

Civil Diversion Process Flowchart

Attorney General

Tribe / Tribal Court

Attorney General and Tribal Court discussions

Diversion Agreement

~ Crime Occurs ~
Report made to Law Enforcement

Investigation Conducted and Completed

Crime Meets Diversion Crime Standard**
Participant offered diversion

Accepts or Declines

Report Completed
(ARMS for VPSO Trooper)
* Full Report * Consent Form
* Property * Complaint
* ATN * Affidavit
Other documents as appropriate

District Attorney Completed ARMS Report and all Documents
*Noting Request or Refusal for Civil Diversion and consent form

Tribal Court
* Consent Form
* Complaint
* Affidavit
(within 10 days)

Tribal Court
(5 business days to Decline)

Tribal Court Civil Remedies

District Attorney Charging Decision

Charges Dismissed

State Court

Done

**** Diversion Crimes ****
Crimes listed in the individual Civil Diversion Agreement for each Tribe. Examples:

Certain Class B misdemeanors under Title 11 of the Alaska Statutes (including those involving domestic violence as defined by AS 18.66.990).

Minor consuming or in possession offenses, including non-misdemeanor violations and misdemeanors (AS 04.16.050; AS 28.35.280).

Local option alcohol possession offenses in communities that have voted to ban the possession of alcohol, making it a violation of state law to possess alcohol in that community (AS 04.11.501).

Assault in the fourth degree (AS 11.41.230) (including those involving domestic violence as defined by AS 18.66.990) and reckless endangerment (AS 11.41.250) (including those involving domestic violence as defined by AS 18.66.990)

DA Notifies Officer of Property Disposal Approval

ALL CASES

Participant Diverts

Participant Refuses Diversion Or Tribal Court Declines Case

Tribal Court Notifies District Attorney it Declines Case

Tribal Court Does Not Decline

Participant Fails to Follow Tribal Court Civil Remedies

Tribal Court Notifies District Attorney Civil Remedies Completed

Declined

Accepts

Follows