



OFFICE OF THE
DISTRICT ATTORNEY
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TODD SPITZER

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PRESS RELEASE

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**Orange County District Attorney's Office Launches County's
First Pre-filing Diversion Pilot Program "FIRST Point" with
Law Enforcement, Health Care Partners**

*Program will focus on connecting low-level offenders with services to
address mental health, substance abuse issues to ensure a criminal proceeding
does not inhibit future work and education opportunities*

SANTA ANA, Calif. – Orange County District Attorney Todd Spitzer is proud to announce the launch of a comprehensive pilot program to help reduce recidivism by connecting individuals who commit low-level crimes with mental health and substance abuse services before criminal charges are filed.

FIRST Point Diversion Program – which stands for Focused Intervention Route to Services and Treatment - is in partnership with the Orange County Sheriff's Department, the Police Departments of Seal Beach and Irvine, and the County's Health Care Agency and Social Services Agency. FIRST Point, which is the first of its kind pre-filing diversion program in Orange County, will act as an incentive for participants to accept services to address their underlying issues in exchange for avoiding having criminal charges filed against them.

"The entire goal of pre-filing diversion is to get new offenders connected to services immediately upon contact by the police," said Orange County District Attorney Todd Spitzer. "My entire goal is not only to reduce recidivism, but to keep a person entirely out of the justice system beyond the arrest to keep a person from ever having charges filed – the greatest inhibition to future job and educational opportunities. I first approached the Orange County Health Care Agency and Social Services Agency a year ago to assist in this vision and development of resources for the program design. I want to thank SSA Director Debra Baetz and HCA Director Dr. Clayton Chau for their commitment to this first of its kind program."

By diverting these cases through a service-centric approach rather than a criminal case filing, FIRST Point aims to reduce the number of repeat offenders while preventing low-level offenders from being encumbered by a criminal record that could prevent them from housing and employment opportunities.

The pilot program targets individuals with possible behavioral issues who have also committed misdemeanor crimes that are victimless including drug possession and paraphernalia and public intoxication, as well as crimes where there is a cooperating victim, including trespassing, vandalism, and assault.

Once a crime is committed, a law enforcement officer from one of the participating agencies sends the crime report to a designated prosecutor at the Orange County District Attorney's Office who reviews it to see if a crime can be proven beyond a reasonable doubt. If the elements of a crime can't meet that standard, the individual isn't eligible for the program.

If a crime can be proven, the FIRST Point prosecutor then refers the case to an Orange County Health Care Agency (HCA) intake counselor to assess the individual and develop a treatment plan that would provide tailored services which may include substance abuse counseling and mental illness assistance.

The program participant's progress is monitored by an HCA counselor and if the participant successfully completes the treatment plan criminal charges are not filed. If the plan is not completed within a 10-month period prosecutors will still have the ability to file criminal charges before the 1 year statute of limitations expires.

Program participants are also given the option of consulting with the County's Social Services Agency to see if they are eligible for benefits which may include food stamps and Medi-Cal. Access to Social Services and those benefits continue regardless of whether the program participant successfully completes the program.

The FIRST Point Pilot Program is currently in Seal Beach, Irvine and South Orange County. FIRST Point is administered out of the Orange County District Attorney's Office's Mental Health and Recidivism Reduction Unit.

Seal Beach Chief of Police Philip L. Gonshak recently invited District Attorney Spitzer to address the Seal Beach City Council to provide an overview of the program.

"For too long we have worked in a criminal justice system that has yet to address some of the root causes of crime," said Seal Beach Chief Gonshak. "It is our hope the "FIRST Point Diversion Pilot Program" will help to identify and remedy the root causes of certain crimes. Particularly if the suspect(s) has continual behavioral health issues and we can stop the crime from being committed through our mental health partners. With behavioral health becoming widespread in our community, we are ecstatic to have been selected to work with the Orange County District Attorney's Office to a solutions-based approach when dealing with crimes that impact the City of Seal Beach."

"The Irvine Police Department is eager to explore effective new ways to reduce recidivism by incentivizing treatment for offenders in need of mental health resources," said Irvine Police Chief Michael Kent. "We are thrilled to be on the ground floor of this exciting pilot program that we hope will lead to a decrease in crime and better outcomes for offenders who are eligible for this program."

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