixty (60) days of the individual's preliminary hearing. No extensions of time will be granted. Failure to complete the program in a timely manner will result in the offender facing traditional prosecution.

A participant must continue to attend all scheduled court events while participating in this program. If a participant fails to attend a scheduled court event and a bench warrant is issued, the participant must pay all bench warrant fees before their case will be dismissed.

After completion of the educational aspect of the program, the participant must pay court costs to Centre County Probation and Parole. Proof of such payment must be provided to the District Attorney's Office.

Upon the successful completion of the program, including payment of court costs, the District Attorney's Office will dismiss the charges pursuant to Pennsylvania Rule of Criminal Procedure Rule 586 entitled Dismissal Upon Satisfaction of Agreement.

Once the charges are dismissed, a participant is entitled to have their record expunged by filing an expungement petition with the Centre County Prothonotary's Office. The relevant expungement petition pursuant to Rule 790 can be found at <https://centrecountypa.gov/387/Forms>.

III. How to Apply and Complete the Program

- A. At the preliminary hearing, the Assistant District Attorney assigned to your case reviews the case for admission into the program.
- B. If approved, the candidate goes to <https://www.mytreatmentprogram.com> and clicks:
 - 1. Register for Course
 - 2. Pennsylvania
 - 3. Centre County
- C. The candidate will pay and complete the course online.
- D. Upon completion of the program, the candidate must pay court costs and fees into Centre County Probation & Parole and provide a copy of the receipt to the District Attorney's Office (106 East High Street, Room 302, Bellefonte)
- E. After verifying that the participant has been fingerprinted and photographed, has completed the online class and paid all court costs and fees, the District Attorney's Office will then file a Rule 586 Dismissal.