



LYNNE ABRAHAM  
DISTRICT ATTORNEY

**DISTRICT ATTORNEY'S OFFICE  
THREE SOUTH PENN SQUARE  
CORNER OF JUNIPER AND SOUTH  
PENN  
PHILADELPHIA, PA 19107**

# **NEWS RELEASE**

**Date:** May 31, 2007  
**Contact:** Cathie Abookire / 215-686-8711  
Director of Communications

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**DUI TREATMENT COURT TO HOLD OFFENDERS ACCOUNTABLE,  
PROVIDE TREATMENT AND PROMOTE PUBLIC SAFETY**

**Newest Specialized Court to Open June 7, 2007**

**WHAT: NEWS CONFERENCE**

**WHEN: THURSDAY MAY 31, 2007  
11AM**

**WHERE: District Attorney's Office—  
Three South Penn Square, Widener Building  
Corner of Juniper and South Penn  
Mezzanine Level**

**PARTICIPANTS: District Attorney Lynne Abraham  
Hon. Louis Presenza, President Judge Municipal Court  
Hon. William Meehan, Presiding Judge, DUI Treatment Court  
Ellen Greenlee, Defenders Association of Philadelphia  
Roland Lamb, Director of Addiction Services, Department of  
Behavioral Health**

**Deborah Schlater, Assistant Vice President for Forensic  
Intensive Recovery, Philadelphia Health Management Corporation**

**Rebecca Shaver, State Executive Director, Mothers Against  
Drunk Driving**

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DUI Treatment Court, a new specialized court targeting eligible second and third DUI defendants, will open June 7, 2007 at the Criminal Justice Center.

According to its mission statement, The Philadelphia DUI Treatment Court (DUITC) will promote public safety, hold offenders accountable for their actions, and help offenders to be sober, responsible and productive members of the community. The DUITC will accomplish this mission through judicial intervention, intensive supervision, and substance abuse treatment.

“This is the latest in a long series of innovative courts that we have instituted in order to address discrete social problems that we face constantly in the criminal justice system,” said Philadelphia District Attorney Lynne Abraham. “Our other specialized courts, namely Gun Court, Community Court and Juvenile and Adult Drug Court, serve the community well and also promote public safety.”

“I am very pleased that once again our criminal justice partners have displayed vision and commitment to expanding problem-solving courts to include those charged with driving under the influence,” said President Judge Louis Presenza, Philadelphia Municipal Court. “Defendants who are eligible will be offered an opportunity to rehabilitate themselves and change their lives through intense court supervision, treatment, education and the use of rewards and sanctions.”

The parameters of the Philadelphia DUI Treatment Court are as follows:

**TARGET POPULATION: Second and third time offenders who:**

- are subject to a mandatory minimum sentence of 90 days or one year in prison;
- have no history of violent crime (past conviction for murder, aggravated assault, rape, arson, burglary, firearm possession or others);
- did not seriously injure or endanger anyone in the commission of the crime (no accident with serious injury; defendant did not leave the scene of an accident; defendant did not flee from police; there was no child aged fourteen years or younger in defendant’s vehicle);
- is physically and mentally able to participate in the DUITC program;
- has not previously participated in, but failed to complete, the DUITC program.

**METHOD:** Eligible offender, after consulting with counsel and being clinically evaluated for alcohol and other drug abuse (AOD) treatment, pleads guilty. Court imposes negotiated sentence, which will include mandatory minimum prison sentence, and parole, conditioned on completion of recommended AOD treatment program, compliance with DUITC protocol, and other specific conditions (including no AOD use and no driving).

Defendant must serve at least ten days of a 90-day sentence or 180 days of a one-year sentence. Thereafter, defendant may earn one day off the balance of his prison sentence (up to 80 days or 185 days) for every day he spends either in in-patient AOD treatment or out-patient AOD treatment combined with electronic monitoring and alcohol use monitoring.

In addition to treatment and other conditions, defendant must appear in DUITC every other week when first out of prison, with appearance frequency decreasing or increasing as defendant progresses or regresses.

Failure to progress or violation of the DUITC rules may result in regression and or repetition of one of the four phases of the program. As defendant progresses through each phase, the intensity of judicial monitoring, treatment, and probation office contacts will decrease. Incentives and sanctions will be timely and appropriate so as to motivate defendant to progress through the process and live in a positive, responsible, law-abiding manner.

Defendant will be subject to statutory license suspension and interlock restriction.

Defendant, with means, will pay for treatment, electronic monitor and alcohol monitor.

**TIMELINE:** Defendant will be sentenced and in treatment within 30 days of arrest. It is expected that defendant will participate in DUITC for at least one year after release from prison.

**NUMBERS:** DUITC will enroll 100 offenders in the first year of operation. From 2002 through 2006, there was an average of 3708 adults arrested each year for DUI. It is estimated that an annual average of 700 offenders would be eligible for DUITC.