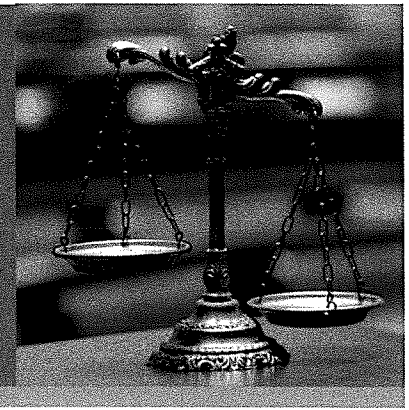


# Impaired Driving Intervention Program



The Pretrial Impaired Driving Intervention Program (IDIP) is available for certain defendants who are charged with driving a motor vehicle or a boat under the influence of alcohol or drugs. The IDIP gives eligible defendants the chance to get alcohol education or substance abuse treatment instead of going to trial. Defendants who want to take part in the IDIP must meet the eligibility requirements in Public Acts, Spec. Sess., June, 2021, No. 21-1 § 167 and must submit an application to the court.

When a defendant applies for the IDIP, the court file is sealed. If there are any victims who sustained a serious physical injury because of the defendant's motor vehicle or boating violation, the court will require the defendant to send the victims a court form that tells the victims that the defendant is applying for the IDIP. Before the court will decide if the defendant can take part in the IDIP, any victims will have the chance to give the court their opinion about whether the defendant should be allowed to take part in the IDIP.

The court will also send the defendant to the Court Support Services Division (CSSD) to confirm that the defendant is eligible for the IDIP and the Department of Mental Health and Addiction Services (DMHAS) for an evaluation. During the evaluation, DMHAS will figure out which component of the program the defendant should take part in; either the 12-session drug education component or the substance use treatment component of at least 15 sessions.

If the court grants the defendant's application for the IDIP, the defendant must agree to:

- The tolling of the statute of limitations (to give the state

more time to prosecute the case if the defendant does not successfully finish the program);

- Waive (give up) the right to a speedy trial;
- Take part in whichever program component that DMHAS recommends;
- Start the program within 90 days unless CSSD allows a later start time; and
- Go to additional substance use treatment after completing the assigned program component if CSSD thinks it is necessary.

The court may also order the defendant to take part in a victim impact panel. If the defendant successfully finishes the assigned program component, the victim impact panel, if required, and any additional treatment CSSD requires, the court will dismiss the defendant's charges.

Any defendants who want to apply for the IDIP must pay an application fee of \$100, a nonrefundable evaluation fee of \$150, and a nonrefundable program fee of:

- \$400, if the court orders the defendant to take part in the alcohol education component; or
- \$100 plus the cost of treatment, if the court orders the defendant to take part in the substance use treatment component.

The court may decide that the defendant does not have to pay some or all of those fees and costs, though, if the court finds that the defendant is indigent and unable to pay or that the defendant is or is eligible to be represented by a Public Defender.



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