

MONROE COUNTY FAST-TRACK DUI COURT

Monroe County Court has approved The Monroe County DUI Fast-Track system to process Driving Under the Influence of Alcohol cases. Resources will be allocated that allows many offenders who choose this plan to be considered for a program that will reduce or replace prison sentences with treatment and supervision through house arrest-electronic monitoring supervision and expedited work release. First offenders that meet the criteria and wish to be considered for ARD (Accelerated Rehabilitative Disposition) must choose this process to enter the program avoid jail and receive a reduced license suspension (30 days for .10 to .159 BAC), (60 days for .160 and higher/refusal), (90 days for under 21) as compared to one year suspension for non-participants. First offenders who do not qualify for ARD as well as offenders with prior convictions may choose the Fast Track process to reduce or possibly eliminate prison sentences in exchange for early treatment, expedited work release and/or supervision through the house arrest-electronic monitoring program. By participating in this process offenders begin treatment earlier and can maintain jobs, school or important family obligations while being monitored by the Monroe County Probation Department. The Accelerated Rehabilitative Disposition (ARD) Program and Electronic Monitoring House Arrest will not be considered for defendants who do not proceed under the Fast Track Program.

This practice will adhere to a strict timetable that starts upon waiving the preliminary hearing. The district justice or district attorney will direct that the defendant call or appear at the probation office to **set up a conference within 10 days**, final disposition will occur within 60 days. This timetable is important since House Arrest/Home confinement resources allocated for the Fast-Track process **will not be available** outside of this court approved process.

The Fast-Track Conference with the probation office will last about ½ hour and all participants must bring their drivers license, insurance card, and vehicle registration. If they wish, defendants may bring their attorney to the conference however it is not necessary. Some basic background information will be obtained and a signed statement completed acknowledging that the defendant understands of the program, meets the criteria, and has accurately disclosed all prior record information. The defendant will then receive written notice from the District Attorney regarding the next court appearance.

Once the DUI conference is complete and all necessary information is compiled, DUI defendants will appear before the Court to be formally entered into the ARD Program or enter a plea with immediate sentencing. The defendant will know whether he/she qualifies for intermediate sanctions (alternatives to full time incarceration) or consideration for a reduced prison sentence and electronic monitoring when notice is received to attend the Fast Track Court Hearing. Generally, for first and second offenses that require incarceration from 48 hours up to 30 days, Fast track participants may be entered into the House Arrest/Electronic Monitoring Program for not less than 30 days. For second and third offenses that require 90 days incarceration, a **minimum** of 3 months

on The House Arrest/Electronic Monitoring Program may also be used as an alternative to jail. For offenses that require a 1 year prison commitment, expedited work release for the first six months of incarceration followed by early parole consideration to the House Arrest/Electronic Monitoring Program or inpatient drug and alcohol treatment to serve the remaining 6 months may be considered. In most DUI situations, offenders can avoid or substantially reduce prison time by agreeing to expedite treatment/counseling by submitting to the Fast Track system.

ARD DRUNK DRIVING PROGRAM ADMISSION

1. Most **first offense** DUI arrests that do not involve serious bodily injury are eligible for admission to the ARD Program to avoid jail time and lengthy license suspension as long as the defendant does the following;
 - a. Waive the preliminary hearing.
 - b. Contact the Monroe County Probation Office within 10 days and appear for DUI Conference.
 - c. Contact Tri-county Drug and Alcohol for a CRN evaluation immediately.

CRITERIA FOR PARTICIPATION IN ELECTRONIC MONITORING/HOUSE ARREST PROGRAM

1. The DUI offense for which you are appearing can not have resulted in an accident that caused serious bodily injury to anyone other than the defendant.
2. At the time of the DUI arrest the defendant cannot have a DUI suspended license.
3. The defendant must waive the preliminary hearing and contact the Monroe County Probation Department within **10 days** of the case being waived.
4. The defendant must be Drug and Alcohol free at the time of the conference, **(testing will be required)**.
5. To be considered for Electronic monitoring the defendant must have a land based phone with long distance service enabled.
6. There can be no history of absconding or serious violations of probation, parole or past intermediate punishment dispositions.

7. At the time of the probation conference, the defendant must have contacted Monroe, Pike, Carbon Drug and Alcohol to have set-up CRN evaluation and abide by treatment recommendations while under supervision.
8. The defendant's residence must be within the geographical boundaries of Monroe County.
9. The defendant must be prepared to pay the \$8.00 per day Electronic monitoring Fee forthwith (\$240 for 30 days, \$720 for 90 days).

All defendants who choose the Fast-Track DUI Court Process, qualify to participate in the House Arrest Electronic Monitoring Program, and are accepted by the Court, must understand that this is an alternative to incarceration. The participant will be subject to **full time home confinement** except for **pre-approved** times that the Court or probation office will allow travel for essential activities such as a structured work schedule, educational program, and drug or alcohol counseling sessions. All other activity is prohibited. Any violation of program requirements may result in immediate incarceration and revocation of the program with a 6 month incarceration recommendation. This is a program that has **great benefit to participants who will adhere to program** requirements however, **violations will be strictly sanctioned.**

E. David Christine
District Attorney

MONROE COUNTY PROBATION PHONE 517-3068