

## **PALM BEACH COUNTY 1<sup>ST</sup> TIME D.U.I OFFENDER PROGRAM**

If you have been charged with Driving Under the Influence, you may be eligible for the Palm Beach County 1<sup>st</sup> Time D.U.I. Offender Program.

If your eligibility for this program is approved by our D.U.I. filing division, you will be required to perform four pre-conditions (and stay “crime-free”) within a two-month time frame in order to obtain a State-approved plea to Reckless Driving. Those four pre-conditions are:

- 1. Successful performance of 20 community service hours;**
- 2. Proof of successful completion of the DUI School;**
- 3. Proof of successful completion of the Victim Impact Panel; and**
- 4. Proof of successful installation of the Ignition Interlock alcohol monitoring device.**

If you successfully complete **ALL** pre-conditions of our program within the specified time frame, the State will offer the following resolution of your criminal case at your next court date (with completed conditions being credited towards probation, with the exception of any time spent on ignition interlock supervision prior to the actual plea date):

- **Plea of guilty to Reckless Driving (*adjudication will be withheld*)**
  - State of Florida will issue a *nolle prosequi* on the D.U.I. charge
- **Probation for a 12-month period, with conditions based on “Tier” level assigned**

**This plea resolution must be entered at the Arraignment stage of the case at one of our satellite courthouses (Gun Club, North County, South County, or Belle Glade). This plea resolution must be entered prior to the filing of any defense motions, demands for discovery, or demands for jury trial. Failure by a Defendant/Defense Counsel to abide by these rules will result in disqualification from this program.**

Upon successful completion of probation, you will not receive any points against your license. However, if you fail to successfully complete probation, you could be found guilty of a probation violation, which carries a penalty of up to 90 days in jail and up to a \$500 fine.

### **PROGRAM ELIGIBILITY CRITERIA\***

- No cases involving Defendant breath samples over the 0.200 B.A.C. mark
- No cases involving accidents
- No cases involving minor children / animals in Defendant’s vehicle
- No cases involving Defendants with prior commission(s) of similar offenses
- No cases involving Defendants who have received prior formal diversion programs (excluding juvenile diversion programs)
- No cases involving Defendants who have served prior prison sentences
- No cases where Defendants did not have valid driver’s licenses at time of offense
- No cases where there are accompanying felony charges or accompanying drug/paraphernalia charges with D.U.I. arrest

**\*NOTE\*:** ***ALL CASES are evaluated on an individual, fact-specific basis, notwithstanding the above criteria. A defendant’s eligibility is determined at the sole discretion of the D.U.I. filing unit, and may be based on relevant factors not mentioned above.***

# **PALM BEACH COUNTY 1<sup>st</sup> TIME D.U.I OFFENDER PROGRAM**

## **TIER 1 DIVERSION CONDITIONS**

*B.A.C. LEVELS BELOW 0.150*

- **Plea of Guilty to Reckless Driving – adjudication withheld**
  - **D.U.I. charge – *nolle prosequi* issued by State of Florida**
- **Probation for period of twelve (12) months, pursuant to F.S. § 948.15**
- **CONDITIONS OF PROBATION:**
  - \$250 fine & standard court costs
  - Proof of successful completion of DUI School
  - Successful completion of any DUI school recommended alcohol/substance abuse treatment
  - Successful completion of fifty (50) community service hours at approved location(s)
  - Proof of successful completion of Victim Impact Panel or YouImpact online class
  - Ten (10) day vehicle immobilization
  - Ignition Interlock Alcohol Monitoring for a period of three (3) months
  - No possession or consumption of alcohol/illegal drugs/non-prescribed drugs during probation
  - Random alcohol/drug testing conducted by probation at Defendant's expense

## **TIER 2 DIVERSION CONDITIONS**

*B.A.C. LEVELS BETWEEN 0.150 AND 0.200 & BREATH TEST REFUSALS*

- **Plea of Guilty to Reckless Driving – adjudication withheld**
  - **D.U.I. charge – *nolle prosequi* issued by State of Florida**
- **Probation for period of twelve (12) months, pursuant to F.S. § 948.15**
- **CONDITIONS OF PROBATION:**
  - \$250 fine & standard court costs
  - \$250 donation to Palm Beach County Victim Services
  - Proof of successful completion of DUI School
  - Successful completion of any DUI school recommended alcohol/substance abuse treatment
  - Successful completion of seventy-five (75) community service hours at approved location(s)
  - Proof of successful completion of Victim Impact Panel
  - Ten (10) day vehicle immobilization
  - Ignition Interlock Alcohol Monitoring for a period of six (6) months
  - No possession or consumption of alcohol/illegal drugs/non-prescribed drugs during probation
  - Random alcohol/drug testing conducted by probation at Defendant's expense

# DUI DIVERSION ELIGIBILITY REQUIREMENTS – INFORMATIONAL SHEET

2020

Please find relevant information below regarding the various conditions you must complete in order to be eligible for the Palm Beach County DUI Diversion program.

1) SUCCESSFUL COMPLETION OF TWENTY (20) COMMUNITY SERVICE HOURS

- Community service hours must be performed at one of the locations on the reverse side of this sheet. The State Attorney’s Office reserves the right to deny entry to the DUI Diversion Program if a Defendant performs community service hours at a non-approved location.

2) PROOF OF COMPLETION OF DUI SCHOOL

- You must complete a Florida-licensed D.U.I. program, and bring proof of completion to your next court date.

<b>APPROVED PALM BEACH COUNTY DUI SCHOOLS</b>		
<b>Metro Traffic School</b>	1993 S. Military Trail, West Palm Beach, FL 33415	(561) 963-7555
<b>Metro Traffic School</b>	1280 Old Congress Ave., Suite 100, West Palm Beach, FL 33409	(561) 651-7004
<b>Metro Traffic School</b>	4731 W. Atlantic Ave., Suite B3, Delray Beach, FL 33445	(561) 395-8989
<b>Pride Integrated Services</b>	1310 N. Congress Ave., Suite 200, West Palm Beach, FL 33409	(561) 615-0767
<b>Pride Integrated Services</b>	5062 W. Atlantic Ave., Bay 62, Delray Beach, FL 33483	(561) 278-4201
Other out-of-county DUI Schools can be found here: <a href="http://www.flhsmv.gov/ddl/dui_county.html">http://www.flhsmv.gov/ddl/dui_county.html</a>		

3) PROOF OF COMPLETION OF VICTIM IMPACT PANEL

- You must complete one session of the Victim Impact Panel, and bring proof of completion to your next court date.

<b>VICTIM IMPACT PANEL DETAILS</b>	
<b>LOCATION</b>	P.B.A. Banquet Hall 2100 N. Florida Mango Rd., West Palm Beach, 33409
<b>CONTACT INFO</b>	(954) 448-7880, ext. 7258 / <a href="mailto:fl.state@madd.org">fl.state@madd.org</a> <a href="https://www.maddvip.org/listing/pba-banquet-hall/">https://www.maddvip.org/listing/pba-banquet-hall/</a>
<b>REGISTRATION TIME</b>	6:45 PM
<b>PANEL DISCUSSION</b>	7:00 PM – 9:00 PM
<b>2020 DATES</b> <i>*ALWAYS CONFIRM DATE PRIOR TO ATTENDING*</i>	<b>1<sup>st</sup> MONDAY OF EVERY MONTH</b>
<b>REQUIREMENTS</b>	No drinking/drug use while in attendance Photo ID & copy of DUI Diversion Agreement \$50.00 Money Order (payable to MADD)

4) PROOF OF IGNITION INTERLOCK INSTALLATION

<https://www.flhsmv.gov/driver-licenses-id-cards/education-courses/dui-and-iid/ignition-interlock-program>

- You must install an ignition interlock device in your vehicle, and bring proof of installation to your next court date.

APPROVED VENDORS	PHONE NUMBER	APPROVED VENDORS	PHONE NUMBER
ALCOLOCK	866-837-8646	LifeSafer	855-527-1598
Draeger – Nationwide Interlock	866-694-6099	Low Cost Interlock, Inc.	844-276-0554
Guardian Interlock	800-499-0994	Smart Start	800-880-3394
Intoxalock	844-612-3952		

## LIST OF SAO-APPROVED COMMUNITY SERVICE ORGANIZATIONS

- Proof of community service hours must be turned in on the organization's letterhead and signed by the community service supervisor, detailing date and times of service.
- You may not receive any pay/compensation for community service hours. You cannot pay for your own community service hours or donate money in exchange for hours.

<b>Name of Organization</b>	<b>Address</b>	<b>Phone number/website</b>
Any house of worship	<i>VARIOUS</i>	<i>MUST be registered on <a href="http://www.sunbiz.org">www.sunbiz.org</a></i>
Any public school	<i>VARIOUS</i>	<i>Must be approved through principal's office</i>
American Red Cross	1250 Northpoint Parkway, West Palm Beach, 33407	West Palm Beach: (561) 833-7711 <a href="http://www.redcross.org/local/south-florida/local-chapters/palm-beach-martin-county">http://www.redcross.org/local/south-florida/local-chapters/palm-beach-martin-county</a>
American Cancer Society	621 Clearwater Park Rd., West Palm Beach, 33401	Main Phone: (561) 366-0013 <a href="http://www.cancer.org/involved/volunteer/index">http://www.cancer.org/involved/volunteer/index</a>
American Heart Association	2300 Centrepark West Drive, West Palm Beach, 33409	Main Phone: (561) 697-6600 <a href="http://www.heart.org/HEARTORG/volunteer/volunteerForm.jsp">http://www.heart.org/HEARTORG/volunteer/volunteerForm.jsp</a>
Animal Rescue Force	5115 S. Dixie Hwy, West Palm Beach, 33405	Main Phone: (561) 586-2126 <a href="http://www.animalrescueforce.org/info/display?PageID=14647">http://www.animalrescueforce.org/info/display?PageID=14647</a>
Big Dog Ranch Rescue	14444 Okeechobee Blvd, Loxahatchee, FL 33470	Main Phone: (561) 779-5131 <a href="https://bdr.org/">https://bdr.org/</a>
Boys/Girls Club	800 Northpoint Pkwy, Suite 204, West Palm Beach, 33407	Main Phone: (561) 683-3287 <a href="http://www.bgcpsc.org/volunteering">http://www.bgcpsc.org/volunteering</a>
Boy/Girl Scouts	<i>VARIOUS</i>	Boys: <a href="https://beascout.scouting.org/BeAScoutMap.aspx">https://beascout.scouting.org/BeAScoutMap.aspx</a> Girls: <a href="http://www.girlscouts.org/en/about-girl-scouts/join/council-finder.html">http://www.girlscouts.org/en/about-girl-scouts/join/council-finder.html</a>
Forgotten Soldiers Outreach	3550 23 <sup>rd</sup> Ave. S., Suite #7, Lake Worth, 33461	Main Phone: (561) 369-2933 <a href="http://www.forgottensoldiers.org/volunteers-needed/">http://www.forgottensoldiers.org/volunteers-needed/</a>
Goodwill	<i>VARIOUS</i>	<a href="http://www.goodwill.org/volunteer/">http://www.goodwill.org/volunteer/</a>
Habitat for Humanity	6758 N. Military Trail, Suite 301, Riviera Beach, 33407	Office Phone: (561) 253-2080 <a href="http://www.habitatpbc.org/p/36/community-service">http://www.habitatpbc.org/p/36/community-service</a>
Leukemia/Lymphoma Society - PBC	3230 Commerce Place, Suite B, West Palm Beach, 33407	Main Phone: (561) 616-8682 <a href="http://www.lls.org/palm-beach-area">http://www.lls.org/palm-beach-area</a>
Locks of Love	234 Southern Blvd, West Palm Beach, 33405	Main Phone: (561) 833-7332 <a href="http://www.locksoflove.org/get-involved/">http://www.locksoflove.org/get-involved/</a>
PBC Animal Care & Control	7100 Belvedere Road, West Palm Beach, 33411	Main Phone: (561) 233-1200 <a href="http://www.pbcgov.com/publicsafety/animalcare/">http://www.pbcgov.com/publicsafety/animalcare/</a>
PBC Community Services Department	810 Datura Street, West Palm Beach, 33401	Main Phone: 561-355-4700 <a href="http://www.pbcgov.com/communityservices/">http://www.pbcgov.com/communityservices/</a>
PBC Division of Senior Services	810 Datura Street, West Palm Beach, 33401	Main Phone: (561) 355-4750 <a href="http://www.pbcgov.com/communityservices/programs/seniorservices/">http://www.pbcgov.com/communityservices/programs/seniorservices/</a>
PBC Parks & Recreation	<i>VARIOUS</i>	<a href="http://www.pbcgov.com/parks/jobs/volunteering/">http://www.pbcgov.com/parks/jobs/volunteering/</a>
Safe Harbor Runaway Center	3335 Forest Hill Blvd, West Palm Beach, 33406	Main Phone: (561) 868-4444 <a href="http://chsfl.org/PalmBeach">http://chsfl.org/PalmBeach</a>
Salvation Army	<i>VARIOUS</i>	<a href="http://www.salvationarmyusa.org/usn/volunteer">http://www.salvationarmyusa.org/usn/volunteer</a>
Sickle Cell Foundation	1600 N. Australian Ave., West Palm Beach, 33407	Main Phone: (561) 833-3113 <a href="http://www.sicklecellpalmbeach.org/">http://www.sicklecellpalmbeach.org/</a>
Tri-County Animal Rescue	21287 Boca Rio Road, Boca Raton, 33433	Main Phone: (561) 482-8110 <a href="https://tricityanimalrescue.com/volunteer/">https://tricityanimalrescue.com/volunteer/</a>
West Palm Beach Police Athletic League	720 N. Tamarind Ave., West Palm Beach, 33401	Main Phone: (561) 835-7195 <a href="http://www.westpalmbeachpal.com/ways-to-help.html">http://www.westpalmbeachpal.com/ways-to-help.html</a>