

03 - 0259

REPORT TO THE STATE COURT ADMINISTRATOR AND THE
MINNESOTA LEGISLATURE ON THE OPERATION OF THE ANOKA COUNTY
ADULT CRIMINAL PRE-TRIAL DIVERSION PROGRAM.

April 9, 2003

PURPOSE OF REPORT

This report is made pursuant to Minnesota Statute §401.065, Subd. 4, requiring that by January 1, 1995, and bi-annually thereafter, each county attorney of a county participating in the Community Corrections Act shall report to the state court administrator and the legislature on the operation of a pre-trial diversion program required under that section. Anoka County is a county participating in the Community Corrections Act and has developed and filed an adult criminal pre-trial diversion plan and effective July 1, 1994, has implemented an adult criminal pre-trial diversion program in the county.

DESCRIPTION OF PROGRAM

The Anoka County Adult Criminal Pre-Trial Diversion Program is designed for first-time offenders charged with a misdemeanor, gross misdemeanor or felony offense, other than a crime against a person. The goals of the diversion plan in Anoka County are to provide an alternative to criminal prosecution as an incentive to change behavior and thus reduce recidivism, while at the same time promoting payment of restitution to crime victims and reducing court-related costs. The diversion program provides an alternative to incarceration and criminal conviction for eligible low-level property crime offenders. The prosecutor responsible for prosecuting the offense makes the decision to divert an offender and will dismiss the criminal charges after a specified period of time if the offender successfully completes the diversion program.

NUMBER OF OFFENDERS PARTICIPATING IN THE ANOKA COUNTY DIVERSION PROGRAM

On December 31, 2002, there were 296 offenders participating in the program. Virtually every program participant had been charged with a felony level crime. During 2001 and 2002, 352 offenders entered the diversion program. By gender, 208 offenders (59%) were male, 144 offenders (41%) were female. By age, 183 of the offenders entering the program (52%) were ages 18 through 25, the remainder (48%) were age 26 or older. By race, 51 of the offenders entering the program (14%) report being of a minority group. The type of offense committed by the majority of the offenders entering the program was Theft related, Controlled Substance in the Fifth Degree, Check Forgery, Damage to Property, and Dishonored Checks, in that order.

NUMBER AND CHARACTERISTICS OF OFFENDERS WHO HAVE SUCCESSFULLY COMPLETED THE DIVERSION PROGRAM

During 2001 and 2002, 159 participants successfully completed the diversion program and the criminal charges against those individuals were dismissed.

NUMBER AND CHARACTERISTICS OF THE OFFENDERS WHO FAILED TO COMPLETE THE DIVERSION PROGRAM

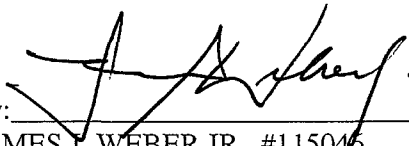
During 2001 and 2002, 83 participants failed to complete the diversion program, were terminated from the program, and were sentenced.

EVALUATION OF THE EFFECT OF THE DIVERSION PROGRAM ON THE OPERATION OF THE CRIMINAL JUSTICE SYSTEM IN ANOKA COUNTY

The Anoka County Adult Criminal Pre-Trial Diversion Program has been in existence since July 1, 1994. Since implementation, 976 offenders have been diverted, 296 of which are still participating in the program. Since implementation, 680 individuals have either successfully completed (428) or failed (252) the diversion program. Those successfully completing the program (63%) exceed those failing the program (37%).

Approximately 13% of the charged felony cases in the Anoka County Attorney's Office are diverted each year. The diverted offenses are largely thefts and theft related offenses, check forgeries and dishonored checks, damage to property, and drug possessions. The majority of individuals diverted are young (18 to 25 years of age). The "success rate" is approximately two out of every three offenders entering the program. Assuming those successfully completing the program do not re-offend and do not return to the criminal justice system, then the program may be judged a success. Further, the program has by its operation reduced the burden upon the court, prosecution, public defender, and corrections.

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BIENNIAL ADULT PRETRIAL DIVERSION PROGRAM REPORT

So that the numerical information required by M.S. 401.065, Subd. 4 is provided in a consistent manner by all counties, please answer the questions below, and include this form as part of your report to the Department of Corrections. Please see the accompanying cover letter for further instructions concerning this report.

Anoka
COUNTY NAME

How many individuals were participating in your adult pretrial diversion program on December 31, 2002? (One-day count)	296
How many individuals entered your adult pretrial diversion program during calendar years 2001 and 2002?	(Biennium total) 352
How many individuals successfully completed your adult pretrial diversion program during calendar years 2001 and 2002?	(Biennium total) 159
How many individuals were terminated from your adult pretrial diversion program as program failures during calendar years 2001 and 2002?	(Biennium total) 83

COMMENTS:

Please provide any comments that would be of use to those using the figures you provided. If any of your figures are based on a time period other than that specified in the question, please indicate this.