

BYRNE/JAG AUTHORIZED PURPOSE AREA #5.

Prosecution and Court

Program Title: Pre-Trial Service Delivery

A. Problem Statement

As public awareness has increased and community partnerships have formed, there has been an encouraging rise in the number of incidents of drug sales/use, violent crimes, and other criminal activities reported. An unfortunate result of increased reporting and investigation has been that the court systems have become overloaded with the large volume of cases. Intensified efforts by law enforcement agencies in apprehension, asset seizures, and drug removal have greatly increased the load in many of the courts of the state. This sharp rise in filing for criminal cases (i.e., the success of one segment of the criminal justice system) has created an additional burden on the court and correctional system (another important component of the system). In the metropolitan areas of Tennessee, it remains difficult for the current prosecutorial staffs and courts to present and adjudicate the pending drug cases in a timely manner. According to the Tennessee Administrative Office of the Court's Annual Report, Court criminal filings soared from 116,954 in 2003 to 152,434 in 2005. This represents a 30% increase over a two-year period.

Programs are needed to divert less serious offenders into appropriate alternatives prior to trial, in order that more serious cases can be prosecuted in a timely manner through the complete judicial hearing process.

B. Program Description

Projects funded in this program area will be specifically designed to identify and divert less serious offenders into alternative resources or will be designed to improve the efficient flow of cases through the court system. The program focuses on case diversion and/or improvement of the court process to make justice more effective and efficient. Funded projects will use the grants for hiring key personnel or for implementing new technology or procedures. This program is not intended to supplant, replace or otherwise duplicate any existing diversion programs or current positions. Nor is it meant to provide positions that would otherwise be needed to ensure the court's required infrastructure within the local judicial district.

C. Program Goal and Objectives

Goal: Enable the court system to function more efficiently and effectively in the processing of referred drug-related and violent cases of crime, by expediting the process for less serious offenders.

Objective 1.1. Provide resources to the court system that will allow it to develop procedures, technological resources, and other approaches that enable less serious offenders to be diverted from the court system into an immediate alternative program.

Objective 1.2. Provide supplementary personnel and/or technology to the court system that will promote more efficient and effective case processing in eligible courts while maintaining due process.

D. Activities

Increase the number of pre-trial service programs under the courts jurisdiction. Increase specialized personnel or technology that will improve (efficient & effective) the flow of cases through the court system.

E. Performance Measures

Measure 1.1.1. Increase the number of offenders who will enter newly organized diversion programs during each fiscal year of the program's funding.

Measure 1.1.2. Court dockets will decrease from the fiscal year prior to the grant's implementation.

Measure 1.2.1. Decrease the time between arrest and adjudication.

Measure 1.2.2. Decrease the number of cases on the court docket.

F. Reporting, Monitoring and Evaluation Methods

Projects funded through this program must:

- Collect data on the number of cases entering diversion program, the number of docketed cases from one year to the next and the time between arrest and adjudication.
- Annual reports will be used to analyze the effectiveness of the program.
- Collect and report statistics and anecdotal data for possible replication of the program.
- Data collected will also be used for program evaluation purposes. The program may be modified or expanded, if such justification is indicated by the data. The data will also be used to provide a yearly update to BJA on program progress.
- All projects funded may receive on-site monitoring visits.