

# **PALM BEACH COUNTY**

## **1<sup>st</sup> Time DUI Offender Program**

If you have been charged with DUI, you may be eligible for the Palm Beach County 1<sup>st</sup> Time DUI Offender Program.

Upon entering the Palm Beach County 1<sup>st</sup> Time DUI Offender Program, the DUI will be Nolle Prossed (dropped) and you must enter a plea of Guilty to Reckless Driving, a second degree misdemeanor. You will receive a Withhold of Adjudication and be placed on probation for a period of 12 months. Upon successful completion of this program, you will not receive any points against your license.

However, if you fail to successfully complete the program, you will be adjudicated guilty and sentenced to ninety (90) days in the Palm Beach County Jail.

You **MUST** enter this program at one of the satellite courthouses – Gun Club, South County, North County and Belle Glade.

If the State Attorney determines that you are a candidate for the Palm Beach County 1<sup>st</sup> Time DUI Offender Program, you will fall into either Tier 1 or Tier 2.

### **Program Eligibility Criteria:**

- No Crash
- No minors or animals in the vehicle
- No Prior commission of similar offenses
- No Prior Diversion Programs (excluding Juvenile Diversion Programs)
- Must have a Valid Driver's License at the time of arrest
- No prior prison sentence
- No accompanying felony charges or possession of paraphernalia/controlled substances charges with DUI arrest
- Plea must be entered at arraignment at Gun Club, North County Courthouse, South County Courthouse or Belle Glade
- Plea must be entered prior to filing motions, demanding discovery or demanding a jury trial
- Notwithstanding these guidelines, each case will be evaluated on a case by case basis

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#### **TIER 1: (Breath/Blood Alcohol Levels Below .15)**

- Plea of Guilty to Reckless Driving – Adjudication will be withheld
- Placed on probation for a period of 12 months pursuant to Florida Statute 948.15
- You must complete the DUI School (Level 1) within the first 4 months of the program
- You must complete a substance abuse evaluation conducted by the DUI School within 2 months of enrollment
- You must successfully complete any/all recommended treatment within the term of the program
- You must not possess or consume any alcohol, illegal drugs or prescription drugs without a valid prescription
- You must submit to random urinalysis testing at your expense
- You must perform 50 hours of Community Service at an approved location
- You must complete a live Victim Impact Panel Class or “You Impact” (an online class)
- Your vehicle will be immobilized for a period of 10 consecutive days
- You must submit to a 3 month alcohol monitoring device (select one):
  - ★ Ignition Interlock
  - ★ SCRAM Monitor
  - ★ Visual Alcohol Monitoring
- You must pay a \$250.00 fine and Court Costs which must be paid within the first 6 months of entering the program

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#### **TIER 2:** (Breath/Blood Alcohol Levels Between .150 and .200 and Refusals)

- Plea of Guilty to Reckless Driving – Adjudication will be withheld
- Placed on probation for a period of 12 months pursuant to Florida Statute 948.15
- You must complete the DUI School (Level 1) within the first 4 months of the program
- You must complete a substance abuse evaluation conducted by the DUI School within 2 months of enrollment
- You must successfully complete any/all recommended treatment within the term of the program
- You must not possess or consume any alcohol, illegal drugs or prescription drugs without a valid prescription
- You must submit to random urinalysis testing at your expense
- You must perform 75 hours of Community Service at an approved location
- You must complete a live Victim Impact Panel Class or “You Impact” (an online class)
- Your vehicle will be immobilized for a period of 10 consecutive days
- You must submit to a MANDATORY 6 month alcohol monitoring device (select one):
  - ★ Ignition Interlock
  - ★ SCRAM Monitor
  - ★ Visual Alcohol Monitoring
- You must pay a \$250 fine and \$250 to Palm Beach County Victim Services, as well as Court Costs which must be paid within the first 6 months of entering the program