

SEMINOLE COUNTY 1ST TIME D.U.I OFFENDER PROGRAM

If you have been charged with Driving Under the Influence, you may be eligible for the Seminole 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 three pre-conditions (and stay “crime-free”) within 60 days of the execution of the attached agreement in order to obtain a State-approved plea to Reckless Driving (alcohol related). The three pre-conditions are:

1. Successful performance of 20 community service hours;
2. Proof of enrollment or successful completion of the DUI School;
3. Proof of enrollment or successful completion of the Victim Awareness Program or YouImpact online course (www.youimpact.com)

If you successfully complete **ALL** pre-conditions of our program within the 60 day time period, the State of Florida will offer the following resolution of your criminal case (with the completed conditions being credited towards probation):

- Plea of guilty to Alcohol Related Reckless Driving (*adjudication will be withheld*)
- Probation for either an 6-month or 9-month period, with conditions based on “Tier” level assigned

This resolution must be entered at either your Arraignment or at the first Pre-Trial Conference date of the case.

THIS PLEA RESOLUTION MUST ALSO BE ENTERED PRIOR TO THE LITIGATION OF ANY PRETRIAL MOTIONS.

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 0.2500 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/misdemeanor 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.***

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TIER 1 – (6) SIX MONTH PROBATION CONDITIONS

B.A.C. LEVELS BELOW 0.150

- **Plea of Guilty to Reckless Driving (Alcohol Related) F.S. § 316.192(5) – adjudication withheld**
- **Probation for period of six (6) months, pursuant to F.S. § 948.15**
- **CONDITIONS OF PROBATION:**
 - \$100 Fine; Standard court costs; cost of prosecution and cost of investigation
 - \$400 donation to the Kids House of Seminole County
 - Proof of successful completion of DUI School
 - Successful completion of any DUI school recommended alcohol/substance abuse treatment
 - Successful completion of twenty (20) total community service hours at approved location(s)
 - Proof of successful completion of the Victim Awareness Panel or YouImpact online course (www.youimpact.com)
 - 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 – (9) NINE MONTH CONDITIONS

B.A.C. LEVELS BETWEEN 0.150 AND 0.250 & BREATH TEST REFUSALS

- **Plea of Guilty to Reckless Driving F.S. §316.192(5) – adjudication withheld**
- **Probation for period of nine (9) months, pursuant to F.S. § 948.15**
- **CONDITIONS OF PROBATION:**
 - \$100 Fine; Standard court costs; cost of prosecution and cost of investigation
 - \$400 donation to the Kids House of Seminole County
 - Proof of successful completion of DUI School
 - Successful completion of any DUI school recommended alcohol/substance abuse treatment
 - Successful completion of fifty (50) total community service hours at approved location(s)
 - Proof of successful completion of Victim Awareness Panel or YouImpact online course (www.youimpact.com)
 - No possession or consumption of alcohol/illegal drugs/non-prescribed drugs during probation
 - Random alcohol/drug testing conducted by probation at Defendant's expense
 - Immobilization of Defendant's vehicle for ten (10) days.