

JEANNE M. SINGER
CHIEF ASSISTANT STATE ATTORNEY



120 WEST UNIVERSITY AVENUE
GAINESVILLE, FLORIDA 32601

DAVID REMER
EXECUTIVE DIRECTOR

WILLIAM P. CERVONE
STATE ATTORNEY
EIGHTH JUDICIAL CIRCUIT OF FLORIDA
SERVING
ALACHUA, BAKER, BRADFORD, GILCHRIST, LEVY
AND UNION COUNTIES

TELEPHONE (352) 374 - 3670

PLEASE REPLY TO:

MEMORANDUM

July 29, 2011

To: FACDL Members

From: Heather L. Jones, Assistant State Attorney
County Court Division Chief

Subject: DUI Intervention Program

Mr. Cervone has reviewed the DUI Intervention Program and has adjusted the admission qualifiers. Any change takes effect immediately.

- Qualifiers:**
1. No multi-vehicle accident or damage to property of others
 2. No prior criminal history of conviction or deferral; a prior dismissal of a charge will be evaluated on a case by case basis
 3. No more than 5 prior moving traffic citations within prior 10 years, and no more than 1 within prior 1 year
 4. No BAL of .20 or over
 5. No inappropriate behavior such as belligerence to LEO
 6. No child in vehicle
 7. Request for entry into program must be within 30 days of arrest absent extenuating circumstances and must be without any substantive motion practice or discovery proceedings having taken place.
 8. No controlled substances in the vehicle or on the defendant regardless of evidence that it was being used at the time.

- Conditions:**
1. \$500 charitable contribution in lieu of fine
 2. 50 hours community service, including 5 hours Victim Impact Panel
 3. Surrender license to SAO for 14 days if not suspended by DHSMV
 4. Alcohol evaluation and treatment if required
 5. Complete DUI School
 6. \$50 costs of prosecution
 7. Resolve any related citations independent of deferral agreement
 8. 18 month period of deferral; plead to Reckless Driving if successful