Maricopa County Attorney
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September 3, 2014

Elizabeth Ortiz, Executive Director
Arizona Prosecuting Attorneys' Advisory Council
1951 W. Camelback Rd., Suite 202
Phoenix, Arizona 85015

Re: **Maricopa County Attorney's Office Deferred Prosecution Program Annual Report, 2013-14**

Dear Ms. Ortiz:

Pursuant to Arizona Revised Statutes §11-362, I am sending you a copy of the Annual Evaluation (July 1, 2013 through June 30, 2014) of the Maricopa County Attorney's Office (MCAO) Diversion Programs.

Treatment Assessment Screening Center, Inc. (TASC) Diversion
The TASC program is intended for possessors of controlled substances and is available as a charging alternative (pre-filing) and after charging as an alternative to prosecution (post-filing). People who successfully complete the program and pay the assigned fees can avoid criminal charges being filed against them or can have filed charges dismissed with prejudice. Both options require the offender to meet general TASC eligibility criteria. TASC is a privately-owned and operated organization that designs and monitors this diversion program in cooperation with the MCAO.

Incoming Diversion Statistics*
July 1, 2013 through June 30, 2014

Pre-Files	1,119
Post-Files	2,058
Total New TASC Diversions	**3,177**

Termination Statistics*
July 1, 2013 through June 30, 2014

Successful Diversions	482
Unsuccessful Diversions	117

Successful Possessions of Marijuana	1,669
Unsuccessful Possessions of Marijuana	205

Total Successful Diversions	**2,151**
Total Unsuccessful Diversions	**322**

***Breakdown of TASC Intake Felony Offenses**
July 1, 2013 through June 30, 2014

Possession of Marijuana	79.6%
Methamphetamine	7.6%
Other Dangerous Drugs	2.3%
Cocaine	4.7%
Crack	0.2%
Heroin	4.0%
Prescription Fraud	1.7%

Possession of Marijuana (POM) is the most commonly referred drug offense; 81% of those referred for POM successfully completed TASC.

Support Group referrals (Alcoholics Anonymous, Cocaine Anonymous, Narcotics Anonymous, etc.) were made to 50% of the offenders who were referred to TASC.

Of those offenders participating in TASC, 73% were males and 27% were females.

*These TASC statistics do not include TASC matters that may be pending and have not been marked as completed/successful or completed/unsuccessful.

Adult (Non-Drug) Diversion
The MCAO contracts with three providers for non-drug diversion programs: Sage Counseling, TASC and Community Healthcare Company. These companies provide non-drug diversion programs for offenders who require general "life skills" training, anger management counseling and drug and alcohol awareness assistance.

- 1,755 offenders newly enrolled in MCAO Non-Drug Diversion Programs in FY 2013-14.
- 949 offenders completed MCAO Non-Drug Diversion Programs in FY 2013-14.
- 159 offenders were "non-compliant" and did not complete programs in FY 2013-14.
- 109 offenders have been carried over from last year.

Child Abuse / Excessive Punishment Diversion
The Family Violence Bureau within the MCAO refers certain low level offenses to a child abuse diversion program for parents and guardians. This is available as a charging decision for first-time offenders who use excessive force in disciplining a child that causes only minor injury and are facing a charge of child abuse or a similar offense. If the offenders complete an education and counseling program, they can avoid having charges filed against them.

- In FY 2013-2014, 17 defendants were referred to this diversion program. 1 defendant successfully completed the program and 7 are still in the program. 9 defendants unsuccessfully completed (failed) the program during the reporting period.

Juvenile Diversion
The MCAO uses the Juvenile Probation Department for diversion eligible cases. Juvenile Probation Diversion includes first and second misdemeanors and first-time drug-related offenses. If it is the first or second referral for the juvenile, the County Juvenile Probation Department will handle the diversion process and the referrals will not be prosecuted by the MCAO.

- In FY 2013-2014, there were 11,924 diversion eligible referrals handled by Juvenile Probation. 72% were completed. This includes traditional diversion, drug diversion, FINS (Families in Need) and Teen Court. This represents the number of referrals and not the number of youth; as some youth are referred multiple times during the same year.

The Maricopa County Attorney's Office continues to provide high-quality, cost-effective diversion programs to eligible adult and juvenile offenders who come in contact with our office.

Sincerely,

Bill Montgomery
Maricopa County Attorney