

OFFICE OF THE SAINT LOUIS COUNTY ATTORNEY

MARK S. RUBIN COUNTY ATTORNEY

November 9, 2017

Mr. Jeff Shorba
Minnesota State Court Administrator
25 Dr. Rev. Martin Luther King Jr. Blvd.
St. Paul, MN 55155


Re: Report to the State on Operation of the St. Louis County Adult Criminal
Pretrial Diversion Program 2011-2016

Dear Mr. Shorba:

Pursuant to Minn. Stat. § 401.065, subd. 4, enclosed is the St. Louis County Attorney's Office report on the operation of our pretrial diversion program.

Sincerely,

ST. LOUIS COUNTY ATTORNEY

BY: 
GARY W. BJORKLUND
Criminal Division Head Attorney

GWB:y mk

Enclosure

cc: Mark S. Rubin, St. Louis County Attorney
Minnesota Legislative Library

St. Louis County Attorney
Adult Pretrial Diversion Program Biennial Report

This report is being submitted for the years 2011, 2012, 2013 and 2016.

Purpose of this Report:

This report is made pursuant to Minnesota Statute §401.065, Subd. 4, which mandates that every county attorney who establishes a diversion program shall report to the state court administrator and the legislature on the operation of its diversion program.

Description of Post Charging Pretrial Diversion Program:

The St. Louis County Adult Diversion Program provides an alternative to criminal prosecution resulting in conviction. The goals of this program are to develop a responsible alternative to criminal prosecution and conviction for eligible offenders, to minimize recidivism amount diverted offenders, and to promote the collection of restitution to the victims of the offender's crime. An offender is a person charged with a felony, gross misdemeanor, or misdemeanor crime, who has not yet entered a plea in proceedings; has not been previously convicted as an adult in Minnesota or any other state; has not previously been charged with a crime as an adult in Minnesota and then has charges dismissed as part of a diversion program. The decision of a prosecutor to refer an offender to a diversion program on the condition that criminal charges against the offender will be dismissed after a specified period of time if the offender successfully completes the program. An offender is considered for this program only after input has been obtained from victim(s) and law enforcement agency(ies). When the County Attorney determines an offender is eligible for diversion, the offender is referred to Arrowhead Regional Corrections by the prosecutor. When informed by the Arrowhead Regional Corrections that the referral has been accepted, the prosecutor files an order with the court to remove the matter from the trial calendar.

Number of offenders referred for diversion:

2011	20	(7 female; 13 male)
2012	9	(3 female; 6 male)
2013	10	(5 female; 5 male)
2014	19	(10 female; 7 male)
2015	13	(5 female; 8 male)
2016	4	

There is one female from 2015, and one female from 2016, still enrolled in Diversion.

Number and characteristic of offenders who have successfully completed the Diversion Program:

2011	14	(3 female; 11 male)
2012	7	(1 female; 6 male)
2013	5	(2 female, 3 male)
2014	9	(2 female; 7 male)
2015	6	(2 female; 4 male)
2016	3	(1 female; 2 male)

Number and characteristics of offenders who were rejected, terminated or failed to complete the Diversion Program:

2011	6	(3 female; 3 male)
2012	2	(female)
2013	5	(2 female; 3 male)
2014	10	(6 female; 4 male)
2015	6	(2 female; 4 male)
2016		

Description of Precharge Pretrial Diversion Program:


In May 2015, the St. Louis County Attorney's Office expanded its Pretrial Diversion Program to include a Precharge Pretrial Diversion Program. The goals of this program remain the same. The goal is to develop a alternative to criminal prosecution and conviction for eligible offenders, to minimize recidivism, and to promote a collection of restitution to victims of crimes. The fact that a person was formally charged with a crime can have a potential long-term negative impact upon both employment and housing opportunities. Having criminal files sealed pursuant to the expungement statute only provides a limited remedy. Where investigative reports submitted by law enforcement establishes that probable cause exists to charge an offender with a crime, offenders will meet the definition as outlined in the post-charge diversion program may be invited to participate in the pre-charge diversion program. The precharge diversion program is managed by Diversion Solutions.

Diversion Solutions Program since May 2015

Number offenders referred since 2015:	30
Number of Offenders in good standing:	24
Number of offenders who completed:	5
Number of offenders were terminated:	1

Evaluation of the effect of the Diversion Program on the operation of the St. Louis County Criminal Justice System.

ST. LOUIS COUNTY ATTORNEY

BY: 
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