

Memorandum



CITY OF DALLAS

DATE January 6, 2023

TO Honorable Members of the Public Safety Committee
Adam McGough (Chair), Cara Mendelsohn (Vice Chair), Tennell Atkins, Jesse Moreno, Jaime Resendez, Casey Thomas, Gay Donnell Willis

SUBJECT **Conditional Dismissal Pilot Project Update**

This memorandum provides an update of the Dallas Municipal Court's conditional dismissal pilot project.

Background

The Dallas Municipal Court's Conditional Dismissal Program is a pilot pretrial intervention program that started November 2021. It is designed to allow qualifying first offenders to perform community service to resolve their case without entering a plea before the court. In similarity to pretrial diversion programs at the county level, the program delays a finding of guilt and allows program participants to perform assigned community service hours and other program requirements in exchange for having their charges dismissed. Participants must complete all program requirements to have their case dismissed by the court.

Project Analysis

Since starting the project in November 2021, 38 defendants have entered the program, totaling 70 cases. As of November 2022, 46 cases have completed the program, 22 cases have failed to finish, and 2 cases are currently in process. Participants entering the program, on average, are assigned between 8-16 hours of community service per case, totaling between 560 to 1,120 community service hours assigned by the court. All community service hours are required to be performed in the City of Dallas at a non-profit organization of the participant's choosing. Participants who fail to complete all program requirements or fail to appear for court are removed from the program and their cases are placed on the court's trial docket for resolution. Currently all traffic offenses and city code violations are accepted into the program apart from dangerous and aggressive dog violations, stormwater and environmental waste cases, civil violations, commercial driver's license violations, and juvenile cases. Assault citations, including family violence offenses, are accepted in the program with victim approval.

Recommendation

After reviewing the statistical data there is a slow developing upward trajectory of program participants. This number is expected to increase if the project becomes a permanent court program. As of this date, no additional costs have been incurred to administer this program, therefore no program fees have been established during the review of the project to fund and implement a permanent program. However, if a long-term program is established as an additional court diversion program, it is recommended that a reasonable program fee be required to offset future program growth. Moreover, it is

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recommended that the court's case management system be updated no later than 90 days after approval to incorporate the additional program fees and software that may be needed to ensure efficient implementation.

Staff will continue to monitor the program and be prepared to provide additional updates as the programs evolves. Should you have any questions or concerns feel free to contact Assistant City Attorney Rodney D. Patten at Rodney.patten@dallas.gov, Director Gloria Carter at g.carter@dallas.gov, or Preston Robinson at preston.robinson@dallas.gov.



Jon Fortune
Deputy City Manager
[Attachment]

c: T.C. Broadnax, City Manager
Chris Caso, City Attorney
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Biliera Johnson, City Secretary
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Kimberly Bizer Tolbert, Deputy City Manager
Jon, Fortune, Deputy City Manager

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Dr. Robert Perez, Assistant City Manager
Carl Simpson, Assistant City Manager
Jack Ireland, Chief Financial Officer
Genesis D. Gavino, Chief of Staff to the City Manager
Directors and Assistant Directors

Conditional Dismissal Data

From November 2021 – November 2022

