

# COMMUNITY DIVERSION PROGRAM

*A pre-filing diversion program offered once exclusively for  
first-time offenders facing a low-level property or drug felony.*

King County Prosecuting Attorney's Office - Criminal Division

**DATA CONFIRMS THAT CONVICTION OF  
A FIRST FELONY IS A TIPPING POINT  
WHICH OFTEN RESULTS IN OFFENDERS  
COMMITTING MANY MORE FELONIES**

The key is to intervene before that first felony conviction

# **COLLATERAL CONSEQUENCES OF A FIRST FELONY**

- Occupation / licensing restrictions
- Housing restrictions
- Education / scholarship restrictions
- Welfare implications

# TYPICAL CASE-FLOW FOR OFFENDER FACING FIRST LOW-LEVEL PROPERTY/DRUG FELONY

- Charges filed
- Counsel assigned
- Bail addressed
- Multiple hearings over several months (often resulting in warrants, leading to more arrests and costly jail bookings)
- Case ultimately resolves - often with a plea to reduced charges
- Sentencing occurs months or years after the crime – typically to time served
- Restitution ordered, but is paid in small increments over several years – if at all
- **In total: multiple hearings, delay, system expenditures, limited accountability**

# ENVISIONING BETTER OUTCOMES FOR FIRST LOW-LEVEL PROPERTY / DRUG FELONY

- Victims of property crimes will be made whole up front.
- People will be held accountable in days, not months or years.
- Hundreds of costly warrants will be eliminated annually.
- Community-based, culturally competent services will be offered to reduce recidivism.
- Offenders will avoid the collateral consequences of their first felony conviction while still being held accountable for the harm they caused.
- Uniquely tailored services will be offered to offenders under 25.

**What if we can do all of the above for less cost than the current system?**

## ELIGIBLE OFFENSES

- Many Property Offenses
- Many Drug Offenses

## INELIGIBLE OFFENSES

- Crimes against persons
- Violent Crimes
- Domestic Violence
- Sexual assault
- Weapon offenses
- Any case with concerning facts/history (DV history, LE concerns, multiple offenses, significant restitution, etc.)

# COMMUNITY-BASED PRE-FILING DIVERSION

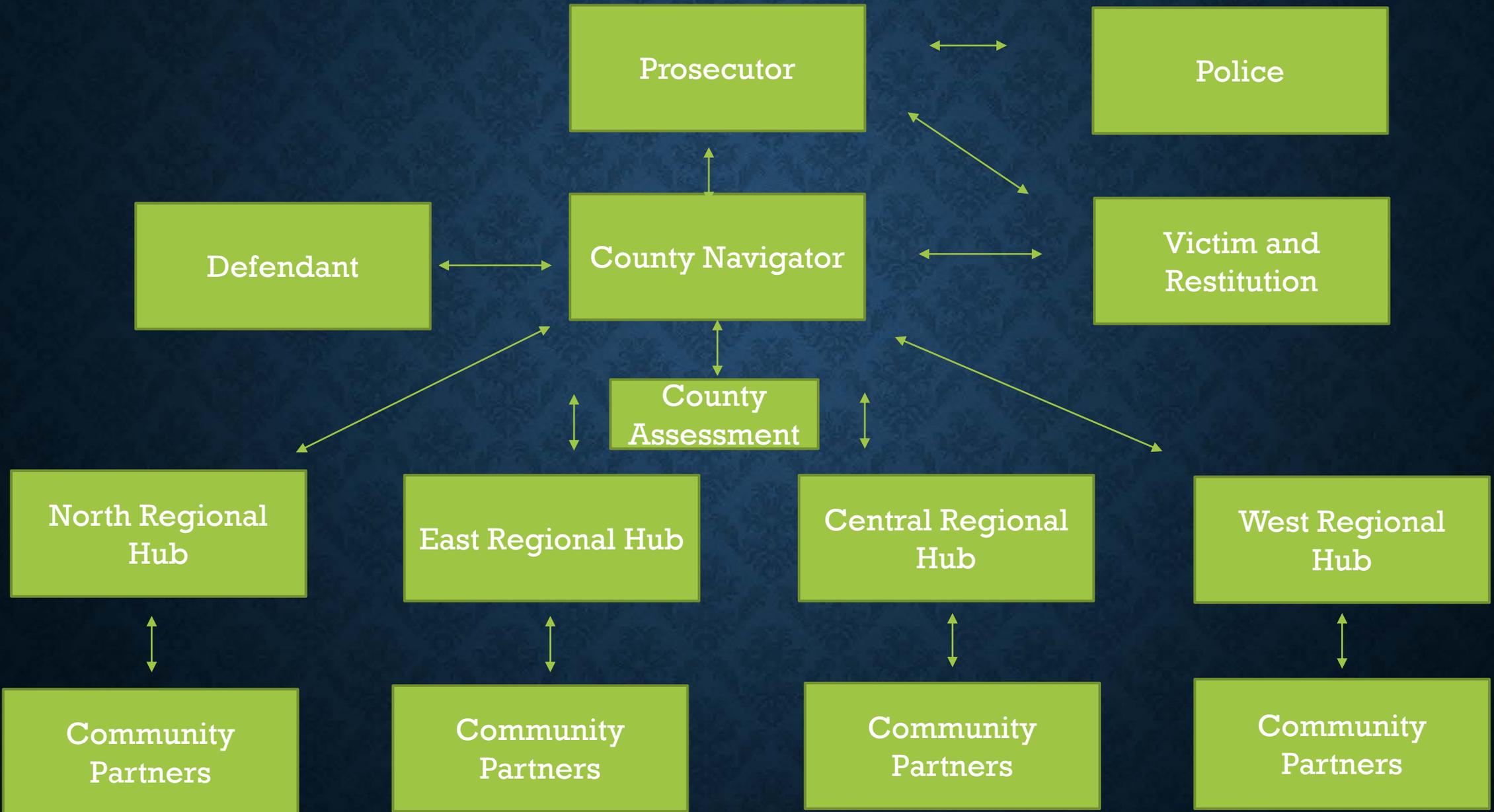
- From the savings, the county will employ a program manager/navigator who can assess risks and needs and connect individuals to culturally competent community-based, pre-filing diversion programs, where they must acknowledge the harm caused by their actions, and be held accountable by engaging in services and programs tailored to their needs. For offenders 18-24 there will be services uniquely designed for young adults.

# VICTIM'S RESTORATION FUND

- From the savings captured there will be a Victim's Restoration Fund established, which will enable victims to submit proof of their out of pocket expenses and be reimbursed up front. They will not need to wait till the end of a lengthy court case or be subjected to piecemeal payments months or years later.

# CASE FLOW FOR COMMUNITY DIVERSION

- Police submit low-level property / drug offense to Prosecutor
- Experienced DPA reviews and screens for eligibility (eliminating repeat offenders, reviewing criminal history, facts alleged, nature of the charges, police input)
- Victims contacted to assess needs and coordinate payment from a Victim Restoration Fund
- Eligible offenders are evaluated by the county navigator and directed to a culturally relevant community-based program to address needs & acknowledge harm caused by their actions
- If individual fails to engage, or commits a new offense, the facilitator will contact the prosecutor who reserves the right to file the original charge within the statute of limitations.



# POTENTIAL ANNUAL SAVINGS

- Reduced use of county legal services
- Reduced use of jail (for bookings, sentences, re-bookings upon failure to appear)
- Reduced use of court costs
- Reduced warrants / Failure to Appear costs
- Reduced use of pre-trial services (CCAP)
- Reduced use of police resources for discovery requests, court appearances
- Avoids declining cases to overburdened municipal courts

# THE RESULT

- Victims will be made whole up front
- Individuals will be given a chance to avoid a first low-level property/drug felony – and thereby avoid the collateral consequences – preventing the cycle of recidivism
- Cases will be addressed much more quickly
- Community partners will engage in the Pre-Filing Diversion Program
- Racial disproportionality (most affecting 18-24 year old's) will be diminished
- County, police, cities, will all save money – annually.