

PALM BEACH COUNTY 1st 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 1st 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 Defendant has a Count 2, except for 1) First Refusals (specified under Tier 3 Diversion conditions) and/or 2) Willful Refusal to Sign & Accept Summons or Citation (specified under Tier 1, 2 or 3 Diversion conditions)
- No cases where there are accompanying felony charges

***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 1st 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**
- **Plea of Guilty to Willfully Refuse to Sign & Accept Summons or Citation- adjudication**
- **Probation for period of twelve (12) months, pursuant to F.S. § 948.15 (No Early Termination)**
- **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

- **Plea of Guilty to Reckless Driving – adjudication withheld**
 - **D.U.I. charge – nolle prosequi issued by State of Florida**
- **Plea of Guilty to Willfully Refuse to Sign & Accept Summons or Citation- adjudication**
- **Probation for period of twelve (12) months, pursuant to F.S. § 948.15 (No Early Termination)**
- **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

TIER 3 DIVERSION CONDITIONS
REFUSALS

- **Plea of Guilty to Reckless Driving – adjudication withheld**
 - **D.U.I. charge – *nolle prosequi* issued by State of Florida**
- **Plea of Guilty to Refusal to Submit to DUI Testing – adjudication may be withheld or an adjudication (which will be decided on a case-by-case basis)**
- **Plea of Guilty to Willfully Refuse to Sign & Accept Summons or Citation- adjudication**
- **Probation for period of twelve (12) months, pursuant to F.S. § 948.15 (No Early Termination)**
- **CONDITIONS OF PROBATION:**
 - Pay a \$500 fine and Court Costs which must be paid within the first 6 months of entering the program
 - Proof of successful completion of DUI School
 - Successful completion of any DUI school recommended alcohol/substance abuse treatment
 - Successful completion of 75 hours of community service at approved location(s)
 - Proof of successful completion of Victim Impact Panel
 - Ten (10) day vehicle immobilization
 - Submit to a MANDATORY 6 month alcohol monitoring device (Select one):
 - ❖ Ignition Interlock
 - ❖ Scram Monitor or an ankle worn device that senses alcohol through the skin,
 - 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.

APPROVED PALM BEACH COUNTY DUI SCHOOLS		
Metro Traffic School	1993 S. Military Trail, West Palm Beach, FL 33415	(561) 963-7555

Metro Traffic School	1280 Old Congress Ave., Suite 100, West Palm Beach, FL 33409	(561) 651-7004
Metro Traffic School	4731 W. Atlantic Ave., Suite B3, Delray Beach, FL 33445	(561) 395-8989
Pride Integrated Services	1310 N. Congress Ave., Suite 200, West Palm Beach, FL 33409	(561) 615-0767
Pride Integrated Services	5062 W. Atlantic Ave., Bay 62, Delray Beach, FL 33483	(561) 278-4201
Other out-of-county DUI Schools can be found here: http://www.flhsmv.gov/ddl/dui_county.html		

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.

VICTIM IMPACT PANEL DETAILS	
LOCATION	P.B.A. Banquet Hall 2100 N. Florida Mango Rd., West Palm Beach, 33409
CONTACT INFO	(954) 448-7880, ext. 7258 / fl.state@madd.org https://www.maddvip.org/listing/pba-banquet-hall/
REGISTRATION TIME	6:45 PM
PANEL DISCUSSION	7:00 PM – 9:00 PM
2020 DATES *ALWAYS CONFIRM DATE PRIOR TO ATTENDING*	1st MONDAY OF EVERY MONTH
REQUIREMENTS	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.

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