



City of Dallas

Conditional Dismissal Program

**Public Safety Committee
October 12, 2021**

Preston Robinson, Jr., Administrative Judge
Judiciary
City of Dallas

Presentation Overview



- Background
- Conditional Dismissal Program
- Program Benefits
- Next Steps



Background



- The conditional dismissal is a diversionary program that will allow an individual who is a first-time offender to avoid getting a conviction and a criminal record
- The program will only be available to individuals charged with Class C Misdemeanor violations including:
 - Traffic Offenses
 - Some penal code offenses
 - Excluding Assault, Family Violence and Dangerous or Aggressive animal cases.



Conditional Dismissal Program



How it Works

- During the pre-trial, the Individual or Attorney requests consideration for a Memo Agreement to State
 - State requests the case be reset for 30-45 days
 - Case is reset to allow the prosecutor to evaluate the request and terms of the agreement



Conditional Dismissal Program



- Decision is made and conditions are given that must be completed within a specified time determined by the court
 - A fee may be charged
 - Fee may be waived upon showing of indigence
 - All conditions must be completed within 30 calendar days
 - No extensions



Conditional Dismissal Program



- If conditions are satisfied and the person does not receive any additional citations, the case is dismissed.
 - Individuals will only be given ONE Conditional Dismissal
- If conditions are NOT satisfied:
 - Individual still has the right to enter a Not Guilty Plea
 - State will no longer offer Deferred Disposition
 - Individual will have a trial before a judge or jury



Conditional Dismissal Program



Conditional Dismissal	Traditional Deferred Disposition
Granted once	No limitation
30 day hold to meet conditions	90 or 180 day probation period
No plea taken on case	Requires Guilty or No Contest Plea
Program Fee/Waiver Available	Court Costs and Fees/Waiver Available



Program Benefits



- Not entering a plea of guilty or no contest
- If person is not a US Citizen will not affect immigration status
- Person avoids trial, conviction and a criminal record



Next Steps



- Pilot Program
 - 60 Day Period
 - Evaluate Success/Failure Rate
 - Understand any financial impact
- Council Action
 - If body decides to move forward with program
 - A decision about a fee needs to be made
 - Will require ordinance to determine and collect fee.





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