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# STATE OF ALASKA

## DEPARTMENT OF LAW

### CRIMINAL DIVISION

January 23, 1985

BILL SHEFFIELD, GOVERNOR

REPLY TO:

OFFICE OF THE CHIEF PROSECUTOR  
POUCH KC  
JUNEAU, ALASKA 99811  
PHONE: (907) 465-3428

OFFICE OF SPECIAL PROSECUTIONS  
AND APPEALS  
1031 WEST 4TH AVENUE, SUITE 318  
ANCHORAGE, ALASKA 99501-5993  
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Honorable Mike Miller  
Chairman  
Committee on Judiciary  
Alaska State House of Representatives  
Pouch V  
Juneau, Alaska 99811

Re: Pretrial Diversion Program

Dear Representative Miller:

During the Department of Law overview hearing before your committee on January 17th some questions arose concerning our pretrial diversion program as an alternative in appropriate cases to prosecution and in some cases imprisonment. You asked that we provide you with some statistical data with respect to the activity of the program.

Enclosed are breakdowns for fiscal years 1983 and 1984 by individual location with statewide totals set out at the far right. The numbers listed under Community Work Service are the number of hours of work performed by offenders in the program during the fiscal year.

As I indicated last Thursday because of increasing acceptance of the program in a number of areas of the state and due to the overall increase we have seen in criminal caseloads generally, we have reached the saturation point with respect to offender caseloads. The vast majority of our paralegals and counselors are now carrying caseloads that exceed the number which they should in order to insure that the objectives of the program are being achieved and that problems do not develop that will result in a loss of confidence and acceptance with the public and other segments of the criminal justice system.

If you have additional questions or would like some additional information about the program, please let me know.

Very truly yours,

NORMAN C. GORSUCH  
ATTORNEY GENERAL

By: Dan Hickey

Daniel W. Hickey  
Chief Prosecutor

DWH/gb-82  
Enclosures

PRETRIAL DIVERSION PROGRAM - Statistics for Fiscal Year 1984

Juneau . Ketchikan . Sitka . Barrow . Nome . Fairbanks . Bethel . Kenai . Kodiak . Valdez . Anchorage . Palmer . To

FELONY CLIENTS

Referred	42	21	7	4	29	81	1	33	12	5	82	21	31
Accepted	32	15	2	2	20	62	10	26	10	5	76	21	21
Terminated favorably	20	8	1	0	4	47	6	13	10	0	79	13	20
Terminated unfavorably	7	2	2	1	0	7	1	5	3	2	24	1	1
- subsequent charge	2	2	0	0	0	5	0	1	0	1	6	0	1
- programmatic	5	0	2	1	0	2	1	4	3	1	18	1	1

MISDEMEANOR CLIENTS

Referred	67	9	3	3	45	175	17	57	52	4	77	20	52
Accepted	47	5	3	3	32	134	8	34	45	3	53	20	38
Terminated favorably	15	1	3	4	32	160	5	23	27	2	57	13	34
Terminated unfavorably	8	0	0	3	8	12	3	4	4	3	14	3	6
- subsequent charge	0	0	0	1	3	4	0	0	1	1	3	0	1
- programmatic	8	0	0	2	5	8	3	4	3	2	11	3	4

COMMUNITY WORK SERVICE

Assigned	3494	1044	387.5	180	3653	6205	913	3050	1696	400	6557	2216	29,79
Performed	1712	930.5	175.5	26	2307	6539	402	1990.5	1082	313	4515	2081	22,07
Waived	282	0	0	45	42	668	15	0	95	0	169	0	1,31
Not completed	372	0	70	139	79	596	95	388	108.5	119	1701	179	3,84

RESTITUTION

Assigned	22,226.20	8,714.75	400	2,226.10	13,281	63,197	6,465.60	9,838.81	6,645.17	2270	82,031.89	14,030	231,326
Paid	15,537.64	7,542.62	400	30	13,835	29,656.42	4,786.60	5,783.05	2,597.36	5	52,591.82	4,849	137,614
Waived	100	0	0	0	75	7,000	0	0	0	0	4.28	179	7,358
Not paid	807.02	0	0	0	50	2,977.	1,100.00	390.85	461.60	0	23,951.95	300	30,038

PRETRIAL DIVERSION PROGRAM - Statistics for July 1982 - June 1983

	<u>Juneau</u>	<u>Ketchikan</u>	<u>Sitka</u>	<u>Barrow</u>	<u>Nome</u>	<u>Anchorage</u>	<u>Bethel</u>	<u>Kenai</u>	<u>Kodiak</u>	<u>Valdez</u>	<u>Fairbanks</u>	<u>Palmer</u>	<u>Total</u>
<u>FELONY CLIENTS</u>													
Accepted	27	12	0	0	11	95	8	18	14	3	54	13	255
Terminated favorably	16	1	0	0	9	82	7	11	0	0	40	0	166
Terminated unfavorably	11	3	0	0	2	13	2	6	0	0	7	0	44
- subsequent charge	2	1	0	0	2	3	0	2	0	0	2	0	12
- programmatic	9	2	0	0	0	10	2	4	0	0	5	0	32
<u>MISDEMEANOR CLIENTS</u>													
Accepted	17	0	3	4	60	72	13	13	8	3	214	8	415
Terminated favorably	19	0	0	2	57	38	16	13	2	0	116	1	264
Terminated unfavorably	2	0	0	0	9	5	4	3	0	0	30	0	53
- subsequent charge	1	0	0	0	3	2	1	2	0	0	15	0	24
- programmatic	1	0	0	0	6	3	3	1	0	0	15	0	29
<u>COMMUNITY WORK SERVICE</u>													
Assigned	2,521	790	109	70	2,430	9,624	833	1,718	575	510	7,433	1,597	28,210
Performed	1,748	545	109	50	2,685	4,738	340	729	298	86	5,196	693	17,217
Waived	178	0	0	0	232	90	15	90	0	30	272	0	907
Not completed	535	90	0	0	77	654	80	250	0	0	723	0	2,409
<u>RESTITUTION</u>													
Assigned	22,802	3,684	0	0	22,371	118,366	13,706	4,481	6,640	150	55,613	5,821	253,814
Paid	21,606	508	0	32	9,634	71,464	5,131	3,395	1,340	150	45,430	2,024	160,714
Waived	4,668	0	0	0	412	1,560	0	0	0	0	0	0	6,640
Not paid	2,615	1,216	0	0	0	14,901	159	5,717	0	0	5,776	0	30,384