



**Orange County Corrections Department**  
**Community Corrections Division\*\*\*Pretrial Diversion Program**



**MISDEMEANOR/DUI PRETRIAL DIVERSION INFORMATION**

**Pretrial Diversion (PTD)** is a deferred prosecution program for selected misdemeanor/misdemeanor DUI offenders, offered by the Office of the State Attorney and supervised by Orange County Community Corrections. Successful completion of the Pretrial Diversion program will result in the dismissal of the case by the Office of the State Attorney. This is an excellent opportunity to avoid **criminal prosecution** and **conviction**.

**Program Eligibility:**

- Misdemeanor/DUI charges only. Felony cases are supervised by the Department of Corrections.
- No prior sentence, conviction or dismissal for a similar charge, no prior felony convictions, no prior convictions for charges ineligible for diversion, no prior adult diversion/deferred prosecution programs.
- Legal residence in the United States.
- For misdemeanor cases: no more than one prior misdemeanor conviction, no more than \$1,000 restitution.
- For DUIs: no prior alcohol-related driving offenses regardless of disposition, no more than two prior misdemeanor convictions, no crash/accident, BAL  $\leq$  .220.
- Approval by the Office of the State Attorney.

	<u><b>DRUG/DV CASES</b></u>	<u><b>MISD. CASES</b></u>	<u><b>DUI CASES – I</b></u>	<u><b>DUI CASES - II</b></u>
	<b>Possession or Partner-Related DV</b>		<b>BAC &lt; .15 %</b>	<b>BAC <math>\geq</math> .15% Refusals</b>
<b>Program length</b>	12 months	6 months	12 months	15 months
<b>Program cost</b>	\$600.00	\$300.00	\$600.00	\$750.00
<b>Intake/Drug Tests</b>	\$ 20/\$17	\$ 20/\$17	\$ 20/\$17	\$ 20/\$17
<b>ACS hours</b>	40 hours (minimum)	40 hours (minimum)	50 hours (minimum)	50 hours (min.)
<b>Phone reporting</b>	\$ 6 - 7 monthly	\$ 6 - 7 monthly	\$ 6 - 7 monthly	\$ 6 - 7 monthly
<b>State Attorney Fee</b>	\$100.00	\$ 100.00	\$ 50.00	\$ 50.00

**SPECIAL CONDITIONS**

**Special conditions** are in addition to those listed above are required. **Additional costs for classes and evaluations are the responsibility of the PTD participant.** Further conditions may be added at the discretion of the Office of the State Attorney, such as additional community service hours, or Advanced Driver Improvement classes for DUI cases, when the facts of the case warrant additional conditions.

**DUI CASES I and II:**

- DUI Level I School, and Victim Impact Class
- I - 10 day Vehicle Impoundment/Immobilization, II – 6-month **MANDATORY** Ignition Interlock
- I - \$500 monetary contribution, II - \$1000 monetary contribution  
Above monetary contributions **MUST** be made to Central Florida MADD or Victim Service Center.
- Law Enforcement Investigative Costs (includes drug/alcohol testing at time of arrest)
- Random observed urine screens (no additional cost for on-site testing)
- Victim Impact Class through MADD or Florida Safety Council

**DRUG/ALCOHOL-RELATED OFFENSES (including DUI's):**

- Obtain a substance abuse evaluation and complete any recommended treatment
- Random observed urine screens (no additional cost for on-site testing)

**THEFT, FRAUD AND PROPERTY CASES:**

- Impulse Control/ Theft Prevention Class



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**DOMESTIC VIOLENCE (DV) /BATTERY CASES:**

- Batterer's Intervention Program (if partner related)
- Anger Management Class (minimum of eight hours in divided sessions for non-partner DV cases)
- No contact/no hostile contact with victim

**SEX-RELATED OFFENSES:**

- Obtain a sex offender assessment and complete any recommended treatment
- Sexually Transmitted Diseases (STD) awareness class

**RESISTING AN OFFICER WITHOUT VIOLENCE CASES:**

- Anger Management Class; Substance Abuse Evaluation and/or treatment (if applicable)
- Letter of apology.

**SALE/SERVE ALCOHOL TO A PERSON UNDER 21 YEARS OF AGE:**

- Class/program designed to educate regarding the law regulating selling alcohol to underage persons

**Program Enrollment:**

- You can NOT refer yourself to Pretrial Diversion. Your attorney can NOT refer you directly to Pretrial Diversion.
- If the court allows your case to be removed from the trial docket to be considered for Pretrial Diversion, follow the instructions in the box below:

**COURT REFERRALS TO PRETRIAL DIVERSION**

Report to the Central Intake Unit on the 2<sup>nd</sup> floor of the Corrections Administration Bldg., at 3723 Vision Blvd., Orlando, FL 32839, between 8:00 a.m. – 11:30 a.m. M – F. Bring a picture ID and your court order.

- **Only the Office of the State Attorney can approve your case for Pretrial Diversion.** If you are approved for the program, you will be signing a contract with the State Attorney to complete the conditions described on the back of this page.
- You are NOT on the Pretrial Diversion program until the day you sign the contract with the State Attorney.
- **YOU MUST KEEP ALL COURT DATES while your case is pending.** Contact Orange County Misdemeanor court clerk at (407) 836-2066 or Traffic court clerk at (407) 836-6000 regarding court dates. You can also look up your case at the public website of the Clerk of the Court at <http://myorangeclerk.com>. You must notify the court clerk **in writing** of any address changes, as you will receive notice of your court dates by mail.
- If you are on **Pretrial Release**, you MUST **continue to make your phone calls** or see your officer until you sign the contract for Pretrial Diversion.
- For questions about Pretrial Diversion, report to the Central Intake Unit as indicated in the above box. The website is [bestjail.com](http://bestjail.com); click on the Community Corrections Programs tab. For address changes or problems, telephone 407-836-0273 or 407-836-3164 or e-mail [PTD@ocfl.net](mailto:PTD@ocfl.net) or [sue.mclendon@ocfl.net](mailto:sue.mclendon@ocfl.net).

In accordance with the Americans With Disabilities Act, persons with disabilities needing a special accommodation should contact the Community Corrections Department Receptionist, 3723 Vision Blvd., Orlando, Florida 32839, telephone (407) 836-3140 no later than seven (7) days prior to your appointment. If hearing impaired, (TDD) 1-800-955-8771, or Voice (V) 1-800-955-8770, via Florida Relay Services.