

THE DENSON FIRM

Driver Enhanced Treatment Education Rehabilitation (DETER)

Offered in Manatee/Sarasota

Purpose

The State Attorney's Office (SAO) has established the Driver Enhanced Treatment Education Rehabilitation (DETER) initiative to help promote long-term community safety by curbing the dangers of impaired driving and reducing recidivism.

DETER seeks to aggressively target 1st time, non-aggravated DUI offenders to reduce impaired driving by imposing enhanced educational and rehabilitative sanctions including ignition interlock devices, alcohol monitoring devices, work offender sanctions, and enhanced victim impact education.



Eligibility

- 1 Misdemeanor DUI only.**
- 2 No aggravating factors**, including but not limited to: a minor in the vehicle, BAC above .20, or a crash.
- 3 No prior:** DUI, Alcohol-related reckless driving, DWLS with serious bodily injury or death, vehicular homicide, DUI prior diversion program, or any sentence on a felony charge within the past 5 years from the date of the DUI offense.
- 4 No pending:** Florida driver license suspension, DUI, DWLS with serious bodily injury or death, vehicular homicide, or participation in another Pre-Trial intervention program or probation.

The SAO will evaluate all cases on an individual, fact-specific basis. An offender's eligibility is determined at the SAO's sole discretion and may be based on relevant factors not mentioned above.

Process

The SAO will assign a sanction level to eligible cases:

Level 1 – BAC at or below .15

Level 2 – BAC between .15 and .20 or refusal of BAC

Level 3 – Drug-related DUIs

At arraignment, the offender will sign a form agreeing to participate in the DETER program, waive speedy trial, agree to complete the pre-plea sanctions, and agree to set the case for court disposition in approximately sixty (60) days.

Before disposition, the offender must provide proof of completion of the pre-plea sanctions to the SAO.

At disposition, if the offender has completed the pre-plea sanctions, he or she may accept the plea offer, enter a plea, and be sentenced.

Credit: State Attorney's Office

<https://www.sao12.org/divisions/driver-enhanced-treatment-education-rehabilitation>



During the Pre-Plea 60 Days, All Offenders Must:

- 1** Remain crime free and stay compliant with any conditions of bond or supervised release;
- 2** Complete DUI school and begin recommended treatment;
- 3** Complete MADD Online Victim Impact Program; AND
- 4** **Level 1 and Level 2 offenders must**
 - Provide proof of installation of ignition interlock alcohol monitoring device or, if they do not own a vehicle, proof of a continuous alcohol monitoring device (PAM OR SCRAM);
 - Complete two (2) work offender days for Level 1 offenses, and four (4) work offender days for Level 2 offenses

Level 3 offenders must:

- Not possess or consume alcohol, illegal drugs, or non prescribed drugs
- Submit to weekly urinalysis;
- Complete four (4) work offender days

Plea Offer

Upon completion of the pre-plea sanctions, offenders will be offered a plea of reckless driving with the following sanctions:

- Withhold of adjudication;
- Twelve (12) months probation;
- Standard court costs and conditions of probation;
- Cost of Prosecution;
- Cost of Investigation;
- Ten day (10) vehicle immobilization;
- No possession or consumption of alcohol, illegal drugs, or non prescribed drugs during probation;
- Successful completion of DUI school and any recommended treatment;
- Fine of \$500;
- MADD Live Victim Impact Panel;
- 50 PSWs; **AND**

Level 1 and 2 offenders must further complete:

Ignition interlock alcohol monitoring, or if they do not own a vehicle, continuous alcohol monitoring, for three (3) months for Level 1 offenses and six (6) months for Level 2.

Level 3 offenders must: not possess or consume alcohol, illegal drugs, or non prescribed drugs and must submit to weekly urinalysis for six (6) months.

THE DENSON FIRM

(727) 896-7000

www.thedensonfirm.com

Credit: State Attorney's Office

<https://www.sao12.org/divisions/driver-enhanced-treatment-education-rehabilitation>