

# CHARGES ELIGIBLE FOR THE MISDEMEANOR DIVERSION PROGRAM IN BAY COUNTY, FLORIDA

## PARTICIPANTS

To participate in the Diversion program the defendant must not have a prior criminal record. Or alternatively, the Defendant may be recommended by an Assistant State Attorney to the program during pre-trial proceedings.

## CRIMES

Eligible misdemeanor crimes are put in two categories: general and traffic. Below is a list of crimes that are eligible to be diverted by the State Attorney's office.

| <b>GENERAL</b>  |                                      |
|---|--------------------------------------|
| Alcohol Related: Possession, Consumption, Intoxication  | Molest Blue Crabs                    |
| Animal on Beach   | Netting in Closed Area               |
| Animals: Fish, Deer, Bird, Turkey, Oyster Violations  | No Crab Escape Ring                  |
| Camping on Beach  | No Fishing License                   |
| Consumption on Right Away   | No Divers Down Flag                  |
| Disposal of Oil Deposit   | No tag on Bag of Oysters             |
| Disorderly Conduct  | No Wholesale License                 |
| Disorderly Intoxication   | Noise Ordinance                      |
| Diving from Pier  | Open House Party                     |
| Driving on Dunes & Vegetation   | Oystering without Permit/Closed Area |
| Dog on Excluded Area on Beach   | Petit Theft*                         |
| Exceeding Fish Limit (Non-Commercial)   | Possession of Marijuana Less than 20 |
| Evasion of Park Fees in State Park After Closing  | Possession of Paraphernalia          |
| False Report/Fail to Comply with lawful Order/Fail to Pay Civil Penalty/Fail to Report Accident | Possession of Alcohol by Minor       |
| Giving False Identification, Report, Information  | Principle Giving Alcohol to Minor    |
| Giving Alcohol to Minor   | Public Indecency or Nudity           |
| Gambling  | Resisting without Violence           |
| Glass on Beach  | Sell Fish without License            |
| Guest Refused To Leave  | Sell Undersized Oyster               |
| Health Permit Outdated  | Surfing within 300 feet of Pier      |
| Hunting-No Permit   | Sell/Soliciting without Permit       |
| Illegal Enter Management Area   | Spear Fishing in State Park          |
| Illegal possession of slot Machine  | Taking Deer/ Redfish                 |
| Illegal Utility Connection  | Trespassing                          |
| Improper Disposal Lighted Substance   | Unattended Net                       |
| Improper Seafood Container  | Undersize Fish, Redfish              |
| Inhalation of harmful chemical  | Unlawful Assembly                    |
| Lend or Unlawful use of Driver's License  | Unlawful Possession of Alcohol       |
| Littering   | Violation of Morality Ordinance      |
| Loitering and Prowling  | Violation of Peddlers Ordinance      |
| Misrepresentation of Age to Obtain Alcohol  |                                      |

| <b>Traffic with No Accidents</b>                |
|---|
| Careless Operation of Vessel                    |
| Expired Tag, Registration, or Insurance         |
| Illegal Boat Speed                              |
| Improper/Expired Tag                            |
| Jumping Boat Wave                               |
| No Motorcycle Endorsement, Registration, or Tag |
| No Valid Driver's License                       |
| Operating Unnumbered boat                       |
| Operating Vessel in restricted area             |
| Owner Allowing Minor to Operate Watercraft      |
| Renting Wave Runner to Underage                 |
| Renting Cycle without Equipment                 |
| Unregistered Vessel                             |
| Vehicle Traffic on Coastal Beaches              |
| Violation of Navigation Rule                    |

**\*There must not be any restitution due to the victim (i.e., the items were recovered during arrest).  
If restitution is due to the victim, then you must go to court.\***

The State Attorney's Office reserves the right to refuse acceptance to the diversion program based upon the facts of the case.