



# News Release

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## **PRE-CHARGE DIVERSION PROGRAM LOWERS RECIDIVISM WHILE PRESERVING RESOURCES**

**EAU CLAIRE** – Eau Claire County’s population has steadily increased over the past few years. In addition, the County’s jail population has also increased, with a noticeable rise in felony prosecutions, specifically felony drug offenses. At the same time, the District Attorney’s office has closed more cases in each of the last two years. For example, in 2014, the office closed more than 130 more cases than in 2013 and approximately 400 more cases than in 2012. One reason for the ability to keep pace with increased case filings while also closing cases at a similar rate is the success of the Pre-Charge Diversion Program.

The Eau Claire County Pre-Charge Diversion Program was created in 2012 as part of the Evidence-Based Decision Making (EBDM) Initiative. The program is based on research that suggests that low-risk, first-time offenders tend to be self-correcting and that formal, traditional prosecution of these individuals actually increases recidivism of this select group of people. In 2014, the Pre-Charge Diversion Program completed its third year. To date, approximately 800 individuals have participated in the program. The program carefully identifies and targets low-risk, first-time offenders for participation. The program carefully targets lower level misdemeanor offenses and ordinance violations that could otherwise be charged criminally. In addition to low-risk, first-time offenders, the program considers the facts of the particular case, including individual cooperation with law enforcement and restitution when determining program eligibility. Most, if not all of the offenses considered for the program would ordinarily result in a monetary penalty if prosecuted in the traditional manner. While these cases do not therefore impact the jail population, they do represent an innovative, research-based approach to handling a select amount of low-level offenses.

Program participants enter the program either by a direct referral from a law enforcement officer at the point of contact or by careful triage by prosecutors after cases are referred to the District Attorney’s office for charge consideration. Program requirements include making contact and signing up for the program with the Diversion Coordinator, a program fee of \$250, and payment of all restitution up front. Program participants must also attend an educational class as well as remain offense free for the duration of the program. Failure to do so results in the continued prosecution of the case through the traditional system. If the participant successfully completes the program, the case is completed without traditional prosecution through the court system, although the records regarding law enforcement contact are retained in the normal course of business.

Careful selection of Pre-Charge Diversion Program participants results in two primary benefits to the community. First, handling these select cases in this manner allows prosecutors to devote additional resources to other cases involving higher risk individuals, particularly those who face the most serious charges in our system and represent the greatest threat to our citizens.

Second, the individuals selected for the Pre-Charge Diversion Program are handled in a research-based manner that maximizes the opportunity for them to remain offense free in the future. As with any research-based initiative, the proof is in the data. The initial data review of the Pre-Charge Diversion Program is consistent with the research principles upon which the program was founded. Specifically, data review of the program has shown that eligible offenders who do not participate in the program are twice as likely to reoffend within the following twelve months as opposed to those who participate in the program. In addition to lower recidivism rates of program participants, the program has also collected approximately \$15,000 in restitution since the program began in 2012.

The complete study of the Pre-Charge Diversion Program, along with additional information can be found on the Eau Claire County website/District Attorney Dept. Page ([www.co.eau-claire.wi.us](http://www.co.eau-claire.wi.us)), or by clicking [here](#).

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