

To: Phil Lemman

From: Myra Wall Downing, Lane County PSCC

Re: Requested information on Early Disposition Programs for Lane County.

Kent Mortimore, Chief Deputy District Attorney of the Lane County District Attorney's Office has provided the following information.

County has four early disposition programs. They are:

1. The Deferred Adjudication Program (DAP)
2. The Deferral of Charges Program (DOC)
3. Drug Court
4. Offers at Arraignment ("Blue Sheet" offers).

**The Deferred Adjudication Program (DAP).** Defendants are given the opportunity to pay any restitution in full and complete a correspondence course offered by Western Corrections Inc. The criminal charges are dismissed if there is successful completion of the DAP. Attached are the criteria for eligibility to participate in the program. This program began in 1993.

Statistics for the period from January 2002 through August 2002 for DAP\*:

DAP offers	237
DAP acceptances	182
DAP rejections	22
DAP failures	4

Cost Saved/Avoided = \$453.31 per case x 182 acceptances = \$82,502 system-wide

**The Deferral of Charges Program (DOC).** This program differs from DAP in that charges are not brought against a DOC defendant. Instead, the defendant is given the opportunity to pay restitution and complete the Western Corrections Inc. course. The District Attorney does not file charges if the person pays restitution and completes the course. This program began in 1993 and ended in September of 2002. All eligible cases are now processed through the above DAP program.

Statistics for the period from January 2002 through August 2002 for DOC\*:

DOC offers	31
DOC acceptances	24
DOC rejections	7
DOC failures	7

Cost Saved/Avoided = \$453.31 per case x 24 acceptances = \$10,879 system-wide

**Drug Court.** In conjunction with the Lane County Circuit Court, the District Attorney's Office screens qualifying defendants into an intensive drug treatment program. Charges are dismissed if the person successfully completes the program. This program began in 1994.

Statistics for the period from January 2002 through August 2002 for DOC\*:

Drug Court offers	397
Drug Court acceptances	134
Drug Court rejections	110
Drug Court offers withdrawn	137
Drug Court failures	13

Cost savings information was not available from the court specifically regarding Drug Court. These cases do require additional time & effort on the part of all participants and is not necessarily in place to achieve cost savings, but instead attempts to resolve criminal behavior issues stemming from drug use. The value is in its benefit to society to assist these people in breaking their habits and preventing future crime.

**Offers at Arraignment (Blue Sheet Offer).** The District Attorney makes an offer at the defendants first appearance for some criminal cases and probation violation matters. This program became operational in the late 1980's.

Statistics for the period from January 2002 through August 2002 for DOC\*:

Arraignment Offers	86
Arraignment acceptances	38
Arraignment rejections	34

Cost Saved/Avoided = \$453.31 per case x 38 acceptances = \$17,226 system-wide

**Estimates of Costs Saved or Avoided** Staff time and hourly rate information was provided by the DA and the Lane County Circuit Court which was combined with previously calculated cost information for police investigations to develop an estimated cost to process a case through an early disposition program compared to traditional processes that result in either changes of pleas or jury trials. Even though it is obvious that processing cases through an early disposition program saves money, those savings are mainly in the area of police officer overtime and court time. It should also be noted that the cases diverted through these programs allow the criminal justice system to manage the high volume of other cases that do not qualify. Any time saved from the early disposition process is redirected to the handling of those cases. Therefore, in reality the actual dollar savings realized is minimal because staff levels are not reduced merely due to the existence of these programs.

## Cost Calculations/Estimates

Program	# Accepted	EDP Cost/Case \$158	COP 96% \$527	Trial 4% \$2,632	Total Cost Savings/Avoided
DAP	182	\$28,821	(\$92,159)	(\$19,164)	(\$82,502)
DOC	24	\$3,801	(\$12,153)	(\$2,527)	(\$10,879)
Blue Sheet	38	\$6,018	(\$19,242)	(\$4,001)	(\$17,226)
	244	\$38,639	(\$123,554)	(\$25,693)	(\$110,608)

Savings Per Case:  $\$110,608/244 = \$453.31$

Note: This analysis is based on averages for staff time and does not include items such as payment of witness fees, expert witnesses, evidence processing, etc.

See attached for explanation of cost components.