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**STATE OF VERMONT
OFFICE OF THE CHITTENDEN COUNTY STATE'S ATTORNEY**

MEMO

TO: Chittenden County Law Enforcement Agencies
From: Sally Adams, Chief Deputy State's Attorney
Sarah George, State's Attorney
Date: October 8, 2020
RE: Direct Referral to DLS Diversion for OSC and NL cases

After the announcement of Administrative Order No. 49 which suspended normal court operations due to COVID-19, our office has declined to prosecute a majority of DLS-OSC and NL cases in an effort to prioritize other cases for prosecution. At the August 13, 2020 Chiefs' Meeting, a discussion developed around how to best address these cases in light of our office's position on prosecution. A working group was developed that included me, members of your agencies and local community justice centers. This group consulted with the Court Diversion Director at the Attorney General's Office and determined that submitting these cases for prosecution, filing criminal charges and referrals to the DLS Diversion program were unnecessary for participation in the DLS Diversion program.

This memo serves to notify you that, effectively immediately, all Chittenden County law enforcement agencies are authorized to refer all violations of 23 V.S.A. § 674(a)(2) or § 601(g) to the DLS Diversion program in lieu of filing criminal charges. I have attached two forms: a word document that can be printed and filled in by hand and a .pdf file that can be filled out electronically. This memo does not apply to violations of 23 V.S.A. § 674(a)(1), § 674(b) or 23 V.S.A. § 1213(g). Those cases should continue to be referred to our office for prosecution. Further, in circumstances where an individual is suspected of a DLS-OSC or NL and an additional charge in connection with the same incident, please refer the DLS-OSC or NL to the DLS Diversion program and refer the additional charge(s) to our office for prosecution.

As always, please let us know if there are any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "S. Adams".

Sally Adams