

## Example Program Summaries from Other Jurisdictions



Stuart Dunnings III  
Prosecuting Attorney

Since Mr. Dunnings took office, violent crime in Ingham County has dropped by 24 percent. FBI Uniform Crime Reports (1996) & US DOJ Crime (2006). The juvenile crime arrest rate has dropped by 70 percent.

Mr. Dunnings can be reached at:  
(517) 483-6272

Jason Bartley oversees the Ingham County Diversion Program. Mr. Brantley can be reached at: (517) 483-6248

## Ingham County

Michigan

Population: 281,000  
Program Inception - 2012



### Program Type:

Both Pre-filing Misdemeanor and Felony Diversion

### Term:

Term is 180 days (misdemeanors) or 365 days (felony). Term may be extended at the discretion of the Prosecutor's Office and/or the Court, if requested and program participant is making progress toward successful completion of the program.

### Qualifying Offenses:

- Larceny < \$200
- MIP (Marijuana)
- Stalking
- Malicious Destruction of Property (Misdemeanor and Felony)
- Illegal Entry
- MIP (Alcohol)
- Possession of Marijuana (Misdemeanor and Felony)
- Retail Fraud (I), (II), (III)
- Receiving Stolen Property
- Animal Neglect
- Receiving and Concealing Stolen Property - Under \$200 (R & C)
- Distribution w/o Remuneration
- False Pretense \$200 - \$1,000
- False Report of Misdemeanor
- Domestic Violence
- Uttering and Publishing (Felony)
- Preparation to Burn
- Larceny in a Building/Financial Transaction Device Use or FTD
- Attempted Use (Misdemeanor and Felony)

### Fees:

Registration \$75  
Educational Course \$145  
Monthly Administrative @ \$30  
Prosecutor Fee Varies depending on offense from \$40 to \$700  
\$10 of each \$75 Registration Fee is put aside to an Indigent Fund.

## Example Program Summaries from Other Jurisdictions



Donald Kleine  
County Attorney

The Douglas County Attorney's Office has 54 lawyers and a budget of \$7.8 million. Douglas County prosecutors handle about 3,500 felonies a year — 1,600 of which are pending at any time.

Mr. Kleine can be reached at:  
(402) 444-7040

### Douglas County

Nebraska

Population: 517,000

Program Inception - 2012



#### Program Type:

Felony Diversion

#### Term:

Term is 365 days (felony). Term may be extended at the discretion of the Prosecutor's Office and/or the Court, if requested and program participant is making progress toward successful completion of the program.

#### Applicant Qualification:

- The amount of damages or loss to the victim may not exceed \$6,000.
- Applicants must have U.S. citizenship or lawful alien status.
- Applicants may not have participated in pretrial diversion as an adult.
- Applicants must pay all court costs due when accepted into the Program.

#### Qualifying Offenses:

- Acquiring Controlled Substance by Fraud
- Abuse of Vulnerable Adult
- Accessory to Felony
- Burglary or Possession of Burglary Tools
- Car Title Fraud/Tax Evasion
- Criminal Conspiracy
- Motor Vehicle Certificate of Title Act Violation
- Issuing a Bad Check
- Possession of Controlled Substances
- Manufacture of Marijuana (personal)
- Delivery of Marijuana (incidental)
- Criminal Mischief
- Criminal Impersonation
- Fraud
- Fraudulent Insurance Acts
- Possession of a Forged Instrument
- Property Damage by Explosive Device
- Forgery (1st or 2nd)
- Theft (other than motor vehicle)
- Theft (Deception, Extortion, Receiving, Shoplifting, Unlawful Taking)
- Unauthorized Use or Manufacture of Financial Transaction Device
- Identity Theft
- Various Offenses Involving Controlled Substances
- Offenses that will be considered on a case-by-case basis for eligibility:
  - Delivery of Marijuana
  - Manufacture of Marijuana
  - Burglary and theft involving a stolen motor vehicle

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## Example Program Summaries from Other Jurisdictions

### Douglas County

Nebraska  
(CONTINUED)



#### Fees:

Registration \$75  
Educational Course \$145  
Monthly Administration @ \$35

#### Other Standard Conditions:

Scheduled call-in requirements  
Completion of educational program

Anyone charged with an eligible felony who wants to participate in the Diversion Program must agree to the following:

- Waive certain constitutional rights while in the Program, including the right to a speedy trial.
- Sign a Program Agreement that includes all of the terms and conditions of participation. Program conditions vary by the offense and the individual's situation. Program agreements may include the following terms:
  - Maintain contact with Diversion Services. Loss of contact will result in the individual being dropped from the Program.
  - Obey all laws, including traffic laws. Conviction on any new criminal offense, including DUI, will result in the individual being dropped from the Program.
  - Participate in the Diversion Program for at least one year.
  - Maintain residence in the metropolitan Omaha area.
  - Make restitution to victims for any loss due to the victim.
  - Make a written apology to the victim.
  - Maintain employment, enroll in school/GED program or other training.
  - Complete substance abuse evaluation if alcohol or drugs part of offense.
  - Participate in mental health, alcohol or drug counseling or treatment.
  - Contribute 60 to 200 hours of volunteer work to a nonprofit organization.
  - Agree to any other conditions recommended by the prosecutor.

Not everyone is required to complete all of these conditions. Each person signs a Program Agreement based on their individual situation and offense.

#### Other Program Information:

The list of eligible and ineligible offenses listed here is not intended to include all criminal offenses set forth in Nebraska statutes. The County Attorney reserves the right to declare any current or future offense not on the list as eligible or ineligible at his sole discretion. The omission of any specific violation as an ineligible offense does not constitute grounds for an administrative review of any decision to deny someone the Program.

## Example Program Summaries from Other Jurisdictions



Robert Springstead  
Prosecuting Attorney

Newaygo County was one of the first counties in Michigan to implement a Bracket program. The program started with a small number of offense types and has steadily expanded.

Mr. Springstead can be reached at: (231) 689-7283  
Kristen VanWyck is in charge of the Bracket Program: (231) 689-7288

### Newaygo County

Michigan

Population: 48,400  
Program Inception - 2010



#### Program Type:

Post-Plea Diversion

#### Term:

180 Days. Term may be extended at the discretion of the Prosecutor's Office and/or the Court, if requested and program participant is making progress toward successful completion of the program.

#### Qualifying Offenses:

- Larceny
- Malicious Destruction of Property (MDOP)
- Receiving and Concealing Stolen Property - Under \$200 (R & C)
- MDO of Police Property
- MIP
- Failure to Conduct Criminal Background Check
- Embezzlement
- Disturbing the Peace
- Furnishing Tobacco to Minor
- Filing a False Police Report
- Furnishing or Selling Alcohol to a Minor
- Trespassing
- Open Intoxicants
- Disorderly Person Jostling
- Illegal Transportation of Marijuana

#### Fees:

Registration \$75  
Educational Course \$145  
Monthly Administrative @ \$30  
\$10 of each \$75 Registration Fee is put aside to an Indigent Fund.

## Example Program Summaries from Other Jurisdictions



Kevin Hillman  
Prosecuting Attorney

As prosecutor, Kevin has overseen a case load of over 2000 cases per year in the St. Robert Municipal Court. In 2009, Kevin was also appointed as the Municipal Judge for the City of Waynesville, overseeing a docket of nearly 1500 cases per year.

Mr. Hillman can be reached at:  
(573)-774-4770

## Pulaski County

Missouri

Population: 52,274  
Program Inception - 2012



### Program Type:

Pre-filing and Post-filing Misdemeanor and Felony Diversion

### Term:

Term is Six to 24 months, depending on charge. Term may be extended at the discretion of the Prosecutor's Office and/or the Court, if requested and program participant is making progress toward successful completion of the program.

### Qualifying Offenses:

- Domestic Assault, 3rd Degree
- M.I.P.
- Driving while License Suspended or Revoked
- Driving with no Valid Driver's License
- Driving with no Valid Insurance
- Passing a Bad Check
- Possession of a Controlled Substance
- Forgery
- Abuse of a Child
- Endangering the Welfare of a Child
- Stealing
- Possession of Marijuana
- DWI
- Assault
- Domestic Assault, 2nd Degree
- Statutory Rape, 1st Degree
- Hindering Prosecution
- Child Abuse or Neglect

### Fees:

Registration \$75  
Educational Course \$145  
Monthly Administrative @ \$30  
\$10 of each \$75 Registration Fee is put aside to an Indigent Fund.