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Pre-trial diversion provides alternative to sentencing The programs are tailored to meet the needs of each client. For example, a person charged with a crime involving

The Lincoln-Lancaster County Pre-Trial Diversion Program provides alternatives to the traditional court system for people charged with certain criminal offenses. The diversion office, on 2202 S. 11th St., handles several 100 cases a year.

The program is divided into divisions for misdemeanors and felonies, with a special program for incest-related charges, said Barbara Albers, a misdemeanor counselor at the program.

In order to be eligible for pre-trial diversion, a client charged with a misdemeanor must have no previous criminal record. A person charged with a felony can have no more than two previous misdemeanors on record and must be facing a first felony charge, Albers said. Exceptions may be made if the person was convicted of a felony more than 10 years before facing the second felony charge, she said.

People who successfully complete a pre-trial diversion program will not have that particular charge on record, she said.

The diversion office receives funds from the city of Lincoln and Lancaster County and works closely with city and county attorneys to select candidates for the program. A "scanner" who is employed by the office checks the list of people charged with crimes each day, and determines which people are eligible. The scanner then consults with the proper attorney. If the attorney has no objections, the office contacts the possible clients to inform them about the program.

Clients evaluated

If interested, clients make arrangements for an "in take interview" with a counselor to evaluate the client's situation.

A complete diversion program lasts from six months to one year, she said.

The programs are tailored to meet the needs of each client. For example, a person charged with a crime involving drugs or alcohol may be sent to a treatment center as part of the diversion program. People charged with felonies are required to either be employed, in school or in vocational training.

All clients must report to a counselor on a regular basis and keep the office informed of their whereabouts until the program is completed, Albers

Approximately 30 people are now in the felony program, and about 135 are in the misdemeanor program. There are no limits on the number of applicants for either program.

Program costs offenders

Misdemeanor clients are charged \$60 for the program, felony clients are charged \$150 or more, and people in the incest program are charged \$300.

The pre-trial diversion program will expand soon to include a domestic violence division, Program Director Eric McMasters said. The office also will begin working with the Public Defender's office on an alternative sentencing program.

"When someone is going to be sentenced and there is a high probability that we will be given a prison term, the defense presents a plan to the court for it to consider in lieu of a prison sentence," McMasters said.

The alternative sentence plan is usually more detailed than plans for pre-trail diversion, he said. The fee for alternative sentencing will be \$250 per case, he said.

Since its start in 1975, the pre-trial diversion program has been plagued with financial difficulties, McMasters said. He said the program was in a state of "suspended animation" this year because it appeared city and county funds might not be available.

Continued on Page 8

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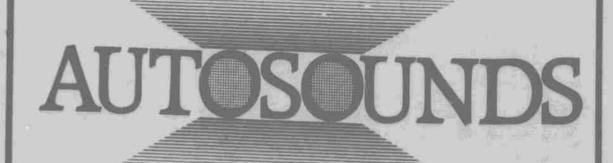
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