



# REDUCING IMPAIRED DRIVING RECIDIVISM

## INFORMATION SHEET

Hillsborough County has consistently been ranked the worst or near the worst in Florida for DUI crashes, injuries, and fatalities. Given the dangers of impaired driving and the importance of reducing recidivism to promote long-term community safety, the State Attorney's Office (SAO) has established the Reducing Impaired Driving Recidivism ("RIDR") initiative. RIDR seeks to aggressively target and reduce impaired driving by imposing enhanced sanctions like alcohol monitoring devices and DUI education programs on first-time, non-aggravated DUI offenders. RIDR also promotes consistency in the prosecution of DUI cases by eliminating the incentive for offenders to refuse to provide a breath sample during investigation.



**RIDR is available for eligible offenses occurring on or after March 1, 2018.**

### ELIGIBILITY

1. Case must be a misdemeanor DUI.
2. No minor in the vehicle, BAC of .20 or higher, or a crash.
3. No prior: DUI, alcohol-related reckless driving, DWLS with serious bodily injury or death, leaving the scene of an accident with injury or death, vehicular homicide, DUI diversion program or more than one non-DUI diversion program as an adult, or, in the five years prior to the date of offense, no adjudication, a withhold, or any portion of a sentence on a felony.
4. No pending: Florida driver license suspension, DUI, DWLS with serious bodily injury or death, leaving the scene of an accident with injury or death, vehicular homicide, or participation in Pre-Trial Intervention 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 above .15 or no breath sample
- Level 3--Drug-related DUIs

*At arraignment*, the offender will waive speedy trial and agree to set the case for disposition approximately sixty (60) days out.

*Before disposition*, the offender must provide proof of completion of the Pre-Plea Sanctions to the SAO.

*At disposition*, the offender who has completed the Pre-Plea Sanctions may accept the Plea Offer, enter a plea, and be sentenced as part of the RIDR program.

### PRE-PLEA SANCTIONS

All offenders must:

- remain crime-free;
- complete DUI School and begin recommended treatment;
- attend the MADD Victim Impact Panel; and
- complete ten community service hours.

Level 1 and Level 2 offenders must further:

- provide proof of installation of ignition interlock alcohol monitoring device or a continuous alcohol monitoring device, e.g. SCRAM.

Level 3 offenders must further:

- not possess or consume alcohol, illegal drugs, or non-prescribed drugs; and
- use PharmCheck Drugs of Abuse Patch with results provided to the SAO.

### PLEA OFFER

Upon satisfaction of the Pre-Plea Sanctions, offenders will be offered a plea of reckless driving with the following sanctions:

- Withhold of adjudication;
- Twelve months probation;
- Standard court costs and conditions of probation;
- Ten day vehicle immobilization;
- No possession or consumption of alcohol, illegal drugs, or non-prescribed drugs during probation; and
- Successful completion of DUI School and any recommended treatment.

Level 1 offenders must further complete:

- Fifty community service; and
- Three months of ignition interlock alcohol monitoring or continuous alcohol monitoring.

Level 2 offenders must further complete:

- Seventy-five community service hours; and
- Six months of ignition interlock alcohol monitoring or continuous alcohol monitoring.

Level 3 offenders must further:

- Complete fifty community service hours; and
- Wear a PharmCheck Drugs of Abuse Patch for three months with results provided to HCSO Probation.

***The SAO will credit offenders for sanctions already completed at the time of sentencing.***

## STAY ENGAGED

Office Hours: 8:30 am – 5:00 pm

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