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January 18, 2017

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St. Paul, MN 55155

Elizabeth Lincoln, Director  
Legislative Reference Library  
645 State Office Bldg.  
100 Martin Luther King Blvd.  
St. Paul, MN 55155

RE: Biennial Adult Pre-Trial Diversion Report 2015-2016

Dear Mr. Shorba and Ms. Lincoln:

Enclosed please find Rice County's Biennial Adult Pre-Trial Diversion Report 2015-2016.

Please feel free to contact me if you have any questions.

Sincerely,

A handwritten signature in blue ink, appearing to be "John L. Fossum", with a checkmark to the right.

John L. Fossum  
Rice County Attorney

Enclosure

**RICE COUNTY ATTORNEY  
BIENNIAL ADULT PRE-TRIAL DIVERSION REPORT  
2015 and 2016**

**Purpose of Report**

This report is made pursuant to Minnesota Statute §401.065 which requires each county attorney to report biennially to the state court administrator and the legislature on the operation of its mandated pre-trial diversion program.

**Pre-Trial Diversion Program**

The Rice County Adult Pre-Trial Diversion Program is offered as an alternative to criminal prosecution with the goals of providing responsible alternatives to conviction, reduction of recidivism, restoration of the victim, and reduction of prosecution costs. There are three different programs available in Rice County: Traffic Diversion, Pre-Charge Diversion, and Property Crimes Diversion. The programs are available to first-time offenders who have had criminal charges filed against them or have a request for charges submitted to the Rice County Attorney's Office. The offenders must meet the criteria for diversion established by the Rice County Attorney's Office.

**Number of Offenders Participating in the Program during the Reporting Period.**

There were 74 participations in Pre-trial Diversion Program in 2013 and 2014. Of the participants, 54 individuals successfully completed the program, 8 individuals failed the program, and 12 are still participating in the program.

**Number and Characteristics of Offenders Successfully Completing Program during the Reporting Period**

The following characteristics have been documented regarding those offenders who successfully completed diversion:

Gender

20 female offenders (37 %)  
34 male offenders (63%)

Age

14 offenders age 18-25 (25.9%)  
40 offenders age 26 and older (74.1%)

Offense

37	Traffic Diversion (68.5%)
17	Property Crimes Diversion (31.5%)
11	Theft related (64.7%)
4	Issue Dishonored Check (23.5%)
1	Lottery Fraud (5.9%)
1	Property Damage (5.9%)

**Number and Characteristics of Offenders Failing Program during the Reporting Period**

The following characteristics have been documented regarding those offenders who did not successfully completed diversion:

Gender

- 4 male offenders (50 %)
- 4 female offenders (50%)

Age

- 3 offenders age 18-25 (37.5%)
- 5 offenders age 26 and older (62.5%)

Offense

5	Traffic Diversion ( 62.5%)
3	Property Crimes Diversion (37.5%)
3	Theft related (100%)

**Evaluation on Program's Effect on Operation of Rice County Criminal Justice System**

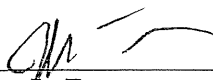
The Rice County Pre-Trial Diversion program diverted 31 cases in 2015 and 20 cases in 2016. Of the 51 cases, 46 (90.2%) successfully completed the program or are still in the program. Of the 17 successfully completed Property Crimes Diversion Program, restitution was completely made to the victim. Diversion not only lessens the burden on the current caseload for all those involved in the Rice County criminal justice system, it is a means to restore the victim for monetary loss caused by these crimes.

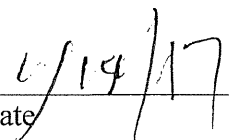
**How many individuals were participating in your Adult Pre-Trial Diversion Program on December 31, 2016 (One-day count) 12**

**How many individuals entered your Adult Pre-Trial Diversion Program during the calendar years 2015 and 2016? (Biennium total) 74**

**How many individuals successfully completed your Adult Pre-Trial Diversion Program during the calendar years 2015 and 2016? (Biennium total) 54**

**How many individuals were terminated from your Adult Pre-Trial Diversion Program as program failures during the calendar years 2015 and 2016? (Biennium total) 8**

  
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John L. Fossum

  
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Date