

## REFERRAL PROCESS

The County District Attorney's (DA) office will evaluate each case individually, making a recommendation based on prosecutorial discretion. The DA reviews all applications submitted by defense attorneys. Next, the DA notifies the defense attorney and DWI Court Officer if the individual meets legal eligibility criteria. Eligible defendants are then scheduled for a clinical assessment/screening with DWI Court Officer to assess the individual's need for treatment and willingness to participate in the program.

Once a client agrees to participate in the DWI Court Program, the case is set for the next DWI Court docket for sentencing. At that time, the client appears before the Judge and is accepted into the program. The client's legal counsel is transferred to the DWI Court Attorney (defense attorney). Offenders will not be eligible if they have ever been charged with or convicted of drug trafficking, sexual offenses, or violent/assaultive offenses. In addition, an offender cannot have a substantial mental health problem that would prohibit their participation in the program.

Eligible offenders must be at least seventeen (17) years of age, have a mind for change, convicted of a subsequent DWI or an offender may qualify for the program after being charged of a first time DWI after proper screening. Others may be admitted with other charges if a Substance Abuse Addiction is identified. The offenders admitted to the DWI Court Program may be admitted through a modification of a current term of Community Supervision or through initial placement from the courts.

Offenders must be willing to actively participate and must be able to meet all program attendance requirements.

## DWI Courts Save Lives

DWI Courts are the most successful strategy for holding repeat impaired drivers accountable while ensuring they receive life-saving treatment.

- DWI Court Participants will not be assessed a Court Cost/Fine
- DWI Court Participants will not be initially court ordered to complete Community Service Restitution
- DWI Court Participants will pay a \$60 per month supervision fee
- DWI participants will received assistance in having their driver's license reinstated
- DWI participants will have Interlock device installed at a discounted rate



**Benita Avery, CCO II**  
**DWI Court Coordinator**  
**4520 Reading Road, Ste B**  
**Rosenberg, TX 77471**  
**281-633-7205**  
**281-341-6034 fax**

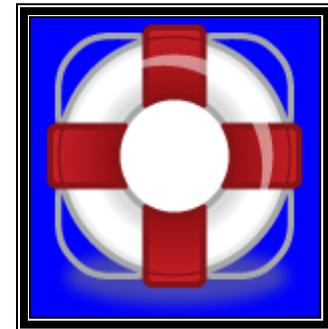
**[Benita.Avery@fortbendcountytexas.gov](mailto:Benita.Avery@fortbendcountytexas.gov)**

**HONORABLE JUDGE  
SHERMAN HATTON, JR.**

**COUNTY COURT AT  
LAW NO 6.**

**FORT BEND  
COUNTY**

**Changing &  
Saving  
Lives**



**DWI COURT**

# WHAT IS DWI COURT?

The DWI Court Program is a comprehensive twelve (12) to twenty four (24) month program that may be extended as needed and will be reviewed on a case-by-case basis. The goals set forth in the DWI Court Program include yet are not limited to community protection, reducing recidivism, saving taxpayers' money, and maintaining an alcohol and drug free lifestyle for the offender through individualized treatment, education, peer support, intense supervision and changing the participants' thinking and behavior.

The mission statement of the Fort Bend County DWI Court is to protect the community by decreasing the recidivism of our participants, thereby saving lives through behavior modification while simultaneously forcing the offenders to take ownership of both their personal problems and their criminal behavior thus breaking the cycle of addiction.

## PROGRAM

DWI Court Consist of Two Tiers

Tier I: Pre-trial Diversion (eligible for dismissal upon successful completion)

Tier II: Post Conviction

Consist of three (3) phases:

### Phase One:

- Interlock device will be required (at a discounted rate)
- Participant in treatment through an appropriate treatment provider
- Must submit to random urinalysis tests
- Appear in DWI Court bi-monthly.

### Phase Two:

- The participant becomes eligible for interlock removal
- Random drug/alcohol testing will continue
- Continue treatment and Counseling

- Court attendance remains bi-monthly

### Phase Three:

- Participants will attend Aftercare
- Random drug/alcohol testing will continue
- Court attendance will be monthly

Participant will be required to attend a minimum of two Victim Impact Panels

---

Benita Avery

DWI Court Coordinator

281-633-7205

Stan Polk, Supervisor

281-238-3236