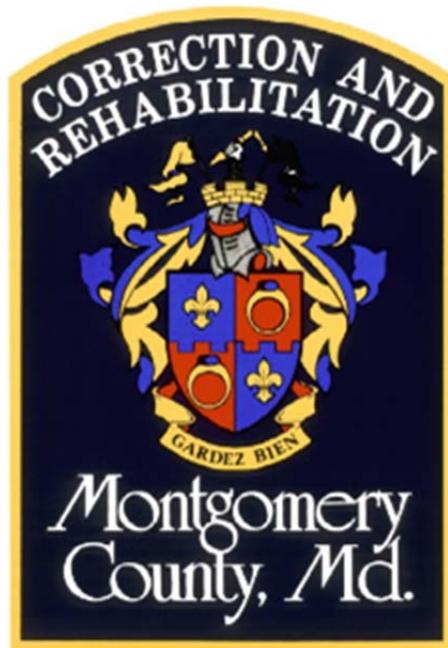


ALTERNATIVE COMMUNITY SERVICES

11651 Nebel Street
Rockville, Maryland 20852
(240) 777-5409



The Alternative Community Services program is managed by the Montgomery County Department of Correction and Rehabilitation, Pre-Trial Services Division. The program is run in cooperation with the State's Attorney's Office, the County Police Department and the County Department of Health and Human Services.

ALTERNATIVE COMMUNITY SERVICES DIVERSION INFORMATION

PROGRAM DESCRIPTION:

The Montgomery County Alternative Community Services program is a criminal justice diversion program for adult offenders who have committed offenses and infractions against individuals or the community and who perform community service as a sanction.

The primary mission of the program is to provide an alternative, meaningful and cost effective program in which offenders perform community service as a means to dispose of their criminal case while reducing financial impact to the court and the community. The program also assists eligible offenders in getting their case expunged.

ACS provides the courts with a means to adjudicate first offenders charged with misdemeanors by having them perform community service instead of being prosecuted.

For those on probation, ACS provides probation agents, judges, prosecutors and defense attorneys verified information regarding an offender's participation and completion of community service hours.

Defendants on ACS pay a program fee of \$175 to participate in the program. This fee is set by the County Council. However, ACS does not refuse participation in the program based on ability to pay. Defendants who provide documentation may be eligible to have this fee reduced or waived depending upon their income.

Community service work is completed in a governmental, charitable, or non-profit organization approved by the ACS program. Hours are flexible to allow clients to remain employed and support themselves and dependents. ACS also operates three community service work crews who perform a variety of indoor and outdoor work at locations throughout the county.

ELIGIBILITY CRITERIA:

Defendants referred for diversion for a criminal citation:

- The person charged must have reached the age of 18 years.
- The charges must be misdemeanor offenses or civil citations. Any felony cases referred to the program which have not been amended to a lesser misdemeanor offense shall not be accepted into the program.
- Persons having prior convictions for "Crimes of Violence" are not eligible for acceptance into the program in accordance with Maryland Annotated Code, Title 8 – Correctional Services Article, Subtitle 7, Section 8-704;
- The person may not have any additional pending charges, outstanding detainers or warrants for arrest/apprehension;
- The person shall have no prior record of conviction that resulted in a period of incarceration;
- Persons who exhibit psychological or emotional impairment which prohibit safely placing them in a community service work environment may be requested to furnish an evaluation from a certified medical and/or treatment professional prior to being accepted in the ACS Program;
- Persons having one or more criminal convictions, Probation Before Judgment (PBJ) or STET dispositions, shall be considered for eligibility if based on the recommendation of the State's Attorney it would be in the best interest of the person charged and the State of Maryland to enroll the person into the ACS Program. These individuals would not be eligible for an expungement of the criminal record in this instance.

SCREENING PROCESS:

Diversion defendants can only be referred to ACS by the State's Attorney's Office. Defendants meeting the State's Attorney's guidelines are given a preliminary screening by a Correctional Specialist with the Department of Corrections, usually on the day of their first court date.

The correctional Specialist will notify the State's Attorney if the defendant does/does not meet the above criteria for ACS diversion after the initial screening.

Eligible defendants volunteering for ACS will sign a program contract. The State's Attorney will enter a Conditional Nolle Prosequi (No prosecution) to the charge. Should a defendant fail to complete the requirements of the ACS program, the case will be returned to the Office of the State's Attorney and will be recharged.

PROGRAM REQUIREMENTS:

All participants agree to adhere to the following program requirements:

- Complete 24 hours of community service.
- Call or Meet with assigned ACS Caseworker as instructed.
- Refrain from behavior that may lead to a new charge.
- Pay the program fee prior to program completion.
- Participate in Educational programming as directed.

Defendants are expected to complete the above requirements within a specified period depending upon the number of hours assigned. Extensions must be approved by the assigned Caseworker.

ACS PROGRAM BENEFITS

- Offers defendants the opportunity to examine the extent of their use of drugs and alcohol and consider the consequences of continuing substance abuse.
- Diversion participants may have their criminal record expunged following successful completion.
- By diverting first time offenders, the ACS program alleviates pressure on the court system.
- The program reduces the cost of prosecution and participant fees help to offset program costs.
- As a condition of probation, IPSA offers Judges an additional community treatment option for drug offenders.

ALTERNATIVE COMMUNITY SERVICES

A Diversion Program for First Time Offenders



**Department of Correction and Rehabilitation
Pre-Trial Services Division
Alternative Community Services (ACS)
11651 Nebel Street
Rockville, Maryland 20852**