

PRETRIAL DIVERSION (PC § 1000)
INFORMATION SHEET

Pretrial Diversion (PC §1000) is a 12 - 18 month program, based on individual progress. Once successful, participant will be recommended for program graduation, with case(s) potentially dismissed at the request of defendant's defense attorney. Individual's commitment to fulfilling all program requirements is essential. Failure to comply with program requirements may result in demerits, case sentencing and referral to a more intensive supervised court program, or termination from the program.

ELIGIBILITY: First Offense: 11350,11357, 11550, 11364,11377,11365, 11358, 11368 (Personal Use) 4230B&P, 381PC; No Prior Convictions for the above offenses; Qualification from DA; Offense not involving, violence, threats or firearms; No other drug offenses and no evidence of sales; Successful completion of prior probation or parole; No prior Pretrial Diversion or Treatment Court within 5 years; No prior felony (any) conviction within 5 years.

PROGRAM EXPECTATIONS AND GOALS: Pretrial Diversion opportunities for case dismissal pursuant to PC §1000 requires you to attend self-help/recovery meetings (or an acceptable alternative), enroll and complete a drug awareness/treatment (self-pay), submit to regular and/or random drug testing (self-pay), and attend court review hearings as ordered. The following information details what you should typically expect. Individual progress varies and will determine your progression in the program.

- ✓ Self-Help/Recovery Meetings: You are expected to attend 3 in-person/on-line meetings per week until completion of treatment and provide proof of attendance. This requirement may reduced to 1 in-person/on-line meeting per week, based on individual progress. Counseling, journaling and/or other approved alternatives will be considered case by case.
- ✓ PC §1000 Drug Awareness/Treatment: You are expected to enroll, participate and successfully complete a course on drug awareness. Proof of enrollment, progress, and completion is expected.
- ✓ Drug Testing: Regular and/or random drug testing will be expected.
- ✓ Court Reviews: The Court will provide you with specific dates for appearance, and once accepted into Pretrial Diversion, you will typically return at 6 weeks (Proof of recovery meetings; ordered to recovery meetings and drug awareness course); 3 months (Proof of recovery attendance and firm enrollment/attendance in drug awareness course); 6 months (Proof of recovery meetings and completion of drug awareness course); 9 months (Proof of recovery attendance); 1 year (Proof of recovery attendance – complete compliance may result in a request to dismiss case). An additional compliance review may be scheduled as necessary for non-compliance issues at 1 yr. 3 mo.

NON-COMPLIANCE MEASURES: If you fail to comply with any of the requirements of Pretrial Diversion, the following demerit system will apply. **If you receive a total of 10 demerits, you may be sentenced and either referred to a more intensive supervised court program or terminated.**

Demerits	Behavior(s) that may lead to demerits
4	New arrest of criminal behavior without charges being dismissed.
5	Discharge from treatment program prior to graduation.
4	Failure to report to or enroll in treatment program as ordered.
4	Falsifying a 12-step card.
3	Positive drug test. Failure to provide a test or proof of flushing will count as a positive test. If you deny use, and your positive test is confirmed by the lab, you could spend time in custody. If you admit use without having a test, no jail will be imposed.
3	Failure to attend all required 12-step meetings or treatment sessions. If you can submit proof to the Court by 12:00 noon the next day, the demerits will be removed. If you tell the Court that you can bring the proof in by the next day, and you don't, 5 demerits will be imposed. (Honesty)
3	Failure to appear in Court as ordered by the Court or as notified by your treatment program.