



OFFICE OF THE PINAL COUNTY ATTORNEY
Kent Volkmer • Pinal County Attorney

TO: PINAL COUNTY BOARD OF SUPERVISORS

FROM: KENT VOLKMER, PINAL COUNTY ATTORNEY'S OFFICE

SUBJECT: FY2023 RURAL COUNTY ALTERNATIVE PROSECUTION AND DIVERSION GRANT OPPORTUNITY

DATE: DECEMBER 5, 2022

The Pinal County Attorney's Office request approval to accept the Rural Counties Alternative Prosecution and Diversion Program FY2023 Award Grant Agreement, ACJC Grant Award No. RCAPD-23-009, between the Arizona Criminal Justice Commission and Pinal County Attorney's Office, through the Pinal County Board of Supervisors. The award is to commence on December 01, 2022 and terminate on December 01, 2025, in the amount of \$1,800,000. The awarded funds will continue to expand the current Diversion program and enhance the availability of educational and workforce development services for Diversion Defendants. These funds will be utilized to create the following positions: (3) Diversion Officers and (1) Diversion Manager. Acceptance requires an amendment to the FY 22/23 budget to transfer reserve appropriation from Fund 213 (Grants/Project Contingency) to Fund 268 (County Attorney's Misc Grants) to increase revenue and expenditure appropriations. There is no impact on the General Fund.

The Pinal County Attorney's Office is requesting funds to expand the current diversion program and to enhance the availability of educational and workforce development services for diversion defendants. Diversion program provides substance abuse treatment including medically assisted treatment with mandatory drug testing when appropriate, cognitive behavioral therapy and case management services as appropriate for non-dangerous, non-repetitive offenders. The Pinal County Attorney's diversion program oversees the utilization and administration of providers of these services. The implementation of these services reduces the cost on Pinal County as the Diversion participants will not go through a lengthy and costly jury trial. This process allows both the County Attorney's Office and the Superior Court to reallocated resources to more serious offenders.

In 2020, the Pinal County Attorney's Office diversion program was awarded a grant research project the U.S. Department of Justice, Office of Justice Programs, Justice Reinvestment Initiative Grant Project 2019-ZB-BX-0006. The project is entitled Digital Transformation of Community Supervision (DTCS). Through the DTCS project the Pinal County Attorney's Office, Adult Diversion program proposed to increase positive outcomes for diversion defendants by

providing access to treatment and education resources through a HIPPA compliant telehealth platform (iTether) managed by officers who are highly trained in Evidence Based Practices (EBP) and Effective Practices in Correctional Settings (EPICS-II). Since the project was implemented we have seen a 3% increase in the number of misdemeanor defendants who successfully complete diversion and a 6% increase in the number of felony defendants who successfully complete with about 80% of defendants successfully completing the program on average.

The acceptance of this grant allows the Pinal County Attorney's Office to create (4) positions that will be tasked with administering and overseeing the municipal court and jail diversion program and the providers of said services to participants. These positions will allow PCAO to continue to effectively and efficiently operate the Diversion Program. These positions include (3) Diversion Officers and (1) Diversion Manager.

The creation of the Diversion Manager position will create an organizational structure similar to that of the Pinal County Adult Probation Department. This position will be responsible for implementing diversion policies and procedures, maintaining compliance with grant requirements, researching trends regarding diversion and implementing new programming.

The salaries and EREs of these three positions will be 100% funded by the grant. These positions will allow the Diversion Program to efficiently manage its growing case load at acceptable standards but also allow more participants to enter the program, thus increasing its effectiveness in reducing recidivism in Pinal County. There will be no match required for these funds.