

# ALCOHOL EDUCATION PROGRAM

A 9<sup>th</sup> Judicial Circuit Diversion Services Program



Ninth Judicial Circuit  
SCARLETT WILSON  
SOLICITOR

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## **CHARLESTON COUNTY:**

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**Director: Kat Connerty**

## **BERKELEY COUNTY:**

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**Coordinator: Thomas Falconer**

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.

SCARLETT WILSON

9<sup>TH</sup> JUDICIAL CIRCUIT SOLICITOR

## **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 Diversion Program overseen by Pretrial Intervention in the 9<sup>th</sup> Circuit Solicitor's office. This AEP program 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 education/counseling, community service 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.

### **WHO CAN APPLY?**

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

AEP for an individual is appropriate where:

1. A person is 17 years old 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 accused 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.

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

### **HOW DOES IT WORK?**

After a referral has been made to the AEP Program, you have 2 "Walk-in Application" Thursdays to come into our office. **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**

**NO APPLICATION WILL BE TAKEN WITHOUT THE ABOVE**

### **Important Note:**

If you have an **AEP court referral copy**, bring it with you, as the court may not have gotten their referral to us by the "Walk-In Application Thursday" that you choose to apply.

After you have applied to AEP, 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 are accepted into AEP, the Court will agree to hold the charges against you from going to trial. As long as you are in program compliance, your case will not be returned to court.

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

- Complete required education as assigned and pay counseling fee of \$100. To the outside agency.

- Submit to random drug testing
- 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 **alcohol** offenses similar in nature

If you fail to successfully complete the Program, or if you are charged with a new criminal offense, you will be terminated from AEP. 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.

### **OUT OF AREA**

In state transfers are available. Out-of-state supervision is possible. See AEP staff for details.