

ALCOHOL EDUCATION PROGRAM



Ninth Judicial Circuit
SCARLETT WILSON
SOLICITOR

The Ninth Judicial Circuit Solicitor's Office takes a strong position in prosecuting those who would threaten our community and break our laws. We recognize, however, that first-time offenders of magistrate/municipal alcohol crimes may sincerely wish to turn their lives around and not return to the criminal system. Those individuals ready for change, deserve an opportunity through the Alcohol Education Program. While in the Alcohol Education Program participants will be required to participate in a series of requirements including substance abuse education or counseling sessions, random drug screens and community service.

In return for compliance with all program requirements, successful participants will be eligible to have all data from the criminal arrest removed from their record. This program can allow a fresh start towards a responsible and productive life in our community.

CHARLESTON COUNTY:

Pre-Trial Intervention Office
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Charleston, SC 29401
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Director: Kat Connerty

BERKELEY COUNTY:

Pre-Trial Intervention Office
300-B California Avenue
Moncks Corner, SC 29461
(843) 719-4387
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Coordinator: Pope Lawson

IMPORTANT NOTICE TO AEP APPLICANTS

You must apply to the AEP program in the county where your arrest occurred.

WHAT IS ALCOHOL EDUCATION PROGRAM?

AEP (Alcohol Education Program) is a State Legislated Divisionary Program overseen by Pre-Trial Intervention of the 9th Circuit Solicitor's office. This AEP programs is designed for first-time offenders of magistrate/municipal court alcohol offenses. This system allows the defendant to be diverted from court and enter into a program consisting of counseling and guidance. Successful completion of the program requirements will allow the defendant to process an Order for the Destruction of Arrest Record on the charge. The goal of this program is to give first-time offenders an educational opportunity to change illegal behavior. Offenders may participate in this program only one time.

PARTICIPANTS OF THIS PROGRAM ARE NOT PARTICIPATING IN PTI AND THEREFORE NOT LOSING THEIR ELIGIBILITY FOR PTL.

WHO CAN APPLY?

If you have recently been arrested for the first time for a magistrate/municipal alcohol offense, you may come to AEP directly through a referral from the Magistrate or Municipal Court.

AEP for an individual is appropriate where:

1. A person is 17 years old or older (16 and under in special cases) and no older than 20 years of age.
2. There is **no** prior criminal convictions
3. The person is either employed in some capacity, disabled or is in school.
4. The person is likely to respond quickly to rehabilitative treatment.
5. Justice to the Offender and the State will be served by placing the offender in a diversion program instead of the traditional criminal justice process.
6. The Offender is unlikely to be involved in further criminal activity.
7. The individual poses no detectable threat to society.

HOW DOES IT WORK?

After a referral has been made to the AEP Program, you must apply to the program within 10 days of your court appearance.

Applications are ONLY taken on Thursdays between the hours of 9:00 a.m. and 4:00 p.m. At application, you must bring:

- **\$150.00 money order or certified check**
- **Picture Identification**
- **Social Security Card**
- **Court Referral Copy**

After you have made application, you will have a return date to receive your requirements. This will usually be within 14 days. At that appointment you must bring \$100.00 for your AEP participation fee.

If you enroll and are accepted into the program, the Solicitor will agree to hold the charges against you from going to trial. As long as you are in the program and living up to your agreement, your case will not be returned to court.

Before the charges can be dismissed, you must have completed the following requirements:

- Complete assigned education and pay your counseling fee of \$100.
- Submit to random drug testing without positive screens
- Complete assigned driving program
- Complete community service as assigned
- No criminal violations while enrolled in AEP

AEP ELIGIBLE CRIMINAL CHARGES ARE:

- ✓ Minor in Possession of Beer or Wine
- ✓ Minor in Possession of Alcohol or Liquor
- ✓ Open Container
- ✓ Public Disorderly Conduct
- ✓ Littering (alcohol related only)
- ✓ Possession of a False ID
- ✓ Other offenses similar in nature and severity at the Solicitor's discretion

If you fail to live up to your agreement with the Program, or if the Solicitor discovers that you have been charged with another offense, you will be terminated from the program. Upon termination, your case will be returned to court for prosecution.

If you complete the program requirements, the court that handled your case is notified and the charges against you are dismissed. At that time, you are eligible, under the South Carolina Code of Laws, Section 17-22-530, to clear your arrest record of the dismissed charges. You will be given detailed instructions as to where to take/mail the Expungement Order for the subsequent destruction of your arrest record.

Transfers

In state transfers are available. Out-of-state transfers are not guaranteed due to varying state requirements. Fee payment may also be different. Please ask the AEP staff for details.