

**Legislative Report
For
License Reinstatement Diversion Pilot Program
Pursuant To
Laws of Minnesota 2009, chapter 59, article 3, section 4**



Date: February 1, 2011

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**In conjunction with
Diversion Solutions, LLC**



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Report to the Minnesota Legislature

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LEGISLATIVE REPORT

I. BACKGROUND AND SUMMARY

A. Enabling Legislation

In 2009, the Minnesota Legislature enacted groundbreaking legislation that authorized five cities (Saint Paul, Duluth, South Saint Paul, West Saint Paul and Inver Grove Heights) to establish a pilot driver's license reinstatement diversion program, referred to as the Driving Diversion Program (the "DDP"). The program permits an individual who has a suspended or revoked driver's license to obtain a valid driver's license while contemporaneously paying off outstanding fines and fees affecting the individual's driver's license status.¹ Since 2009, the Commissioner of Public Safety has authorized additional cities to join the DDP.²

B. Driving After Suspension/Driving After Revocation – The Program Focus

In Minnesota, at any one time, it is estimated that more than 500,000 drivers are driving after the Department of Public Safety (the "DPS") has withdrawn their driving privileges. Driving after withdrawal charges are misdemeanor charges, which carry a potential sanction of up to \$1,000 fine, ninety (90) days in jail or both.³

Driving After Suspension ("DAS") and Driving After Revocation ("DAR") citations constitute a significant portion of misdemeanor court calendars, consuming scarce resources of the prosecuting cities and the judicial system. Once individuals lose their driving privileges, it is difficult for them to reinstate their driver's licenses. The fines and reinstatement fees accumulate and often are beyond the limited financial means of these individuals and their situations are often complicated by poor life choices. As a result, they typically continue to drive and their plight worsens.

Typically, individuals find themselves with suspended or revoked driver's licenses because of their failure to appear for court, to pay outstanding traffic citations, to pay child support or to satisfy judgments. While this behavior is unacceptable, individuals engage in this behavior because they simply lack the financial means to pay what they owe. Inevitably, law enforcement officers stop these drivers for driving with suspended or revoked driver's licenses and issue new DAS and DAR citations. This endless cycle becomes very difficult to break.

¹ Laws of Minnesota 2009, chapter 59, article 3, section 4; Laws of Minnesota 2010, chapter 197. See Appendix 1 and 2, respectively.

² With the consent of the Commissioner of Public Safety, Minneapolis, Bloomington, Maplewood, and Isanti will begin their diversion programs on February 1, 2011. Rice County, Goodhue County, Nobles County, Jackson County, Rock County and Scott County have expressed interest in establishing driving diversion programs if the Minnesota Legislature grants counties the ability to do so.

³ However, it is common for individuals who drive with invalid licenses to also drive without insurance. No insurance and no proof of insurance charges are enhanceable and therefore may constitute gross misdemeanors under certain circumstances.

Despite the possibility of criminal prosecution and the related administrative penalties, individuals with suspended and revoked driver's licenses continue to drive. They do so because of their need for reliable transportation and the fact that their economic situations make it difficult to obtain valid licenses. Moreover, given the judicial system's necessity to restructure priorities in the face of shrinking resources, the courts are forced to give these cases a lower priority.

Minnesota is not alone in its struggle to effectively deal with this seemingly endless cycle.⁴ However, Minnesota has taken the initiative to stop this cycle of behavior through the authorization of a license reinstatement diversion program, the DDP.

C. The Preliminary Results: The License Reinstatement Diversion Pilot Program

Preliminary results of the pilot program are very encouraging. First, the interest from suspended and revoked drivers has been very strong. The recidivism rate among participants is extremely low. The DDP has benefited the pilot cities, the program participants, the criminal justice system and public safety. This program has promoted efficiency in criminal prosecution of DAS and DAR traffic citations and represents innovation within Minnesota's judicial system. Finally, the program is responsible for positive and unanticipated collateral events.

II. THE DRIVING DIVERSION PROGRAM

A. How the DDP Works

The pilot cities have contracted with a third party administrator, Diversion Solutions, LLC, to develop and administer the DDP. When an officer in a pilot city issues a citation for DAS or DAS, the officer also issues a notice along with the DAS or DAR citation, which states that the driver may be eligible for participation in the DDP and directs the driver to contact Diversion Solutions, LLC. A driver interested in the DDP then contacts Diversion Solutions, LLC and requests admission into the program.

Diversion Solutions, LLC, in consultation with DPS and the appropriate prosecuting attorney, evaluates the driver's driving and criminal records and determines whether the driver is eligible for participation.⁵ After verification that the driver is eligible for the program and with prosecutor consent, the driver may join the program.

Upon acceptance, the driver, referred to as a "participant," must take part in a four hour self-development, financial management and life skills course.⁶ The participant

⁴ See generally Waller, Margy, Jennifer Doleac, and Ilsa Flanagan. *Driver's License Suspension Policies*. Brookings Institution, 2005 or http://www.aecf.org/upload/publicationfiles/license_all_reports.pdf

⁵ Any driver who has an active warrant is ineligible for participation in the DDP, as is any driver whose driver's license status is "suspended" due to unsatisfied judgments or unpaid child support. Moreover, any driver whose driver's licenses status is "revoked" for a DWI offense and who has not yet completed the revocation period associated with the DWI offense is ineligible for participation in the DDP.

⁶ The course materials are found in Appendix 3

must also provide proof of insurance, which the participant must maintain during his or her participation in the DDP. After completion of the course and proof of a valid vehicle insurance policy, the participant then pays the reinstatement fee to the Department of Public Safety and receives a valid driver's license. The individual's driving record contains a notation to law enforcement that the individual is a "Participant in Diversion Pilot Program" and thus subject to all of the conditions of the DDP.

Diversion Solutions, LLC develops a payment plan for each participant. Diversion Solutions, LLC places any outstanding court fines and fees that affect the participant's driver's license status in the payment plan. The program also charges a \$300.00 participation fee which pays for all program-related services. Diversion Solutions, LLC provides the program services with the assistance of the city attorneys' offices, which otherwise would be repeatedly prosecuting these individuals. The typical participant has seven (7) outstanding citations and owes an average of \$1,676 in outstanding fees and fines. The maximum length of any repayment plan is eighteen (18) months. During the course of the repayment plan, the participant makes monthly payments to Diversion Solutions, LLC, which disburses these funds to satisfy all outstanding fees and fines affecting the participant's driver's license status.

A participant in the DDP must continually maintain valid vehicle insurance, remain law abiding and make regularly scheduled payments pursuant to the participant's supervised payment plan. Through Diversion Solutions, LLC personnel, the DDP maintains regular contact with and monitors participants on a monthly or bi-monthly basis until the participants have satisfied all of their respective program requirements. Ultimately, the prosecuting attorney dismisses the original DAS or DAR citation and upon satisfaction of all outstanding fines and fees affecting the participant's driver's license status, Diversion Solutions, LLC contacts DPS and the driver is eligible for a full reinstatement of his or her driving privileges.

In the event the participant fails to meet the DDP requirements, Diversion Solutions, LLC in consultation with the appropriate city attorney terminates the participant from the DDP, and notifies the DPS. The DPS then returns the participant's driver's license status to suspended or revoked, whichever the case may be.

In short, the DDP functions as a voluntary accountability and education program for participants.

B. The Problem and Why The DDP Works

As more fully described above, the intent of the DDP is to help a driver who wants to take responsibility for his or her outstanding fines and fees and to drive legally while paying off those court fines and fees. It provides a participant with a valid license status while simultaneously obligating and permitting the participant to pay off all outstanding fines and fees affecting his or her driver's license.

Navigating the process of reinstating driving privileges is often a cumbersome and complicated process, particularly for drivers who owe significant fines and fees in multiple jurisdictions. The reinstatement process often means dealing with the Minnesota Department of Public Safety - Driver and Vehicle Services ("DVS"), courts and a collection agency. Given the number of agencies and the time involved with the reinstatement process, many drivers abandon the effort.

In addition to the often difficult reinstatement process, many drivers are never able to reinstate their driving privileges for financial reasons. First, most jobs require a valid license of all applicants. Consequently, employment is often beyond the reach of a driver who lacks a valid driver's license. The stark reality is that a driver's license is necessary for employment opportunities and meaningful participation in society. Without steady, gainful employment, the suspended or revoked driver lacks the means to obtain a valid driver's license. Second, many employed suspended or revoked drivers often work for minimum wage or little more than minimum wage and, as a result, they are financially unable to repay the outstanding fees and fines. The harsh reality is that many suspended or revoked drivers live paycheck to paycheck. Moreover, the financial stress these drivers experience is often compounded by poor life choices, including financial decisions.

In summary, the intent of the DDP is to provide a participant with a valid license status while simultaneously obligating and permitting the participant to pay off all outstanding fines and fees affecting his or her driver's license over a period of time. The DDP offers the incentive to suspended and revoked drivers that courts and prosecutors are currently unable to offer in their attempts to resolve DAS and DAR cases.

III. THE DRIVING DIVERSION PROGRAM (DDP)

A. Participation

Preliminary results of the pilot program are exceptional. Figure 1 summarizes the DDP participation statistics. As of December 31, 2010, 4,248 individuals have contacted the DDP to inquire about the program. On behalf of 3,201 individuals, Diversion Solutions, LLC has sent eligibility review forms to the DPS-DVS. DVS has determined that 2,299 individuals are eligible to participate in the DDP. Of the 2,299 individuals that the DVS has determined eligible for participation in the DDP, the city attorneys have determined that 1,781 are eligible to participate in the DDP and just over half of those eligible participants – 928 individuals – have attended the DDP course⁷.

677 participants have completed the course and provided proof of insurance and 518 participants have obtained a valid driver's license status conditioned upon their continued compliance with DDP requirements.

⁷ See Figure 2

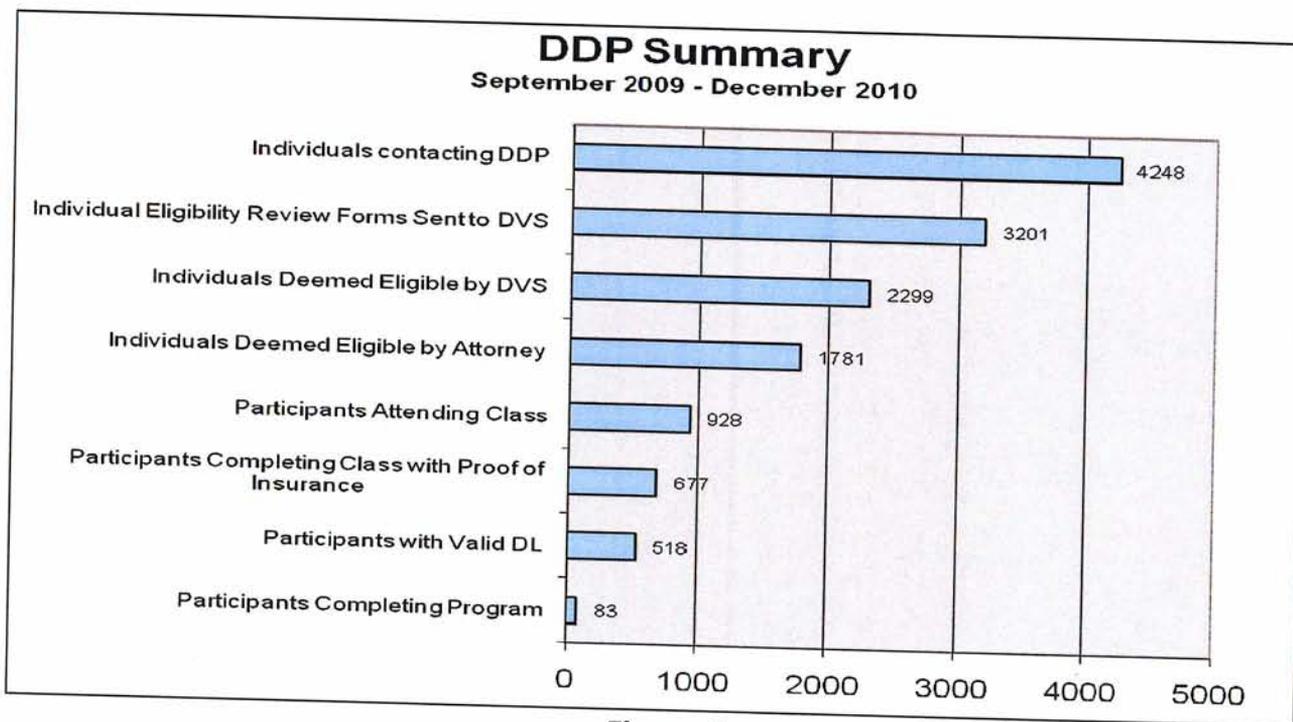


Figure 1

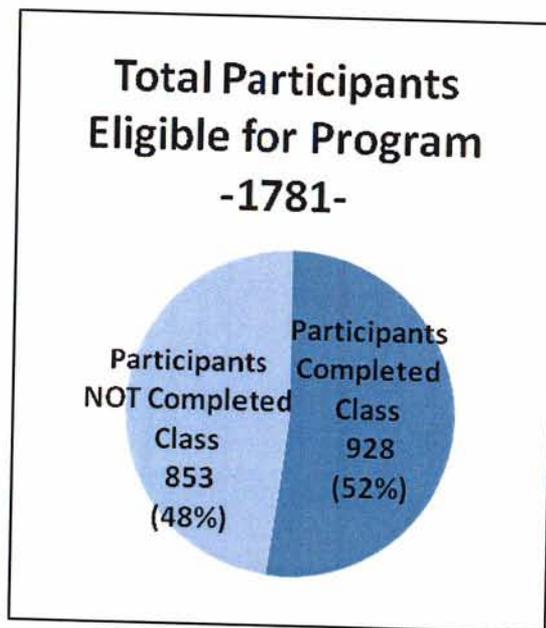


Figure 2

83 individuals have successfully fulfilled the requirements of the diversion program and are in the process of or have obtained permanent valid driver's license status.

B. Termination and Recidivism Rates for Participants

The recidivism rate for program participants is impressive. Just six percent (6%) of the participants who have completed the four hour course have continued to drive prior to obtaining a valid driver's license through the DDP⁸. This low recidivism rate is

⁸ See Figure 3

unexpected from this group of Minnesota drivers who chronically violate Minnesota law by driving with suspended or revoked licenses. This program shows great promise in removing traffic offenders from the court calendars, thereby saving significant court resources, while providing a solution to a problem that has seemingly escaped a solution. The low termination rate is also promising. Of the 928 participants who have completed the course, acquired insurance, and made payments pursuant to their payment plan, Diversion Solutions, LLC, in consultation with the appropriate city attorney has terminated just 212 participants.⁹

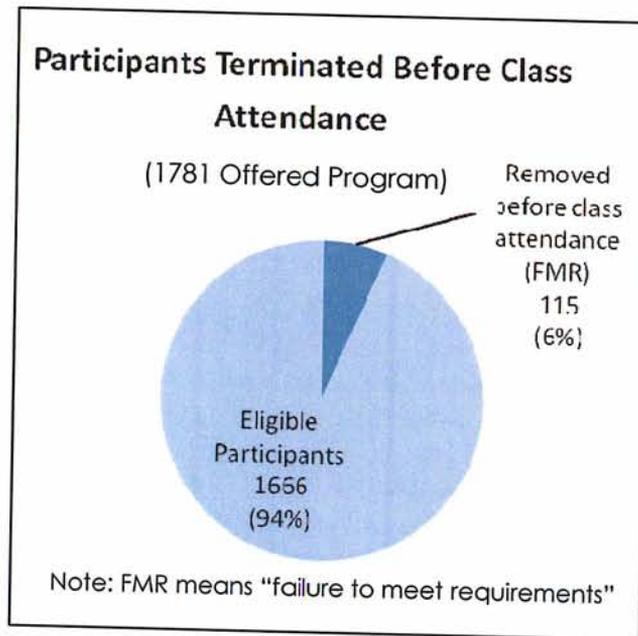


Figure 3

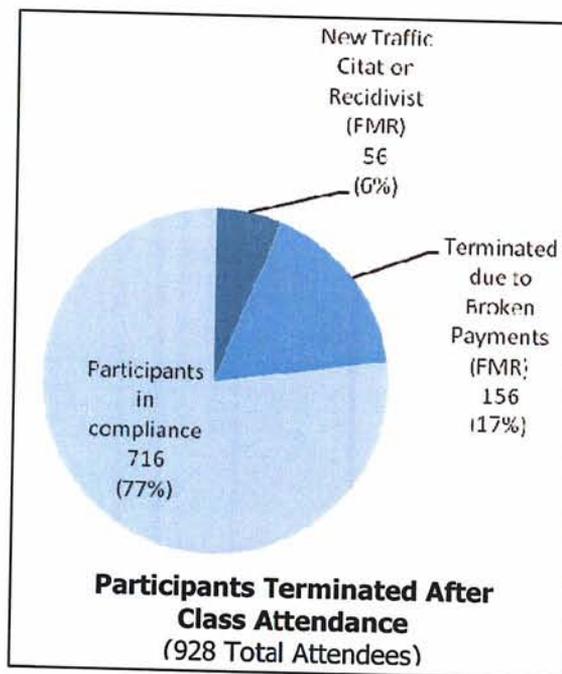


Figure 4

⁹ See Figure 4

C. Collection of Existing Unpaid Fines and Fees

The DDP is responsible for recovering significant outstanding fine and fee revenue that would arguably otherwise remain uncollected. Figures 5 and 6 summarize the fines and fees that the DDP has collected. As of January 19, 2011, the amount of outstanding fines paid back to the State of Minnesota, courts and cities is \$421,844.89. The DDP is in the process of collecting in excess of \$1,000,000 pursuant to the individual program payment plans over the next eighteen (18) months.

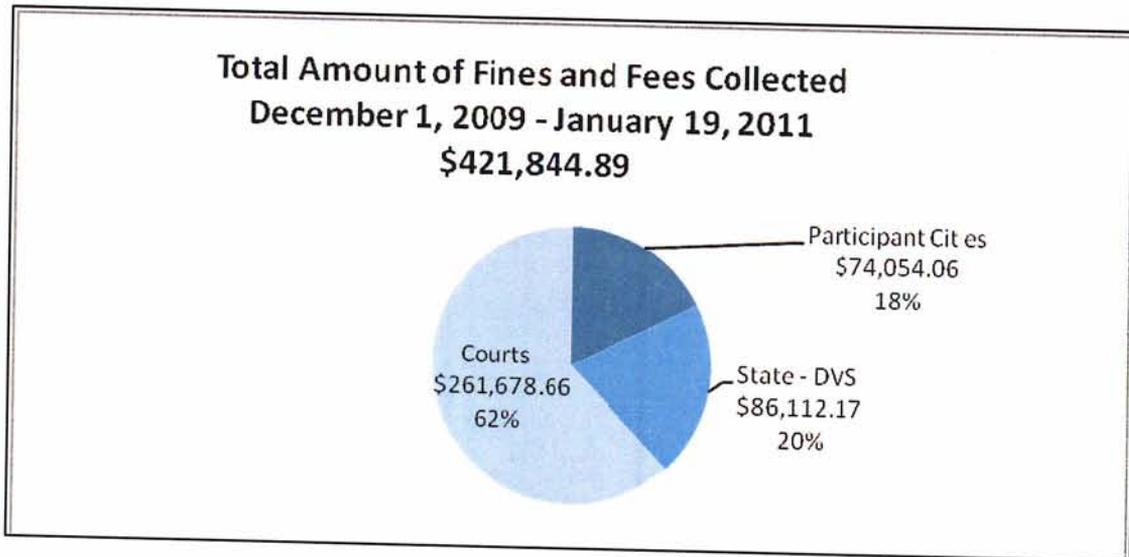


Figure 5

Driving Diversion Program (DDP) Fines and Fees Summary December 1, 2009 Through January 19, 2011

Participant Cities	\$ 74,054.06
State - DVS	\$ 86,112.17
Courts	\$261,678.66
Total	\$421,844.89

*Note: Partial pay means money collected but not yet paid to jurisdiction

Cities Summary	Paid in Full	Partial Pay	TOTAL
CITY OF DULUTH	\$ 3,125.00	\$ 1,319.00	\$ 4,444.00
CITY OF INVER GROVE HEIGHTS	\$ 1,375.00	\$ 322.00	\$ 1,697.00
CITY OF SOUTH ST. PAUL	\$ 1,500.00	\$ 85.00	\$ 1,585.00
CITY OF ST PAUL	\$ 52,706.25	\$ 6,744.37	\$ 59,450.62
CITY OF WEST ST. PAUL	\$ 6,293.75	\$ 583.69	\$ 6,877.44
	\$ 65,000.00	\$ 9,054.06	\$ 74,054.06

State DVS Summary	Paid in Full	Partial Pay	TOTAL
STATE OF MINNESOTA	\$ 57,800.00	\$28,312.17	\$ 86,112.17

Courts Summary	Paid in Full	Partial Pay	TOTAL
AITKIN COUNTY	\$ 290.00	\$ -	\$ 290.00
ANOKA COUNTY	\$ 2,915.00	\$ 396.00	\$ 3,311.00
BECKER COUNTY	\$ -	\$ -	\$ -
BELTRAMI COUNTY	\$ -	\$ -	\$ -
BENTON COUNTY	\$ -	\$ -	\$ -
BLUE EARTH COUNTY	\$ -	\$ -	\$ -
CARLTON COUNTY	\$ -	\$ 40.00	\$ 40.00
CARVER COUNTY	\$ 95.00	\$ -	\$ 95.00
CASS COUNTY	\$ 485.00	\$ -	\$ 485.00
CHISAGO COUNTY	\$ 127.00	\$ 35.00	\$ 162.00
COOK COUNTY	\$ 110.00	\$ -	\$ 110.00
CROW WING COUNTY	\$ -	\$ -	\$ -
DAKOTA COUNTY	\$ 16,793.79	\$ 9,265.35	\$ 26,059.14
DODGE COUNTY	\$ -	\$ -	\$ -
DULUTH CITY OF	\$ 886.00	\$ 140.00	\$ 1,026.00
FARIBAUT COUNTY	\$ -	\$ -	\$ -
FILLMORE COUNTY	\$ -	\$ -	\$ -
GOODHUE COUNTY	\$ 752.00	\$ 205.00	\$ 957.00
HENNEPIN COUNTY	\$ 63,565.00	\$ 19,764.15	\$ 83,329.15
ITASCA COUNTY	\$ -	\$ -	\$ -
KANABEC COUNTY	\$ -	\$ -	\$ -
KITSON COUNTY	\$ -	\$ -	\$ -
KOOCHICHING COUNTY	\$ -	\$ -	\$ -
LAC QUI PARLE COUNTY	\$ -	\$ -	\$ -
LAKE COUNTY	\$ -	\$ -	\$ -
LYON COUNTY	\$ -	\$ -	\$ -
MEEKER COUNTY	\$ -	\$ -	\$ -
MILLE LACS COUNTY	\$ -	\$ 55.00	\$ 55.00
MOWER COUNTY	\$ -	\$ -	\$ -
NICOLLET COUNTY	\$ -	\$ -	\$ -
OLMSTED COUNTY	\$ -	\$ -	\$ -
OTTER TAIL COUNTY	\$ 1,110.00	\$ -	\$ 1,110.00
PINE COUNTY	\$ -	\$ -	\$ -
PIPESTONE COUNTY	\$ -	\$ -	\$ -
POLK COUNTY	\$ -	\$ -	\$ -
RAMSEY COUNTY	\$ 90,618.00	\$ 35,876.71	\$ 126,494.71
REDWOOD COUNTY	\$ 122.00	\$ -	\$ 122.00
RENVILLE COUNTY	\$ -	\$ -	\$ -
RICE COUNTY	\$ -	\$ 290.00	\$ 290.00
SCOTT COUNTY	\$ 1,024.00	\$ 157.00	\$ 1,181.00
SHERBURNE COUNTY	\$ 182.00	\$ -	\$ 182.00
SIBLEY COUNTY	\$ 157.00	\$ -	\$ 157.00
ST LOUIS COUNTY	\$ 3,724.00	\$ 2,367.00	\$ 6,091.00
STEARNS COUNTY	\$ -	\$ -	\$ -
STEELE COUNTY	\$ 178.00	\$ 305.00	\$ 483.00
WABASHA COUNTY	\$ -	\$ -	\$ -
WADENA COUNTY	\$ -	\$ -	\$ -
WASECA COUNTY	\$ -	\$ -	\$ -
WASHINGTON COUNTY	\$ 6,659.28	\$ 1,551.00	\$ 8,210.28
WILKIN COUNTY	\$ 125.00	\$ -	\$ 125.00

Courts Summary	Paid in Full	Partial Pay	TOTAL
WINONA COUNTY	\$ -	\$ -	\$ -
WRIGHT COUNTY	\$ 435.00	\$ -	\$ 435.00
TOTALS	\$190,353.07	\$70,447.21	\$260,800.28

Out of State Fines Affecting MN DL Status	Paid in Full	Partial Pay	TOTAL
BRYAN COUNTY	\$ 296.50	\$ -	\$ 296.50
BUFFALO COUNTY NE	\$ -	\$ -	\$ -
CERRO GORDO COUNTY	\$ -	\$ -	\$ -
CHARLOTTE COUNTY	\$ -	\$ -	\$ -
COAHOMA COUNTY	\$ -	\$ -	\$ -
COFFEY COUNTY DISTRICT COURT (KS)	\$ 167.00	\$ -	\$ 167.00
COOKIE COUNTY (TX)	\$ -	\$ -	\$ -
DECATUR COUNTY	\$ -	\$ 75.00	\$ 75.00
DES MOINES CLERK OF COURTS	\$ 118.58	\$ -	\$ 118.58
FRANKLIN COUNTY COURT	\$ -	\$ -	\$ -
GIRARD COUNTY	\$ -	\$ -	\$ -
HAMILTON COUNTY CLERK OF COURTS	\$ -	\$ -	\$ -
HAMPTON COUNTY CLERK OF COURTS	\$ -	\$ -	\$ -
KEOKUK IA CLERK OF COURTS	\$ -	\$ 102.00	\$ 102.00
LINN COUNTY (IA)	\$ -	\$ -	\$ -
MASON CITY CLERK OF COURTS	\$ 119.30	\$ -	\$ 119.30
POLK COUNTY CLERK OF COURTS	\$ -	\$ -	\$ -
POWESHIEK COUNTY (IA)	\$ -	\$ -	\$ -
SAC CITY CLERK OF COURTS	\$ -	\$ -	\$ -
SIOUX COUNTY (IA)	\$ -	\$ -	\$ -
WARREN COUNTY	\$ -	\$ -	\$ -
	\$ 701.38	\$ 177.00	\$ 878.38

Figure 6

D. Positive Collateral Impact of the Program

In addition to keeping traffic offenders out the courtroom, the DDP is responsible for the following unintended and unexpected, but nevertheless positive, effects:

- Voluntary clearance of active arrest warrants;
- Disposition of dormant DAS/DAR citations;
- Satisfaction of outstanding judgments¹⁰; and
- Payment of child support arrears¹¹.

The interest in the DDP is so strong that prospective participants that are currently ineligible for the DDP often take the initiative to clear the impediments to

¹⁰ An individual is ineligible for the DDP when a judgment affects his or her driver's license status. Prospective participants are satisfying outstanding judgments that prevent them from program participation.

¹¹ An individual is ineligible for the DDP when child support arrears affect his or her driver's license status. Prospective participants are contacting County authorities to establish and abide by child support payment plans in order to enter the program.

participation, such as the active warrants, unsatisfied judgments and outstanding child support obligations.

IV. LEGISLATIVE RECOMMENDATION

The participating cities recommend that the Minnesota Legislature continue the pilot program for two (2) additional years and grant the Commissioner of Public Safety the discretion to permit additional cities and counties to establish diversion programs within their jurisdictions, based upon DVS' capacity to add additional jurisdictions.¹²

V. CONCLUSION

For the reasons more fully described herein, the DDP should be continued because of the program's positive benefits to the public. The DDP has recovered outstanding fines and fees that the State of Minnesota and local governments arguably might not have otherwise recovered. This program is an innovative and unique approach that utilizes a public-private partnership to solve the persistent and pervasive problem of unlicensed drivers. Because of its preliminary success, continued study is warranted.

¹² A copy of the bill proposing the extension of the DDP is attached in Appendix 4.

APPENDIX 1

LAWS OF MINNESOTA 2009, CHAPTER 59,
ARTICLE 3, SECTION 4

Minnesota

2009 Minn.law ch59, art.3 Sec.4

Sec. 4. **LICENSE REINSTATEMENT DIVERSION PILOT PROGRAM.**

11.11 **Subdivision 1. Establishment.** An eligible city may establish a license reinstatement
11.12 diversion pilot program for holders of class D drivers' licenses who have been charged
11.13 with violating Minnesota Statutes, section 171.24, subdivision 1 or 2, but have not yet
11.14 entered a plea in the proceedings. An individual charged with driving after revocation
11.15 under Minnesota Statutes, section 171.24, subdivision 2, is eligible for diversion only if
11.16 the revocation was due to a violation of Minnesota Statutes, section 169.791; 169.797;
11.17 169A.52; 169A.54; or 171.17, subdivision 1, paragraph (a), clause (6). An individual
11.18 who is a holder of a commercial driver's license or who has committed an offense in a
11.19 commercial motor vehicle is ineligible for participation in the diversion pilot program.
11.20 **Subd. 2. Eligible cities.** Each of the cities of Duluth, St. Paul, South St. Paul,
11.21 West St. Paul, and Inver Grove Heights is eligible to establish the license reinstatement
11.22 diversion pilot program within its city. The commissioner of public safety may permit
11.23 other cities to establish license reinstatement diversion pilot programs within their cities.
11.24 **Subd. 3. Contract.** Notwithstanding any law or ordinance to the contrary, an
11.25 eligible city may contract with a third party to create and administer the diversion program.
11.26 **Subd. 4. Diversion of individual.** A prosecutor for a participating city may
11.27 determine whether to accept an individual for diversion, and in doing so shall consider:
11.28 (1) whether the individual has a record of driving without a valid license or other
11.29 criminal record, or has previously participated in a diversion program;
11.30 (2) the strength of the evidence against the individual, along with any mitigating
11.31 factors; and
11.32 (3) the apparent ability and willingness of the individual to participate in the
11.33 diversion program and comply with its requirements.
11.34 **Subd. 5. Diversion driver's license.** (a) Notwithstanding any law to the contrary,
11.35 the commissioner of public safety may issue a diversion driver's license to a person who
12.1 is a participant in a pilot program for diversion, following receipt of an application and
12.2 payment of:
12.3 (1) the reinstatement fee under Minnesota Statutes, section 171.20, subdivision 4, by
12.4 a participant whose driver's license has been suspended;
12.5 (2) the reinstatement fee under Minnesota Statutes, section 171.29, subdivision 2,
12.6 paragraph (a), by a participant whose driver's license has been revoked under Minnesota
12.7 Statutes, section 169.791; 169.797; or 171.17, subdivision 1, paragraph (a), clause (6); or
12.8 (3) the reinstatement fee under Minnesota Statutes, section 171.29, subdivision 2,
12.9 paragraph (a), by a participant whose driver's license has been revoked under Minnesota
12.10 Statutes, section 169A.52 or 169A.54. The reinstatement fee and surcharge, both of which
12.11 are provided under Minnesota Statutes, section 171.29, subdivision 2, paragraph (b), also
12.12 must be paid during the course of, and as a condition of, the diversion program.
12.13 The diversion driver's license may bear restrictions imposed by the commissioner suitable
12.14 to the licensee's driving ability or other restrictions applicable to the licensee as the
12.15 commissioner may determine to be appropriate to assure the safe operation of a motor
12.16 vehicle by the licensee.
12.17 (b) Payments by participants in the diversion program of the reinstatement fee and
12.18 surcharge under Minnesota Statutes, section 171.29, subdivision 2, paragraph (b), must be
12.19 applied first toward payment of the reinstatement fee, and after the reinstatement fee has
12.20 been fully paid, toward payment of the surcharge. Each payment that is applied toward
12.21 the reinstatement fee must be credited as provided in Minnesota Statutes, section 171.29,
12.22 subdivision 2, paragraph (b), and each payment that is applied toward the surcharge must

12.23 be credited as provided in Minnesota Statutes, section 171.29, subdivision 2, paragraphs 12.24(c) and (d).

12.25 **Subd. 6. Components of program.** (a) At a minimum, the diversion program 12.26 must require individuals to:

12.27(1) successfully attend and complete, at the individual's expense, educational classes 12.28 that provide, among other things, information on drivers' licensure;

12.29(2) pay, according to a schedule approved by the prosecutor, all required fees, 12.30 fines, and charges, including applicable statutory license reinstatement fees and costs 12.31 of participation in the program;

12.32(3) comply with all traffic laws; and

12.33(4) demonstrate compliance with vehicle insurance requirements.

12.34(b) An individual who is accepted into the pilot program is eligible to apply for a 12.35 diversion driver's license.

13.1 **Subd. 7. Termination of participation in diversion program.** (a) An individual's 13.2 participation in the diversion program may terminate when:

13.3(1) during participation in the program, the individual is guilty of a moving traffic 13.4 violation or failure to provide vehicle insurance;

13.5(2) the third-party administrator of the diversion program informs the court and the 13.6 commissioner of public safety that the individual is no longer satisfying the conditions 13.7 of the diversion; or

13.8(3) the third-party administrator informs the court, the prosecutor, and the 13.9 commissioner of public safety that the individual has met all conditions of the diversion 13.10 program, including, at a minimum, satisfactory fulfillment of the components in 13.11 subdivision 6, whereupon the court shall dismiss the charge or the prosecutor shall decline 13.12 to prosecute.

13.13(b) Upon termination of an individual's participation in the diversion program, the 13.14 commissioner shall cancel the individual's diversion driver's license.

13.15(c) The original charge against the individual of violation of Minnesota Statutes, 13.16 section 171.24, may be reinstated against an individual whose participation in the 13.17 diversion program terminates under paragraph (a), clause (1) or (2).

13.18(d) The commissioner shall reinstate the driver's license of an individual whose 13.19 participation in the diversion program terminates under paragraph (a), clause (3).

13.20 **Subd. 8. Report.** (a) By February 1, 2011, the commissioner of public safety and 13.21 each eligible city that participates in the diversion program shall report to the legislative 13.22 committees with jurisdiction over transportation and the judiciary concerning the results 13.23 of the program. The report must be made electronically and available in print only upon 13.24 request. The report must include, without limitation, the effect of the program on:

13.25(1) recidivism rates for participants in the diversion pilot program;

13.26(2) the number of unlicensed drivers who continue to drive in violation of Minnesota 13.27 Statutes, section 171.24;

13.28(3) payment of the fees and fines collected in the diversion pilot program to cities, 13.29 counties, and the state;

13.30(4) educational support provided to participants in the diversion pilot program; and

13.31(5) the total number of participants in the diversion pilot program and the number of 13.32 participants who have terminated from the pilot program under subdivision 7, paragraph 13.33(a), clauses (1) to (3).

13.34 (b) The report must include recommendations regarding the future of the program 13.35 and any necessary legislative changes.

13.36 **Subd. 9. Sunset.** The pilot project under this section expires June 30, 2011.

14.1 **EFFECTIVE DATE.** This section is effective July 1, 2009.

APPENDIX 2

LAWS OF MINNESOTA 2010, CHAPTER 197

CHAPTER 197—S.F.No. 2946

An act relating to drivers' licenses; allowing collection of fees under the license reinstatement diversion pilot program to be extended for 18 months; amending Laws 2009, chapter 59, article 3, section 4, subdivision 9.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Laws 2009, chapter 59, article 3, section 4, subdivision 9, is amended to read:

Subd. 9. **Sunset.** The pilot project under this section expires June 30, 2011. A city participating in this pilot program may accept an individual for diversion into the pilot program until June 30, 2011. The third party administering the diversion program may collect and disburse fees collected pursuant to subdivision 6, paragraph (a), clause (2), through December 31, 2012, at which time the pilot program under this section expires.

EFFECTIVE DATE. This section is effective the day following final enactment.

Presented to the governor March 25, 2010

Signed by the governor March 26, 2010, 11:58 a.m.

APPENDIX 3

DDP COURSE MATERIALS

Financial Crimes Services

Driving Diversion Program Class

Class Outline / Introduction

Why are you here – the process

Why Driving Diversion Program - what happens if the program isn't completed

Participants are lucky and smart

- Lucky to have a chance to stay out of the criminal justice system
- Lucky that they can keep their license
- Smart because they came to the class
- Have a chance to begin fresh, it will be much harder if they are in front of a Judge for a second offense

Understanding Minnesota Laws

MN laws regarding getting and keeping a license

- It is a privilege, not a right

Definitions

- Suspension - the penalties
- Revocation – the penalties

What does it take to lose a license? Get it back?

Probable Cause

How and why do people get pulled over

How computers are used to run information on drivers by running plates automatically

What are their reasons for their driving after revocation?

Group conversation / discussion on individual reasons

Responsibility

They are responsible for their actions

What is their social responsibility?

Impact Statement / Stress

How has driving on a revoked license affected them?

What stress has been added due to driving after revocation?

How has it affected their lives? How do they handle it?

What is going to be the future affect?

NOW: inconvenient FUTURE: back to see the Judge

Ripple Effect

How does driving after revocation affect other areas of their lives

- Before getting their license reinstated
- Going through the diversion process
- After completing the diversion process
- If they do not complete the diversion process
- Social responsibility

Setting Goals

How will the participant's life be enhanced in the future

- having a valid driver's license
- completing the diversion program
- other areas

Insurance

What are the Minnesota laws?

What are the national laws?

How do they affect individual drivers?

Financial Personal/Family Budget

Wants vs Needs

What gets us into financial trouble

Money saving suggestions

Budgeting sheets

Monthly payment schedule

Resource List

The steps and process of getting their license back

What are the steps to regain their driver's license

What paperwork is needed to regain their driver's license

Where are the locations to take the paper work, parking, extra fees, etc

(The class will have the forms and will take the time to help participants fill out the paper work and give them the step by step process of where and when to complete the process)

Evaluation of Class Filled Out and handed in to instructor

Information sent back to Jurisdiction on class participants?

Driving Diversion Program Minnesota Class Schedule 2011

<u>Date</u>	<u>City</u>	<u>Place</u>	<u>Time</u>	<u>Instructor</u>
January				
Thursday, 1-6-2011	West St. Paul	West St. Paul City Hall	5:00pm – 9:00pm	Pete Badker
Saturday, 1-15-2011	West St. Paul	West St. Paul City Hall	9:30am – 1:30pm	Craig Lunde
Thursday, 1-20-2011	Duluth	Duluth Public Library	12:30pm – 4:30pm	Tom Krause
February				
Thursday, 2-3-2011	West St. Paul	West St. Paul City Hall	5:00pm – 9:00pm	Mike Lewis
Thursday, 2-17-2011	Duluth	Duluth Public Library	4:30pm – 8:15pm	Tom Krause
Saturday, 2-19-2011	West St. Paul	West St. Paul City Hall	9:30am – 1:30pm	Pete Badker
March				
Thursday, 3-3-2011	West St. Paul	West St. Paul City Hall	5:00pm – 9:00pm	Craig Lunde
Thursday, 3-10-2011	Duluth	Duluth Public Library	12:30pm – 4:30pm	Tom Krause
Saturday, 3-19-2011	West St. Paul	West St. Paul City Hall	9:30am – 1:30pm	Pete Badker
April				
Thursday, 4-7-2011	West St. Paul	West St. Paul City Hall	5:00pm – 9:00pm	Mike Lewis
Saturday, 4-16-2011	West St. Paul	West St. Paul City Hall	9:30am – 1:30pm	Pete Badker
Thursday, 4-21-2011	Duluth	Duluth Public Library	4:30pm – 8:15pm	Tom Krause
May				
Thursday, 5-5-2011	West St. Paul	West St. Paul City Hall	5:00pm – 9:00pm	Pete Badker
Thursday, 5-19-2011	Duluth	Duluth Public Library	12:30pm – 4:30pm	Tom Krause
Saturday, 5-21-2011	West St. Paul	West St. Paul City Hall	9:30am – 1:30pm	Craig Lunde
June				
Thursday, 6-2-2011	West St. Paul	West St. Paul City Hall	5:00pm – 9:00pm	Mike Lewis
Saturday, 6-18-2011	West St. Paul	West St. Paul City Hall	9:30am – 1:30pm	Pete Badker
Thursday, 6-23-2011	Duluth	Duluth Public Library	4:30pm – 8:15pm	Tom Krause
July				
Thursday, 7-7-2011	West St. Paul	West St. Paul City Hall	5:00pm – 9:00pm	Craig Lunde
Saturday, 7-16-2011	West St. Paul	West St. Paul City Hall	9:30am – 1:30pm	Pete Badker
Thursday, 7-21-2011	Duluth	Duluth Public Library	12:30pm – 4:30pm	Tom Krause
August				
Thursday, 8-4-2011	West St. Paul	West St. Paul City Hall	5:00pm – 9:00pm	Mike Lewis
Thursday, 8-18-2011	Duluth	Duluth Public Library	4:30pm – 8:15pm	Tom Krause

Thursday, 8-20-2011	West St. Paul	West St. Paul City Hall	9:30am – 1:30pm	Peter Badker
September				
Thursday, 9-1-2011	West St. Paul	West St. Paul City Hall	5:00pm – 9:00pm	Pete Badker
Thursday, 9-15-2011	Duluth	Duluth Public Library	12:30pm – 4:30pm	Tom Krause
Saturday, 9-17-2011	West St. Paul	West St. Paul City Hall	9:30am – 1:30pm	Craig Lunde
October				
Thursday, 10-6-2011	West St. Paul	West St. Paul City Hall	5:00pm – 9:00pm	Mike Lewis
Saturday, 10-15-2011	West St. Paul	West St. Paul City Hall	9:30am – 1:30pm	Pete Badker
Thursday, 10-20-2011	Duluth	Duluth Public Library	4:30pm – 8:15pm	Tom Krause
November				
Thursday, 11-3-2011	West St. Paul	West St. Paul City Hall	5:00pm – 9:00pm	Pete Badker
Thursday, 11-17-2011	Duluth	Duluth Public Library	12:30pm – 4:30pm	Tom Krause
Saturday, 11-19-2011	West St. Paul	West St. Paul City Hall	9:30am – 1:30pm	Craig Lunde
December				
Thursday, 12-1-2011	West St. Paul	West St. Paul City Hall	5:00pm – 9:00pm	Mike Lewis
Thursday, 12-15-2011	Duluth	Duluth Public Library	4:30pm – 8:30pm	Tom Krause
Saturday, 12-17-2011	West St. Paul	West St. Paul City Hall	9:30am – 1:30pm	Pete Badker

We must be out of the Duluth Public Library by 8:30pm – they close at that time. Thanks.

Directions to West St. Paul class site – West St. Paul City Hall, 1616 Humboldt Ave, West St. Paul, MN 55118: From St. Paul: Go South on S Robert Street, turn right on Wentworth Ave, take left onto Humboldt Ave, City Hall is on the left From the East: Take Hwy 52 to Wentworth Ave, Go west on Wentworth to Humboldt Ave, turn left and City Hall is on left

Directions to Duluth class site – Duluth Public Library, Green Room, 520 West Superior St, Duluth, MN 55802: none at this time

Instructors:

Pete Badker – Retired Goodhue County Sheriff's Deputy, Pete works daily supporting participants of DDP
Mike Lewis - Retired Chief of Police - Faribault, MN
Tom Krause - Retired Investigator Virginia Police Department
Craig Lunde - Investigator, Red Wing Police Department

DRIVING DIVERSION PROGRAM MINNESOTA CLASS MANUAL

**DDP Office number 866-518-2597
DDP FAX number 1-651-385-4343**

**Driving Diversion Program
PO Box 19, Red Wing, MN 55066**



File Number: _____

INTRODUCTION

This class is part of the diversion process which offers you an opportunity to obtain a valid Minnesota Driver's License and have the criminal citation dismissed for Driving after Suspension (DAS) or Driving after Revocation (DAR). You were stopped by an officer of the law because you did something to catch his or her attention. Due to modern technology, the officer was able to find out immediately that you were driving on a suspended or revoked license. You were not only in trouble for the reason you caught their attention, but for driving illegally. Everyone has their own reason why they were driving illegally. Did you know your license was revoked or suspended? Did you need to get to work? Did you have a family obligation to fulfill? Did you think it was okay if you drove carefully and who would know? For whatever the reason, you were stopped and now another criminal citation could be added to your driving record. We are all responsible for our own actions. It doesn't matter that we "didn't want to get in trouble", that we "just had to" do something. It doesn't matter to the law. For a society to be stable, it needs to have rules that everyone follows and laws to keep everyone safe. Our actions do not only affect ourselves, but those in our family, those we work with, those we share the road with, etc. Our actions have ripple affects well beyond ourselves.

We are not here to "preach" to you about your violation but to educate you about the steps that got you here, the impact on you and those around you of driving with a suspended or revoked license and the direction this can take if things are left unchanged. You should consider yourself lucky and smart. Lucky because you are able to participate in the diversion process instead of going to court and smart because you chose to come to this class and fulfill the requirements of the program.

REMEMBER, IT IS AGAINST THE LAW TO DRIVE WITHOUT A VALID DRIVER'S LICENSE.

The goal of this class is to make very clear the law, to provide you with the necessary tools for you to make good on your outstanding fees and fines, and to ultimately have a valid Minnesota Driver's License again. As you fulfill the requirements of the program, you will be able to obtain a Diversion License which will allow you to drive legally while you take care of the outstanding citations, fees, fines, etc. that warranted your DAS or your DAR. At the end of this class, you will know what monetary amount you will need to bring when applying for your diversion license; you will have completed the necessary forms to bring to the Drivers Vehicle Service (DVS) to receive your Diversion License; you will have the opportunity to set up a bank account, if needed, for your personal financial needs. You will receive information on obtaining vehicle insurance if needed. You will be mailed a Certificate of Completion to take to the DVS showing you are eligible to obtain your Diversion License. This class is one of the first steps to getting your Diversion License.

\$\$\$ How much do you pay each month in rent/mortgage payment? \$_____

LEGAL RAMIFICATIONS FOR MINNESOTA

MN laws regarding acquiring a license and keeping it are very specific. In Minnesota, driving is a privilege, not a right. It can be suspended or revoked. The Driving Diversion Program is a way to obtain a legal license while working through the diversion process. If the components of the process are not carried through, the Diversion License can be suspended and the offender can be sent back to the City Attorney's Office so that formal court charges can proceed. The following Minnesota Statutes outline the definitions and laws under which the Driving Diversion Program operates:

171.24 VIOLATIONS; DRIVING WITHOUT VALID LICENSE

Subdivision 1. **Driving after suspension; misdemeanor.** Except as otherwise provided in subdivision 5, a person is guilty of a misdemeanor if:

- (1) the person's driver's license or driving privilege has been suspended;
- (2) the person has been given notice of or reasonably should know of the suspension; and
- (3) the person disobeys the order by operating in this state any motor vehicle, the operation of which requires a driver's license, while the person's license or privilege is suspended

Subd. 2. **Driving after revocation; misdemeanor.** A person is guilty of a misdemeanor if:

- (1) the person's driver's license or driving privilege has been revoked;
- (2) the person has been given notice of or reasonably should know of the revocation; and
- (3) the person disobeys the order by operating in this state any motor vehicle, the operation of which requires a driver's license, while the person's license or privilege is revoked.

Subd. 7. **Sufficiency of notice.** (a) Notice of revocation, suspension, cancellation, or disqualification is sufficient if personally served, or if mailed by first class mail to the person's last known address or to the address listed on the person's driver's license. Notice is also sufficient if the person was informed that revocation, suspension, cancellation, or disqualification would be imposed upon a condition occurring or failing to occur, and where the condition has in fact occurred or failed to occur.
(b) It is not a defense that a person failed to file a change of address with the post office, or failed to notify the Department of Public Safety of a change of name or address as required under section 171.11.

(This is not the complete version of the law. For the full version, go to www.revisor.leg.state.mn.us/statutes/)

DEFINITION OF PENALTIES:

Misdemeanor Penalty: A Person who is convicted of a misdemeanor could be sentenced to imprisonment for not more than 90 days or to payment of a fine of not more than \$1,000, or both.

Gross Misdemeanor Penalty: A Person who is convicted of a gross misdemeanor could be sentenced to imprisonment for not more than one year or to payment of a fine of not more than \$3,000, or both.

Sec.4. LICENSE REINSTATEMENT DIVERSION PILOT PROGRAM.

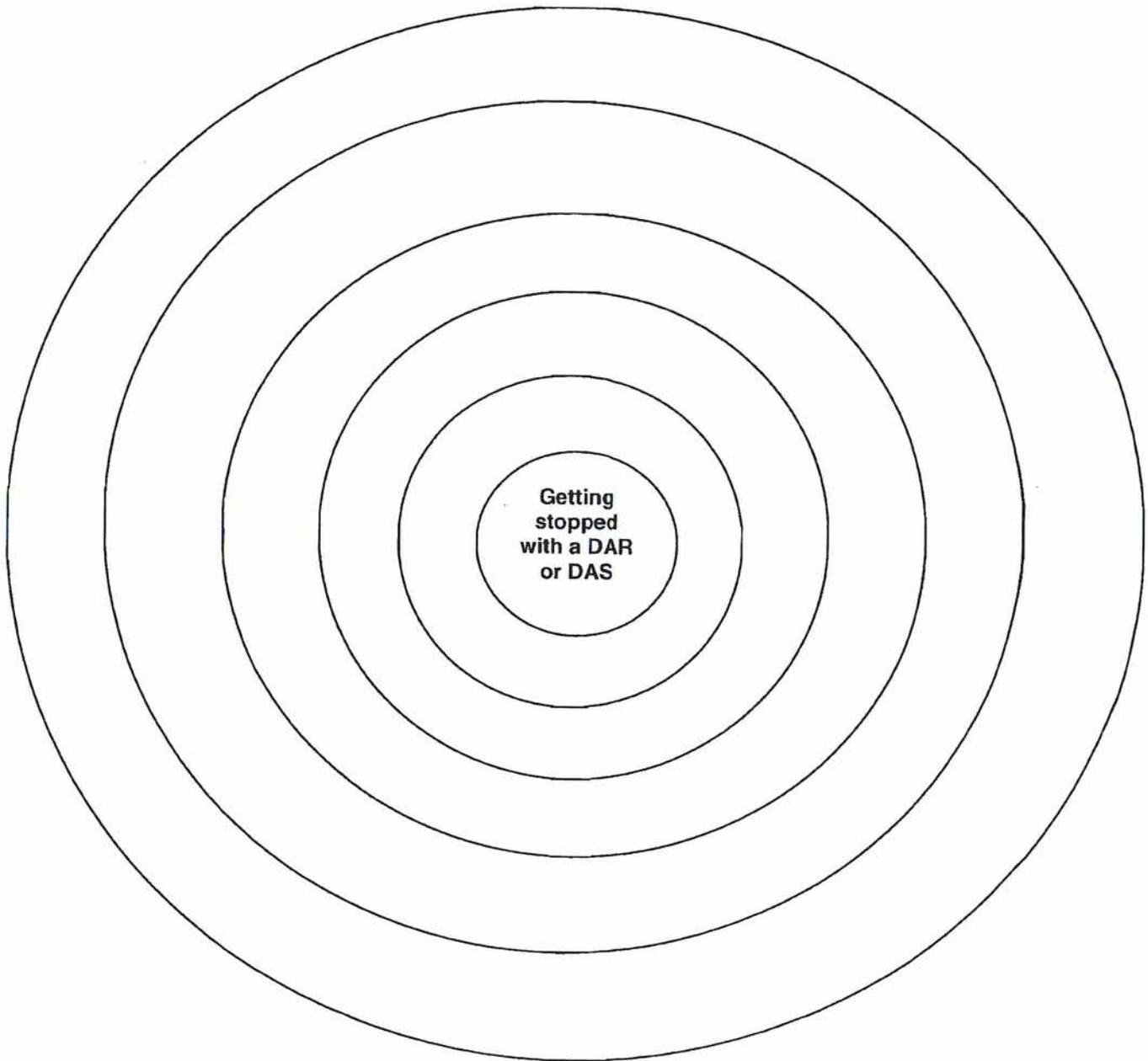
Subdivision 1. **Establishment.** An eligible city may establish a license reinstatement diversion pilot program for holders of class D driver's licenses who have been charged with violating Minnesota Statutes, section 171.24, subdivision 1 or 2, but have not yet entered a plea in the proceedings. An individual charged with driving after revocation under Minnesota Statutes, section 171.24, subdivision 2, is eligible for diversion only if the revocation was due to a violation of Minnesota Statutes, section 169.791; 169.797; 169A.52; 169A.54; or 171.17, subdivision 1, paragraph (a). An individual who is a holder of a commercial driver's license or who has committed an offense in a commercial motor vehicle is ineligible for participation in the diversion pilot program.

Subd. 2. **Eligible cities.** Each of the cities of Duluth, St. Paul, South St. Paul, West St. Paul, and Inver Grove Heights is eligible to establish the license reinstatement diversion pilot program within its city. The commissioner of public safety may permit other cities to establish license reinstatement diversion pilot programs within their cities.

THE SPLASH AND RIPPLE EFFECT

When we do anything in our lives, it always goes beyond the actual moment it happens. Events not only affect us, but others. What are the ripples in your life from having a DAS or a DAR? Getting stopped and having a criminal citation on your driving record is a big splash that will spread far and wide.

Some areas to think about and possibly include: stress levels, impact on family members, attitudes of friends and family, impact on your job and daily schedule, financial issues, results from participating in the driving diversion process, the overall effect when the program is complete, social responsibility.



misdemeanor violations of this section. In addition to any sentence of imprisonment that the court may impose on a person convicted of violating this section, the court shall impose a fine of not less than \$200 nor more than the maximum amount authorized by law. The court may allow community service in lieu of any fine imposed if the defendant is indigent.

(b) the court may impose consecutive sentences for offenses arising out of a single course of conduct as permitted in section 609.035, subdivision 2.

(c) In addition to the criminal penalty, the driver's license of an operator convicted under this section shall be revoked for not more than 12 months. If the operator is also an owner of the vehicle, the registration of the vehicle shall also be revoked for not more than 12 months. Before reinstatement of a driver's license or registration, the operator shall file with the commissioner of public safety the written certificate of an insurance carrier authorized to do business in this state stating that security has been provided by the operator as required by section 65B.48.

(This is not the complete version of the law. For the full version, go to www.revisor.leg.state.mn.us/statutes/)

\$\$\$ How much do you pay each month for cable/dish service? \$_____

\$\$\$ How much do you pay each month for your home phone? \$_____

WHY TALK ABOUT PERSONAL FINANCES?

While many people know how to maintain their personal finances in the good times, when the economy slips or major circumstances develop in life (a DUI, multiple tickets, illness, job loss, etc.), making ends meet and covering financial responsibilities may become a challenge. Everyone can use a reminder now and again to freshen up options and to take a good look at where they really are financially. For many in the DDP program, the need to pay in full the outstanding tickets, fines and fees were too great a financial challenge and so most went without a valid license.

The Driving Diversion Program is here not only to help figure out what tickets are outstanding and how much is owed, but to help participants manage their overall finances. As noted earlier in this manual, the average DDP participant has 10 citations. Figuring out how much income you have and where you choose to spend it, at times, can be eye opening. Budgets and the budgeting process is a crucial part of everyday life. It is especially necessary today with most incomes staying the same (or decreasing) while expenses keep going up!

It is the goal of the DDP program that with a solid budget, the amount owed on outstanding tickets, fines and fees will be manageable and will be successfully paid. A legal license with no restrictions is a wonderful end result for diligently paying off what is legally owed to the state, counties and/or cities. But even more important, it is a skill that will carry through the rest of your life. When life gives you the eventual "ups and downs", you will be equipped to deal with them more effectively. Celebrate the "ups" and save for when the inevitable "down" comes along. What you learn in the next few pages will take you far.

WHY HAVE A BANK ACCOUNT?

Benefits of having a bank account are numerous!! By having a checking or debit account, individuals are able to help stabilize their financial situations and move forward on improving their credit rating. By setting up automatic monthly payments for bill paying, individuals are able to reduce the stress of meeting payment deadlines. You no longer have late payments adding on additional fees. You get to spend that money yourself! By maintaining a checking account in a positive manner, participants show financial institutions, merchants, friends and family that they are capable of managing their finances.

If you do not already have a checking/debit account, you are able to sign up for one though the FCS bank, Kenney Bank and Trust. The following information outlines the benefits of Kenney Bank & Trust account if you need an account. Many of the benefits are universal to all checking/debit accounts when used correctly.

Benefits:

1. Pay bills electronically
2. Will not receive checks for this account
3. Clean up negative check data
4. Account will be set up with limited overdraft protection
5. Receive a debit card
6. The account can have multiple signers.
7. Call DDP at 1-866-518-2597 for more information.

CREDIT REPORTS AND YOUR CREDIT SCORE cont.

Other areas to keep in mind:

- Don't close unused accounts if you are going to apply for a loan in the near future. If someone tells you to close unused accounts to improve your score, it could actually hurt you. Closing unused accounts without paying down your debt on used cards changes your utilization ratio, which is the amount of your total debt divided by your total available credit. You appear closer to maxing out your accounts because you have a lower amount of credit you can borrow from. Overall, it is best not to carry accounts you are not using.
- The length of your credit history is another factor in your score. If you do close an account, leave the oldest one open and close the newest one(s). If you close the oldest, longest held and used card and hold on to the newest cards, it makes you look like a much newer borrower. Even if the new cards have a better interest rate, in the eyes of a creditor or lender, interest rates do not matter, the credit history on the card does!
- If you do have to use credit cards, having a smaller balance on two or three cards is better than having a large amount on one card. You're not spending less, it is just divided better and the percentages work in your favor (20-30% on 2-3 cards instead of say 80% on one). **ALTHOUGH it is much better to pay down debt and have the cash to use, not the cards.**

Sources:

- Checking your credit reports, Bankrate.com, updated May 1, 2006
- Fixing mistakes on your credit report, Bankrate.com
- 7 steps to fixing your credit report, by Holden Lewis, Bankrate.com
- Tips for boosting your credit score, by Pat Curry, Bankrate.com

\$\$\$ How much do you pay each month for your DDP payment?

\$_____

CHECK OUT AND USE THE INFORMATION ON YOUR STATEMENT

Your credit card statements must now show how long it will take you to pay off your credit cards if you (a) add no further charges to them and (b) you make only a minimum payment. They also need to show your payment to pay off your debt in 3 years. Check out the example below.

Payment Information		
New Balance		\$7,713.55
Minimum Payment Due		\$155.00
Payment Due Date		March 18, 2010
<p>Late Payment Warning: If we do not receive your minimum payment by the date listed above, you may have to pay a late fee of up to \$39.00 and your purchase APRs for new transactions may be increased up to the Default APR of 21.99% variable.</p>		
<p>Minimum Payment Warning: If you make only the minimum payment each period, you will pay more in interest and it will take you longer to pay off your balance. For example:</p>		
If you make no additional charges using this card and each month you pay...	You will pay off the balance shown on this statement in about...	And you will end up paying an estimated total of...
Only the minimum payment	24 years	\$21,833
\$275	3 years	\$9,899 (Savings = \$11,934)
<p>If you would like information about credit counseling services, call</p>		

CREDIT CARD ISSUES TO STILL KEEP IN MIND

The new Credit CARD Law does not solve all credit card issues. As card holders, consumers must still keep the following issues in mind.

1. **Pay more than your minimum payment.** If you only make a minimum payment, it can be put toward interest charges only, or to the lowest interest rate applying to your account. For money to come off of the highest interest rate applied to your account, extra must be paid in addition to your minimum payment. Example: Minimum payment is \$50.00 and you make a payment of \$80.00. \$50.00 will go toward interest charged or the lowest interest rate on a purchase on account, \$30.00 will be applied to the highest rate on your account. Many accounts have multiple rates on purchases.
2. **Look out for changes in the next few months.** Credit card companies made a lot of money before the Credit CARD law went into effect by changing the rules on interest, payments, etc. They will not go long without making that income up. Consumers could see new or increased annual fees, inactivity fees, or balance transfer fees, just to name a few.
3. **Read your mail.** You will not know about the changes unless you read what the companies send you! It is up to you to decide if you want to keep the credit cards or not.
4. **Opt out of new Changes.** By reading about the changes well in advance of them going into effect, card holders can say yes or no. But realize, if you say no, the company may close your account. It should still give you a reasonable time to pay it off under their current terms. They might decide to keep you if you were a good customer.
5. **Vote with your credit card.** If your card is not a good fit, don't use it. Decide if you really need one at all. Pay off your debt, save for future expenses and use a credit card for only "must" situations – hotel reservations, emergencies, etc. It is not for a fun shopping spree you can't afford.

WHAT GETS US INTO FINANCIAL TROUBLE

1. Counting on future earnings to pay present debt. Do not take advances on your paychecks.
2. Being a slave to immediate gratification. It pays to wait until you can afford it.
3. Keeping up with the Jones. It is expensive and you and your friends/neighbors are different!
4. Being too busy to think about money. Problems won't go away just because you ignore them.
5. Being wasteful! Waste is the same as throwing away your hard earned money.
6. Not setting goals. Goals provide a solid foundation for planning and success.
7. Being ruled by your social life. Relax and enjoy life in a way you can afford and is good for you.

Not everyone feels they are in financial trouble. But, many times life circumstances altar a person's state of financial health and security. There are 5 dreaded D's that could and often do happen to people. Maybe they have happened to you, or you know of someone experiencing them right now. What are they? They are Divorce, Downsizing, Death, Disability and Disease. Any of the 5 can arrive at your door unexpectedly. Could you keep up your current lifestyle without a paycheck, or manage your finances on a substantially reduced income? Disastrous life events can happen to anyone, and even if you do not have a ton of debt now, it is prudent to save for the future, in case the unexpected happens. Another area to keep away from is the **cash advance businesses**. They give advances on your paycheck, but charge astronomical interest rates. Always look at the annual percentage rate (APR). It could be over 500% annually. Know what you will be responsible for! Stay away from them! Also, **interest free deals** are everywhere, but they come with terms. To avoid paying interest, full payment must be paid by the ending due date. Otherwise, you will pay the accrued interest from the day of purchase. You can track the interest and the end date before they take affect by reading your statements. Take the amount of your purchase, divide it by the number of months you have to pay it off (minus one), and you know what you have to pay each month so you are not responsible for the interest.

Example: You purchase something for \$621.72 with 6 months free interest. You need to divide \$621.72 by 5 months. Your payment is \$124.35 a month and it will be paid in full early so no interest can be charged. You pay it off a month early in case the mail is late, you are short funds the last month, etc.

MONEY SAVING SUGGESTIONS

If you find your money not stretching to the end of the month, you may be forced to cut expenses. Try the following:

1. Don't shop retail. Shop sales, eliminate unnecessary items, see if slightly used will do.
2. Be a cheap date. Entertain yourself and someone special with free or less expensive activities. Example, rent a movie, make popcorn and invite friends over. It is still fun but a lot cheaper than going to a theater.
3. Plan menus and stick to them. Learn to cook. Bring your lunch from home. Be on the look-out for food specials. Buy food in the most basic forms. Prepared foods cost as much as 5 to 10 times as much as the basic food and often are not as nutritious. Example: noodles and cheese. Compare prices. Be alert to quality. Watch for seasonal sales and food items. Watch how often you eat at restaurants or bring home take-out. Again, learn to cook. Be aware of how much food money is spent on low nutritional value food. Replace snack items with low cost foods with high food value. Make as much of your food as you can from basics. (Cookies and snacks)
4. Don't play the lottery or gamble. You will lose more than you win.
5. Make use of your own skills instead of paying for services. Practice self-control in spending. Keep thinking about a goal you want to achieve and work toward achieving it. Think positive, not about what you are giving up, but how much closer you are to getting what you want.
6. Take advantage of free community services for education, recreation, food and medical.

FOR FURTHER INFORMATION, CHECK THESE OUT:

1. The Complete Cheapskate by Mary Hunt (Book)
2. Debt-Proof Living by Mary Hunt (Book)
3. Total Money Makeover by Dave Ramsey (Book)
4. debt-free by 30 by Jason Anthony and Karl Cluck (Book)
5. Website articles by Mary Hunt, Dave Ramsey, etc.

READ THE FREE ARTICLES, you should not have to purchase anything. If they ask you to, keep looking – articles on budgeting, paying down debt, etc are many!

BUDGET

Behind every successful family/household is a budget. There are three basic steps to the successful operation of a family budget:

- FIRST STEP: Time must be taken to sit down and plan.
SECOND STEP: The person who keeps the budget must be faithful to the task.
THIRD STEP: After the close of each month, a few minutes should be spent to study the results and make the necessary adjustments for the coming months.

When you decide to pay down your debt and start living within a budget, the first step is to figure out where all of your money is going now. What are you spending it on? How often do you spend it? How often do you stop by the ATM machines and what fees are you paying for that quick money? Do you have money to pay the bills at the end of the month or paycheck period? What is your Debt-to-Income Ratio? How often do you eat out and how many coffees do you purchase each week? What do you do for entertainment? **Keep track of your spending in a notebook for one month. Tracking your expenditures will be a real eye-opener, you will be surprised where your money goes!**

PLANNING YOUR FINANCES

To help each person live within his income, a plan for saving and spending is useful. DO NOT take advances on your paycheck! Business's that offer you this option charge extremely high interest rates!

SOME GENERAL RULES OF BUDGETING:

1. Establish a goal: To spend no more than you make.
2. Fixed items come first, then flexible items and luxuries. (Fixed items are what you pay each month.) Check back to page 16. What are your priorities that must be paid first (some may be fixed, some flexible)?
3. Big expense items and other "must" items may be spread out among income periods so that each bears a share of the expense. For example: If rent is \$700 per month, then it is wise to save out \$350 from each check to have enough to cover the rent (if you get paid twice a month.)
4. Major expenses cannot be cut completely, but they can be reduced (food, shelter, utilities, clothing).

\$\$\$ How much do you pay each month for vehicle insurance? \$_____

BUDGETING YOUR INCOME

Monthly net-income \$ _____
 (Income includes VA benefits, child support, Social Security, take-home pay from all jobs, etc.)

<u>Expenses - Month</u>	<u>Current</u>	<u>Cut-backs</u>
a) House Payment/Rent (pg 3)	\$ _____	\$ _____
b) Electric Bill (pg 4)	\$ _____	\$ _____
c) Heat (pg 6)	\$ _____	\$ _____
d) Water	\$ _____	\$ _____
e) Personal Priority (pg 16)	\$ _____	\$ _____
f) Cable / Dish TV (pg 9)	\$ _____	\$ _____
g) Phone (pg 9)	\$ _____	\$ _____
h) Cell Phone (pg 6)	\$ _____	\$ _____
i) Internet Service (pg 10)	\$ _____	\$ _____
j) Credit Payments/Loans (page 18)	\$ _____	\$ _____
1. DDP Payments (pg 13)	\$ _____	\$ _____
2. _____	\$ _____	\$ _____
3. _____	\$ _____	\$ _____
4. _____	\$ _____	\$ _____
5. _____	\$ _____	\$ _____
k) Monthly /Pro-rated Monthly	\$ _____	\$ _____
1. License Plates/Tabs	\$ _____	\$ _____
2. Vehicle Insurance (pg 19)	\$ _____	\$ _____
3. Groceries	\$ _____	\$ _____
4. _____	\$ _____	\$ _____
5. _____	\$ _____	\$ _____
6. _____	\$ _____	\$ _____
7. _____	\$ _____	\$ _____
l) Giving	\$ _____	\$ _____
m) Transportation Cost	\$ _____	\$ _____
n) Pocket Money	\$ _____	\$ _____
o) Savings Account	\$ _____	\$ _____
p) _____	\$ _____	\$ _____
q) _____	\$ _____	\$ _____
r) _____	\$ _____	\$ _____
s) _____	\$ _____	\$ _____
t) _____	\$ _____	\$ _____
u) _____	\$ _____	\$ _____

Total: \$ _____ Total: \$ _____
 Balance (+ / -): \$ _____

Monthly Payment Schedule - _____

Place	Amt. Owed	Amount Due	Date Due	Amount Paid	Date Paid	Check Number
Church or Charity		4 x				
Rent/Mortgage (escrow taxes /insurance)						
Saved for the Rent/Mortgage		2 x				
Loan						
Saved for Loan		2 x				
Car Payment						
Insurances (monthly payment)						
Gas Company						
Electric Company						
Cable/Internet						
Phone – House Line						
Phone – Cellular						
Credit Card						
Credit Card						
Water/Garbage						
School Lunches						
DDP Payment						
Fuel Oil (3 tanks/winter-12 mo.)			-			
Garbage (Every 3 months)			-			
Newspaper (Every 3 months)			-			
Insurances (Every 6 months)			-			
License Plates(Every 12 months)			-			

RESOURCE LIST FOR ADDITIONAL HELP

FCS Driving Diversion Program (DDP)

- The company that provides the Driving Diversion Program
- 866-518-2597 Office number
- 1-651-385-4343 FAX number (must use the 1 to start as it is outside the Twin Cities area)
- Driving Diversion Program, PO Box 19, Red Wing, MN 55066

Alcoholics Anonymous (AA)

- Look in you local business section of your phone book under AA
- www.aa.org

American Association of Daily Money Managers (AADMM)

- A membership organization which provides daily money management services directly to clients. Provides a listing of DMM in each state and a list of questions to ask DMM.
- www.aadmm.com/

Annual Credit Report.com

- Receive a free annual credit report from each of the three main credit bureaus
- www.annualcreditreport.com or 877-322-8228
- Annual credit report Request Service, P.O. Box 105283, Atlanta, GA 30348-5283

Bridge to Benefits Web Site

- A one-stop approach coordinated by the Children's Defense fund for families to discover potential eligibility for public health care, child care, tax credits, food support and energy assistance.
- www.bridgetobenefits.org

Community Action Programs

- Offers local assistance to families in need, including: energy assistance, weatherization, food & clothing shelves, Head Start, child care programs, job assistance/training, etc.
- www.mncaa.org/

Credit Counseling

- Assistance with financial problems, including budgets, money management and debt repayment plans
- National Foundation for Credit Counseling: 800-388-2227; www.nfcc.org (Find a certified agency by you.)
- Consumer Credit Counseling Services: www.cccs.org (MN metro: 651-439-4840; MN: 888-577-2227)
- LSS Financial Counseling: MN: 888-577-2227

Department of Commerce

- Information and guidance about banking and insurance
- www.commerce.state.mn.us or 800-657-3602 or 651-296-2488

Extension Services

- Variety of resources including personal finance, parenting, food safety, etc.
- www.extension.umn.edu or (Family Resource Management) <http://www.extensiou.umn.edu/FRM/>

Federal Trade Commission

- Provides consumer protection information and help on identity theft; www.ftc.gov or 877-382-4357
- Address: Federal trade Commission, 600 Pennsylvania Avenue NW, Washington, D.C. 20580

First Call For Help

To obtain information or seek help in a crisis, including alcohol, drugs, gambling addictions, abuse, etc.:

- www.unitedwaytwincities.org or dial 211 or 1-800-543-7709 if from a cell phone: 651-291-0211

Gambling Problems Resource Center

- Provides prevention and education programs and lists treatment resources
- www.miph.org/gambling or MN Problem Gambling Help Line: 800-333-4673



Public Information Numbers

January 2007

DVS Director's Office	651-296-4544
Assistance for Hearing Impaired Callers	
(TTY/TDD).....	651-282-6555
Office Locations	651-297-2005 (Available online at www.mndriveinfo.org)
Disability Parking	651-297-3377 (Disability parking permit/hangtags and license plates)
Driver's License	
General Information	651-297-3298 (card not received, change of address, duplicate etc.)
Commercial Driver's License (CDL).....	651-297-5029
• CDL Disqualification Only	651-205-4086
Driver's License Status	651-284-2000 (Available online at www.mndriveinfo.org)
Driver Education	651-201-7626 (license instructors, schools, third party testers.)
Driver Evaluation	651-296-2025 (work permits, violations, limited/revoked/suspended licenses))
	651-296-2015
Fines	651-296-2035 (payment of fines, questions related to fines on DL record)
Implied Consent Violation	651-296-8599
Investigations	651-296-2023 (court ordered expungement, disputation of conviction)
Schedule Road Test.....	651-284-1000 (may also change existing appointment or cancel)
	Available online at www.mndriveinfo.org
Motor Vehicle Title and Registration	
General Information	651-297-2126 (transfer of ownership, titles, liens, plates & registration)
Auto Dealer Licensing	651-296-2977
Prorate	651-205-4141 (commercial vehicle, interstate registration, IRP, IFTA)
Special License Plates	651-297-3166 (veteran, collegiate, personalized, collector, etc.)
Impounded Plates	651-297-5034 (law enforcement has removed plates from vehicle sometimes referred to as Whiskey or WX.)
Violations	651-296-3844 (truck gross weight and axle weight violations)
Metro Vehicle Impound Lots	
Minneapolis.....	612-673-5777
St. Paul	651-292-6005
Records	651-296-2940 (For copies of DL, MV, Crash records)
Refunds	651-296-0118
Other State Services	
Attorney General's Office.....	651-296-3353 (Toll Free 800-657-3787)
MnDOT (Road Info 24/7)	511
Organ Donor Program.....	888-5-DONATE (536-6283)
561State Patrol Information ...	651-297-3935
Voter Registration	877-600-8683

WHAT IS THE PROCESS TO GET YOUR LICENSE BACK?

What DVS forms have to be filled out? (Will be listed on individual certificates sent from main office)

How much money will you need (cash) to bring with you to the DVS site?

You must fill out the sample form needed.

Find the closest site for you to bring the forms and cash to (will also be on your certificate)

Rest of the class – Fill out the forms

- Fill out the state forms
- Fill out the evaluation
- Take all the papers to the instructor
- Instructor will review paperwork to make sure the sample Driver's License Application is filled out properly
- If you did not have your insurance information into DDP before the class, contact DDP after this class to get further information on the process. The phone number for the DDP program is 1-866-518-2597. (If you are stopped and ticketed before you have a valid diversion license due to a DAR-DAS/ no insurance and/or no proof of insurance, you can be promptly removed from the program by the state.
- **Your Certificate of Class Completion will be mailed to you within 10 business days.**
- Take at least \$65 cash and forms (including your signed DDP Class Certificate) to nearest DVS office to obtain Diversion License (see certificate for amounts)
- Wait an additional 3 business days for your license to be activated. While in the DDP program, if you get any new "DAS or DAR" citations after you attend the class, you can be promptly removed from the program, **SO NO DRIVING UNTIL YOU KNOW YOU ARE VALID.**
- You can call 1-651-284-1234, #2. Have your Driver's License number ready. This will confirm whether or not you have a valid driver's license status. If you are confirmed, drive safely. If you are not, make sure you have completed all of your reinstatement requirements listed on your certificate. If all are completed and you are still not in a valid status, call the DDP office.

SITES FOR PARTICIPANTS TO RECEIVE THEIR LICENSES

City: St. Paul
Address: 445 Minnesota St. – Downtown St. Paul
Zip: 55101
Phone: 651-639-4057
Applications: available Monday – Friday, 8:00am – 4:30pm
Road Test: NOT available
Written Test: available Monday – Friday, 8:00am – 3:45pm

City: Eagan
Address: 2070 Cliff Road
Zip: 55122
Phone: 651-688-1870
Applications: available Monday – Friday, 8:00am – 4:30pm
Road Test: available Monday – Friday, 8:00am – 4:30pm
Written Test: available Monday – Friday, 8:00am – 3:45pm

City: Arden Hills
Address: County Road I W & 35W
Zip: 55112
Phone: 651-639-4057
Applications: available Monday – Friday, 8:00am – 4:30pm
Road Test: available Monday – Friday, 8:00am – 4:30pm
Written Test: available Monday – Friday, 8:00am – 3:45pm
Motorcycle and Moped Tests are given Monday – Friday, 10:00am and 1:00pm

City: Plymouth
Address: 2455 Fernbrook Lane
Zip: 55447
Phone: 952-476-3042
Applications: available Monday – Friday, 8:00am – 4:30pm
Road Test: available Monday – Friday, 8:00am – 4:00pm
Written Test: available Monday – Friday, 8:00am – 3:45pm

City: Duluth
Address: 4602 Grand Avenue, Suite 990
Zip: 55807
Phone: 218-628-4925
Applications: available Monday – Friday, 8:00am – 4:30pm
Road Test: available Monday – Friday, 8:00am – 4:00pm
Written Test: available Monday – Friday, 8:00am – 3:45pm

MINNESOTA DRIVER'S LICENSE / IDENTIFICATION CARD APPLICATION

SAMPLE!

- When you renew your driver's license or instruction permit you must appear in person for a vision screening and photo. If you do not pass the vision screening, a license will not be issued until a satisfactory vision report is received.
- You must present evidence of identity and residency. (Refer to ID Requirements handout PS30370.) It is unlawful to use a fictitious name or date of birth, to knowingly make a false statement or conceal a material fact, or otherwise to commit a fraud in applying for a Minnesota driver's license, instruction permit, or identification card. The driver's license will be cancelled upon determination that the licensee failed to give the required or correct information in the application, or committed any fraud or deceit in making the application. (M.S. §§ 171.14, 171.22)
- You must apply for a duplicate driver's license within 30 days of a legal name change. You must present documentation of the name change such as a certified court order or a certified marriage certificate. With proper documentation, you may use your surname prior to marriage as your middle name. Print your full name prior to the name change on the Previous Name line.
- List the standard postal address of your residence. In order to use an alternate mailing address, you must certify that the U.S. Postal Service does not deliver mail to your residence address. You must apply for a duplicate driver's license within 30 days of an address change.
- If required for your safety or for the safety of your family, your residence address may be classified as private data on individuals. You must complete a Request for Privacy of Residence Address form and provide an alternate address where you are able to receive mail and service of process. The alternate address will be displayed on your card.
- A living will/health care directive indicator on your license does not establish a living will/health care directive. An application for a new card and a written statement are required to later remove the indicator. For more information about living wills/health care directives, contact your doctor or seek legal advice.
- The donor designation on a license or ID card serves as your consent for organ and tissue donation after death. An application for a new card and a written statement are required to later remove the designation. For more information about donation, contact LifeSource at 1-888-5-DONATE.
- You must pass a knowledge test before renewing a license with a school bus or hazardous materials endorsement.
- All applications must be completed in black ink. *Do not sign until directed to do so.*
 - A. You must sign the application in the presence of the person authorized to accept the application or have a notary public verify your signature on the application.
 - B. If you are applying for a permit or driver's license and are under 18 years of age, your application must be approved by a legal guardian or by a parent with whom you live. The person who approves the license application must also certify that the supervised driving requirements have been met. Unless the parent or legal guardian signs in the presence of a person authorized to accept applications, the signature must be notarized.
- **MOTORCYCLE SAFETY FUND:** \$11 of the initial motorcycle endorsement fee and \$7 of the motorcycle endorsement renewal fee is dedicated to the Motorcycle Safety Fund.
- A \$30 fee is assessed for dishonored checks (M.S. § 604.113, Subd. 2).

NOTICE TO VOTER REGISTRANTS

The Minnesota election law restricts public access and use of information submitted for voter registration. Any information obtained from the voter registration system maintained by the Secretary of State may be used only for purposes related to elections, political activities, or law enforcement. Information required by the Minnesota election law for voter registration purposes will not be disclosed in any other manner.

PLEASE FILL IN APPROPRIATE BOXES
ON THE OTHER SIDE

DO NOT SIGN UNTIL DIRECTED TO DO SO

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SAMPLE!

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Tennessee Warning
MINNESOTA DEPARTMENT OF PUBLIC SAFETY

MINNESOTA DRIVER'S LICENSE/IDENTIFICATION CARD APPLICATION

**IMPORTANT: READ THIS NOTICE BEFORE YOU
COMPLETE THE APPLICATION**

NOTICE

Why are you being asked to share this information and how will it be used?

The Department of Public Safety (DPS) will use the information to identify you as a person, to identify your driving record, to determine your eligibility for a driver's permit, license or identification card, prevent fraud, to access your record for any future service transactions and/or inquiries, and to comply with state and federal laws.

State and federal laws require collection of this information.

Minnesota Statutes §§ 171.06, 221.031, and 221.0314, and federal motor carrier safety regulations (49 C.F.R. §§ 383.71 and 383.153) require collection of this information.

Consequences of supplying or refusing to supply requested information.

If you supply the requested information, DPS will be able to determine whether to issue you a driver's permit, license, or identification card. The information may be used by other states to make decisions about whether to issue you a driver license, permit, or identification card. The requested information may also be used by insurance providers to determine eligibility for automobile insurance coverage.

If you don't provide the information requested, DPS cannot issue you a driver's permit, license, or identification card, and your existing driving privileges, if any, may be affected.

How is the requested information shared with other agencies?

DPS releases this information to local, state, and federal government agencies only as authorized or required by state and federal law. This means that the information may be shared with the following:

Social Security Administration	MN Department of Commerce
Selective Service System	MN Attorney General's Office
Federal Department of Labor	MN Office of the Secretary of State
MN Department of Human Services	MN Department of Natural Resources
MN Department of Revenue	

In addition, your personal information may be disclosed as authorized by United States Code, title 18, section 2721.

A note about your Social Security number.

You must provide your Social Security number according to M.S. § 171.06 and the Social Security Act, 42 U.S.C. § 686(a) (13). Your Social Security number is also required to determine your eligibility for a commercial driver's license under federal motor carrier safety regulations, 49 C.F.R. § 383.153. It is used to administer child support enforcement programs and locate individuals to establish paternity. It is also used to confirm your identity and residential address with the Social Security Administration, the Minnesota Department of Revenue, the Internal Revenue Service, Minnesota Department of Natural Resources; and the Minnesota Department of Human Services.

**Permissible Uses of Motor Vehicle Data as provided:
United States Code, title 18, section 2721**

- For use by any government agency, including any court or law enforcement agency, in carrying out its functions, or any private person or entity acting on behalf of a federal, state, or local agency in carrying out its functions.
- For use in connection with matters of motor vehicle or driver safety and the motor vehicle emissions; motor vehicle product alterations, recalls, or advice performance monitoring of motor vehicles, motor vehicle parts, and dealers; motor vehicle market research activities, including survey research; and retrieval of non-owner records from the original owner records of motor vehicle manufacturers.
- For use in the normal course of business by a legitimate business or its agent, employees, or contractors, but only:
 - (A) to verify the accuracy of personal information submitted by the individual the business or its agencies, employees, or contractors; and
 - (B) if such information as so submitted is not correct or is no longer correct, obtain correct information, but only for the purposes of preventing fraud by, pursuing legal remedies against, or recovering on a debt or security interest against, the individual.
- For use in connection with any civil, criminal, administrative, or arbitral proceeding in any federal, state, or local court or agency or before any self-regulatory body including the service of process, investigation in anticipation of litigation, an execution or enforcement of judgments and orders, or pursuant to an order of a federal, state, or local court.
- For use in research activities, and for use in producing statistical reports, so long as the personal information is not published, re-disclosed, or used to contact individuals.
- For use by any insurer or insurance support organization, or by a self-insured entity, or its agents, employees, or contractors, in connection with claims investigation activities, antifraud activities, rating, or underwriting.
- For use in providing notice to the owners of towed or impounded vehicles.
- For use by any licensed private investigative agency or licensed security service for any purpose permitted under this subsection.
- For use by an employer or its agent or insurer to obtain or verify information relating to a holder of a commercial driver's license that is required under the Commercial Motor Vehicle Safety Act, 49 U.S.C. §§ 31301-17.
- For use in connection with the operation of private toll transportation facilities.
- For any other use in response to requests for individual motor vehicle records if the state has obtained the express consent of the person to whom such personal information pertains.
- For bulk distribution for surveys, marketing, or solicitations if the state has obtained the express consent of the person to whom such personal information pertains.
- For use by any requester, if the requester demonstrates it has obtained the express consent of the individual to whom the information pertains.
- For any other use specifically authorized under the law of the state that holds record, if such use is related to the operation of a motor vehicle or public safety.

Sample!

MINNESOTA DRIVER'S LICENSE/IDENTIFICATION CARD APPLICATION

SAMPLE!

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- A living will/health care directive indicator on your license does not establish a living will/health care directive. An application for a new card and a written statement are required to later remove the indicator. For more information about living wills/health care directives, contact your doctor or seek legal advice.
- The donor designation on a license or ID card serves as your consent for organ and tissue donation after death. An application for a new card and a written statement are required to later remove the designation. For more information about donation, contact LifeSource at 1-888-5-DONATE.
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- All applications must be completed in black ink. *Do not sign until directed to do so.*
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 - B. If you are applying for a permit or driver's license and are under 18 years of age, your application must be approved by a legal guardian or by a parent with whom you live. The person who approves the license application must also certify that the supervised driving requirements have been met. Unless the parent or legal guardian signs in the presence of a person authorized to accept applications, the signature must be notarized.
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Tennessee Warning
MINNESOTA DEPARTMENT OF PUBLIC SAFETY

MINNESOTA DRIVER'S LICENSE/IDENTIFICATION CARD APPLICATION

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State and federal laws require collection of this information.

Minnesota Statutes §§ 171.06, 221.031, and 221.0314, and federal motor carrier safety regulations (49 C.F.R. §§ 383.71 and 383.153) require collection of this information.

Consequences of supplying or refusing to supply requested information.

If you supply the requested information, DPS will be able to determine whether to issue you a driver's permit, license, or identification card. The information may be used by other states to make decisions about whether to issue you a driver license, permit, or identification card. The requested information may also be used by insurance providers to determine eligibility for automobile insurance coverage.

If you don't provide the information requested, DPS cannot issue you a driver's permit, license, or identification card, and your existing driving privileges, if any, may be affected.

How is the requested information shared with other agencies?

DPS releases this information to local, state, and federal government agencies only as authorized or required by state and federal law. This means that the information may be shared with the following:

Social Security Administration	MN Department of Commerce
Selective Service System	MN Attorney General's Office
Federal Department of Labor	MN Office of the Secretary of State
MN Department of Human Services	MN Department of Natural Resources
MN Department of Revenue	

In addition, your personal information may be disclosed as authorized by United States Code, title 18, section 2721.

A note about your Social Security number.

You must provide your Social Security number according to M.S. § 171.06 and the Social Security Act, 42 U.S.C. § 686(a) (13). Your Social Security number is also required to determine your eligibility for a commercial driver's license under federal motor carrier safety regulations, 49 C.F.R. § 383.153. It is used to administer child support enforcement programs and locate individuals to establish paternity. It is also used to confirm your identity and residential address with the Social Security Administration, the Minnesota Department of Revenue, the Internal Revenue Service, Minnesota Department of Natural Resources; and the Minnesota Department of Human Services.

**Permissible Uses of Motor Vehicle Data as provided:
United States Code, title 18, section 2721**

- For use by any government agency, including any court or law enforcement agency, in carrying out its functions, or any private person or entity acting on behalf of a federal, state, or local agency in carrying out its functions.
- For use in connection with matters of motor vehicle or driver safety and the motor vehicle emissions; motor vehicle product alterations, recalls, or advice performance monitoring of motor vehicles, motor vehicle parts, and dealers; motor vehicle market research activities, including survey research; and retrieval of non-owner records from the original owner records of motor vehicle manufacturers.
- For use in the normal course of business by a legitimate business or its agents, employees, or contractors, but only:
 - (A) to verify the accuracy of personal information submitted by the individual to the business or its agencies, employees, or contractors; and
 - (B) if such information as so submitted is not correct or is no longer correct, obtain correct information, but only for the purposes of preventing fraud by, pursuing legal remedies against, or recovering on a debt or security interest against, the individual.
- For use in connection with any civil, criminal, administrative, or arbitral proceeding in any federal, state, or local court or agency or before any self-regulatory body including the service of process, investigation in anticipation of litigation, an execution or enforcement of judgments and orders, or pursuant to an order of a federal, state, or local court.
- For use in research activities, and for use in producing statistical reports, so long as the personal information is not published, re-disclosed, or used to contact individuals.
- For use by any insurer or insurance support organization, or by a self-insured entity, or its agents, employees, or contractors, in connection with claims investigation activities, antifraud activities, rating, or underwriting.
- For use in providing notice to the owners of towed or impounded vehicles.
- For use by any licensed private investigative agency or licensed security agency for any purpose permitted under this subsection.
- For use by an employer or its agent or insurer to obtain or verify information relating to a holder of a commercial driver's license that is required under the Commercial Motor Vehicle Safety Act, 49 U.S.C. §§ 31301-17.
- For use in connection with the operation of private toll transportation facilities.
- For any other use in response to requests for individual motor vehicle records if the state has obtained the express consent of the person to whom such personal information pertains.
- For bulk distribution for surveys, marketing, or solicitations if the state has obtained the express consent of the person to whom such personal information pertains.
- For use by any requester, if the requester demonstrates it has obtained the written consent of the individual to whom the information pertains.
- For any other use specifically authorized under the law of the state that holds the record, if such use is related to the operation of a motor vehicle or public use.

Sample!

DDP QUESTIONNAIRE

Participants Name: _____ File Number: _____
Participants Address: _____
Instructor's Name: _____
Date of Class: _____

1. What have you found the most helpful from the Driving Diversion Program?

2. What have you found the least helpful from the Driving Diversion Program?

3. Why did you decide to do something now?

4. What did you find most helpful in the class?

5. What did you find least helpful in the class?

9. Other comments or suggestions?

APPENDIX 4

PROPOSED LEGISLATION, 2011 LEGISLATIVE SESSION

Sec. 4. LICENSE REINSTATEMENT DIVERSION PILOT PROGRAM.

Subdivision 1. **Establishment.** An eligible city or county may establish a license reinstatement diversion pilot program for holders of class D drivers' licenses who have been charged with violating Minnesota Statutes, section 171.24, subdivision 1 or 2, but have not yet entered a plea in the proceedings. An individual charged with driving after revocation under Minnesota Statutes, section 171.24, subdivision 2, is eligible for diversion only if the revocation was due to a violation of Minnesota Statutes, section 169.791; 169.797; 169A.52; 169A.54; or 171.17, subdivision 1, paragraph (a), clause (6). An individual who is a holder of a commercial driver's license or who has committed an offense in a commercial motor vehicle is ineligible for participation in the diversion pilot program.

Subd. 2. **Eligible cities.** Each of the cities of Duluth, St. Paul, South St. Paul, West St. Paul, and Inver Grove Heights is eligible to establish the license reinstatement diversion pilot program within its city. The commissioner of public safety may permit other cities or counties to establish license reinstatement diversion pilot programs within their jurisdiction ~~ities~~.

Subd. 3. **Contract.** Notwithstanding any law or ordinance to the contrary, an eligible city or county may contract with a third party to create and administer the diversion program.

Subd. 4. **Diversion of individual.** A prosecutor for a participating city or county may determine whether to accept an individual for diversion, and in doing so shall consider: (1) whether the individual has a record of driving without a valid license or other criminal record, or has previously participated in a diversion program; (2) the strength of the evidence against the individual, along with any mitigating factors; and (3) the apparent ability and willingness of the individual to participate in the diversion program and comply with its requirements.

Subd. 5. **Diversion driver's license.** (a) Notwithstanding any law to the contrary, the commissioner of public safety may issue a diversion driver's license to a person who is a participant in a pilot program for diversion, following receipt of an application and payment of:

- (1) the reinstatement fee under Minnesota Statutes, section 171.20, subdivision 4, by a participant whose driver's license has been suspended;
- (2) the reinstatement fee under Minnesota Statutes, section 171.29, subdivision 2, paragraph (a), by a participant whose driver's license has been revoked under Minnesota Statutes, section 169.791; 169.797; or 171.17, subdivision 1, paragraph (a), clause (6); or
- (3) the reinstatement fee under Minnesota Statutes, section 171.29, subdivision 2, paragraph (a), by a participant whose driver's license has been revoked under Minnesota Statutes, section 169A.52 or 169A.54. The reinstatement fee and surcharge, both of which are provided under Minnesota Statutes, section 171.29, subdivision 2, paragraph (b), also must be paid during the course of, and as a condition of, the diversion program.

The diversion driver's license may bear restrictions imposed by the commissioner suitable to the licensee's driving ability or other restrictions applicable to the licensee as the commissioner may determine to be appropriate to assure the safe operation of a motor vehicle by the licensee.

(b) Payments by participants in the diversion program of the reinstatement fee and surcharge under Minnesota Statutes, section 171.29, subdivision 2, paragraph (b), must be

applied first toward payment of the reinstatement fee, and after the reinstatement fee has been fully paid, toward payment of the surcharge. Each payment that is applied toward the reinstatement fee must be credited as provided in Minnesota Statutes, section 171.29, subdivision 2, paragraph (b), and each payment that is applied toward the surcharge must be credited as provided in Minnesota Statutes, section 171.29, subdivision 2, paragraphs (c) and (d). After the reinstatement fee and surcharge are satisfied, the participant must pay the program participation fee.

Subd. 6. Components of program. (a) At a minimum, the diversion program must require individuals to:

- (1) successfully attend and complete, at the individual's expense, educational classes that provide, among other things, information on drivers' licensure;
 - (2) pay, according to a schedule approved by the prosecutor, all required fees, fines, and charges affecting the individual's driver's license status, including applicable statutory license reinstatement fees and costs of participation in the program;
 - (3) comply with all traffic laws; and
 - (4) demonstrate compliance with vehicle insurance requirements.
- (b) An individual who is accepted into the pilot program is eligible to apply for a diversion driver's license.

Subd. 7. Termination of participation in diversion program. (a) An individual's participation in the diversion program may terminate when:

- (1) during participation in the program, the individual is guilty of a moving traffic violation or failure to provide vehicle insurance;
 - (2) the third-party administrator of the diversion program informs the court and the commissioner of public safety that the individual is no longer satisfying the conditions of the diversion; or
 - (3) the third-party administrator informs the court, the prosecutor, and the commissioner of public safety that the individual has met all conditions of the diversion program, including, at a minimum, satisfactory fulfillment of the components in subdivision 6, whereupon the court shall dismiss the charge or the prosecutor shall decline to prosecute.
- (b) Upon termination of an individual's participation in the diversion program, the commissioner shall cancel the individual's diversion driver's license.
- (c) The original charge against the individual of violation of Minnesota Statutes, section 171.24, may be reinstated against an individual whose participation in the diversion program terminates under paragraph (a), clause (1) or (2).
- (d) The commissioner shall reinstate the driver's license of an individual whose participation in the diversion program terminates under paragraph (a), clause (3).

Subd. 8. Report. (a) By February 1, ~~2013~~²⁰¹¹, the commissioner of public safety and each eligible city and county that participates in the diversion program shall report to the legislative committees with jurisdiction over transportation and the judiciary concerning the results of the program. The report must be made electronically and available in print only upon request. The report must include, without limitation, the effect of the program on:

- (1) recidivism rates for participants in the diversion pilot program;
- ~~(2) the number of unlicensed drivers who continue to drive in violation of Minnesota Statutes, section 171.24;~~

~~(2)~~(3) payment of the fees and fines collected in the diversion pilot program to cities, counties, and the state;

~~(3)~~(4) educational support provided to participants in the diversion pilot program; and

~~(4)~~(5) the total number of participants in the diversion pilot program and the number of participants who have terminated from the pilot program under subdivision 7, paragraph (a), clauses (1) to (3).

(b) The report must include recommendations regarding the future of the program and any necessary legislative changes.

Subd. 9. **Sunset.** A city participating in this pilot program may accept an individual for diversion into the pilot program until June 30, ~~2013~~2011. The third party administering the diversion program may collect and disburse fees collected pursuant to subdivision 6, paragraph (a), clause (2), through December 31, ~~2014~~2012, at which time the pilot program under this section expires.

EFFECTIVE DATE. This section is effective the day following final enactment.

APPENDIX 5

LETTER OF SUPPORT FROM DEPARTMENT OF PUBLIC SAFETY



Office of the Commissioner

445 Minnesota Street • Suite 1000 • Saint Paul, Minnesota 55101-5100
Phone: 651.201.7160 • Fax: 651.297.5728 • TTY: 651.282.6555
www.dps.state.mn.us

February 1, 2011

Alcohol
and Gambling
Enforcement

Bureau of Criminal
Apprehension

Driver
and Vehicle
Services

Emergency
Communication
Networks

Homeland
Security and
Emergency
Management

Minnesota
State Patrol

Office of
Communications

Office of
Justice Programs

Office of
Traffic Safety

State Fire Marshal

The Honorable Joe Gimse
Minnesota Senate
Transportation Budget and Policy Committee

The Honorable Warren Limmer
Minnesota Senate
Judiciary and Public Safety Budget
and Policy Committee

The Honorable Tony Cornish
Minnesota House of Representatives
Public Safety and Crime Prevention Policy
and Finance Committee

The Honorable Steve Smith
Minnesota House of Representatives
Judiciary Policy and Finance Committee

The Honorable Mike Beard
Minnesota House of Representatives
Transportation Policy and Finance
Committee

Dear Colleagues:

As directed by Minnesota session laws 2009, Chapter 59, Article 3, Section 4, the Commissioner of Public Safety in collaboration with the cities of St. Paul, South St. Paul, West St. Paul, Duluth, and Inver Grove Heights would like to take this opportunity to report on the Diversion Program.

The Department of Public Safety takes our responsibility very seriously and considers this new program another tool in the promotion and support of activities that promote and support prevention, education and enforcement in order to protect the public's safety. Administered through Driver and Vehicle Services (DVS), the program is helping to improve the safety of the motoring public by providing an opportunity for problem drivers to legally drive and carry insurance. While the reinstatement fees recouped by the state are measurable, the more compelling impact is on individual drivers who can regain valid driving privileges and become positive, contributing members of society.

Continuation of the program within established parameters is a DVS goal. We welcome your comments and questions. If you need further information, please do not hesitate to contact me or Patricia McCormack, Director of Driver and Vehicle Services at 651-201-7580.

Sincerely,

Mary Ellison, Acting Commissioner

cc: Legislative Reference Library

APPENDIX 6

LETTERS OF SUPPORT FROM PARTICIPATING PILOT CITIES

February 1, 2011

Senator Joe Gimse
Senate Transportation Budget and Policy Committee
100 Rev. Dr. Martin Luther King Jr. Blvd.
State Office Building, Room 105
St Paul, MN 55155-1206

RE: Driving Diversion Program Legislation

Dear Senator Gimse:

As the city attorneys for the cities of Duluth, St. Paul, Inver Grove Heights, West St. Paul, and South St. Paul, we write this letter in support of the Driving Diversion Program (DDP) which was authorized by the Legislature and Governor during the 2009 Legislative Session (See Minnesota Session Laws 2009, Chapter 59, Article 3, Section 4 (License Reinstatement Diversion Pilot Program) (effective date July 1, 2009)¹.

Since July 2009, our cities have collaborated with Diversion Solutions, LLC to develop and administer the DDP to assist those individuals who chronically drive with a revoked or a suspended driver's license. The DDP has assisted individuals who have been charged with driving after suspension/revocation (DAS or DAR) to earn back their valid license status by complying with the following requirements:

- 1) Establishing and adhering to a supervised payment plan for outstanding fees and fines affecting the participant's driver's license status;
- 2) Attending a mandatory four hour financial management and life skills course;
- 3) Maintaining valid vehicle insurance; and
- 4) Obtaining a temporary diversion license.²

This program increases public safety and promotes efficiency within the state's judicial system. For the reasons set forth below, we hope that you will support proposed legislation to extend the DDP³. With approximately 1,781 participants, the obvious benefits of this program have been:

- Increasing the number of validly licensed and insured drivers on Minnesota roads;

¹ Please see attached 2009 Session Law.

² For further explanation of the DDP, see attached article "*The Driving Diversion Program: What Is It?*" The Traffic Report, A Publication of the Minnesota County Attorneys Association, Vol. 1, Issue 1, at 1, 3 July-September 2009.

³ Attached is a draft of the proposed legislation which will be introduced during the 87th Legislature.

Driving Diversion Program Legislation
Page 2

- Reducing the number of DAS/DAR cases in the state's judicial system; and
- Receiving outstanding fines and fees that otherwise would remain unpaid.

The DDP is also responsible for unanticipated ripple effects in some of the following areas:

- Voluntary clearance of active arrest warrants;
- Disposition of dormant DAS/DAR citations;
- Satisfaction of judgments⁴; and
- Payment of child support arrears⁵.

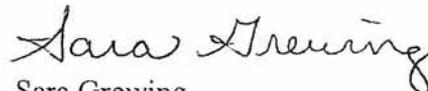
We respectfully request your support with respect to this legislation. If you have any questions about this program or would like additional information, please contact any of the undersigned.

Very truly yours,



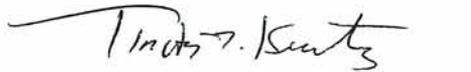
Gunnar Johnson
Duluth City Attorney
gjohnson@duluthmn.gov

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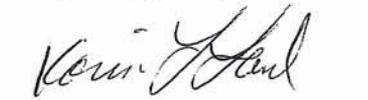
Sara Grewing
St. Paul City Attorney
sara.grewing@ci.stpaul.mn.us

Very truly yours,



Timothy J. Kuntz
Inver Grove Heights City Attorney
tkuntz@levander.com

Very truly yours,



Korine L. Land
West St. Paul City Attorney
South St. Paul City Attorney
kland@levander.com

Enclosures

c: Scott Adkisson, President, Diversion Solutions, LLC

⁴ An individual is ineligible for the DDP when a judgment affects their driver's license status.

⁵ An individual is ineligible for the DDP when child support arrears affect their driver's license status.

February 1, 2011

Representative Tony Cornish
House Public Safety and Crime Prevention Policy and Finance Committee
281 State Office Building
100 Rev. Dr. Martin Luther King Jr. Blvd.
Saint Paul, Minnesota 55155

RE: Driving Diversion Program Legislation

Dear Representative Cornish:

As the city attorneys for the cities of Duluth, St. Paul, Inver Grove Heights, West St. Paul, and South St. Paul, we write this letter in support of the Driving Diversion Program (DDP) which was authorized by the Legislature and Governor during the 2009 Legislative Session (See Minnesota Session Laws 2009, Chapter 59, Article 3, Section 4 (License Reinstatement Diversion Pilot Program) (effective date July 1, 2009)¹.

Since July 2009, our cities have collaborated with Diversion Solutions, LLC to develop and administer the DDP to assist those individuals who chronically drive with a revoked or a suspended driver's license. The DDP has assisted individuals who have been charged with driving after suspension/revocation (DAS or DAR) to earn back their valid license status by complying with the following requirements:

- 1) Establishing and adhering to a supervised payment plan for outstanding fees and fines affecting the participant's driver's license status;
- 2) Attending a mandatory four hour financial management and life skills course;
- 3) Maintaining valid vehicle insurance; and
- 4) Obtaining a temporary diversion license.²

This program increases public safety and promotes efficiency within the state's judicial system. For the reasons set forth below, we hope that you will support proposed legislation to extend the DDP³. With approximately 1,781 participants, the obvious benefits of this program have been:

- Increasing the number of validly licensed and insured drivers on Minnesota roads;

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² For further explanation of the DDP, see attached article "*The Driving Diversion Program. What Is It?*" The Traffic Report, A Publication of the Minnesota County Attorneys Association, Vol. 1, Issue 1, at 1, 3 July-September 2009.

³ Attached is a draft of the proposed legislation which will be introduced during the 87th Legislature.

Driving Diversion Program Legislation
Page 2

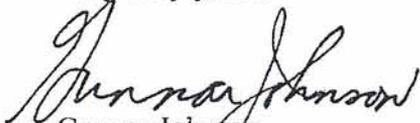
- Reducing the number of DAS/DAR cases in the state's judicial system; and
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- Voluntary clearance of active arrest warrants;
- Disposition of dormant DAS/DAR citations;
- Satisfaction of judgments⁴; and
- Payment of child support arrears⁵.

We respectfully request your support with respect to this legislation. If you have any questions about this program or would like additional information, please contact any of the undersigned.

Very truly yours,



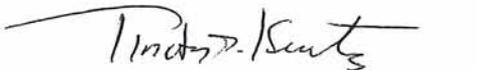
Gunnar Johnson
Duluth City Attorney
gjohnson@duluthmn.gov

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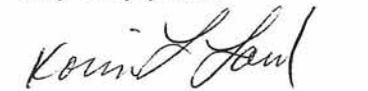
Sara Grewing
St. Paul City Attorney
sara.grewing@ci.stpaul.mn.us

Very truly yours,



Timothy J. Kuntz
Inver Grove Heights City Attorney
tkuntz@levander.com

Very truly yours,



Korine L. Land
West St. Paul City Attorney
South St. Paul City Attorney
kland@levander.com

Enclosures

c: Scott Adkisson, President, Diversion Solutions, LLC

⁴ An individual is ineligible for the DDP when a judgment affects their driver's license status.

⁵ An individual is ineligible for the DDP when child support arrears affect their driver's license status.

February 1, 2011

Representative Steve Smith
House Judiciary Policy and Finance Committee
271 State Office Building
100 Rev. Dr. Martin Luther King Jr. Blvd.
Saint Paul, Minnesota 55155

RE: Driving Diversion Program Legislation

Dear Representative Smith:

As the city attorneys for the cities of Duluth, St. Paul, Inver Grove Heights, West St. Paul, and South St. Paul, we write this letter in support of the Driving Diversion Program (DDP) which was authorized by the Legislature and Governor during the 2009 Legislative Session (See Minnesota Session Laws 2009, Chapter 59, Article 3, Section 4 (License Reinstatement Diversion Pilot Program) (effective date July 1, 2009)¹.

Since July 2009, our cities have collaborated with Diversion Solutions, LLC to develop and administer the DDP to assist those individuals who chronically drive with a revoked or a suspended driver's license. The DDP has assisted individuals who have been charged with driving after suspension/revocation (DAS or DAR) to earn back their valid license status by complying with the following requirements:

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- 2) Attending a mandatory four hour financial management and life skills course;
- 3) Maintaining valid vehicle insurance; and
- 4) Obtaining a temporary diversion license.²

This program increases public safety and promotes efficiency within the state's judicial system. For the reasons set forth below, we hope that you will support proposed legislation to extend the DDP³. With approximately 1,781 participants, the obvious benefits of this program have been:

- Increasing the number of validly licensed and insured drivers on Minnesota roads;

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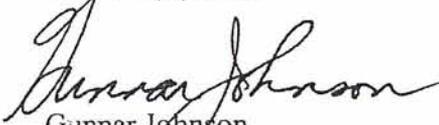
- Reducing the number of DAS/DAR cases in the state's judicial system; and
- Receiving outstanding fines and fees that otherwise would remain unpaid.

The DDP is also responsible for unanticipated ripple effects in some of the following areas:

- Voluntary clearance of active arrest warrants;
- Disposition of dormant DAS/DAR citations;
- Satisfaction of judgments⁴; and
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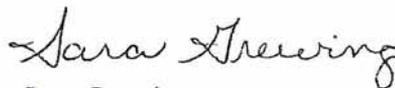
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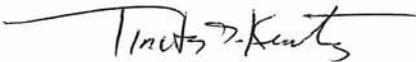
Gunnar Johnson
Duluth City Attorney
gjohnson@duluthmn.gov

Very truly yours,



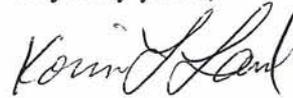
Sara Grewing
St. Paul City Attorney
sara.grewing@ci.stpaul.mn.us

Very truly yours,



Timothy J. Kuntz
Inver Grove Heights City Attorney
tkuntz@levander.com

Very truly yours,



Korine L. Land
West St. Paul City Attorney
South St. Paul City Attorney
kland@levander.com

Enclosures

c: Scott Adkisson, President, Diversion Solutions, LLC

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February 1, 2011

Representative Mike Beard
House Transportation Policy and Finance Committee
207 State Office Building
100 Rev. Dr. Martin Luther King Jr. Blvd.
Saint Paul, Minnesota 55155

RE: Driving Diversion Program Legislation

Dear Representative Beard:

As the city attorneys for the cities of Duluth, St. Paul, Inver Grove Heights, West St. Paul, and South St. Paul, we write this letter in support of the Driving Diversion Program (DDP) which was authorized by the Legislature and Governor during the 2009 Legislative Session (See Minnesota Session Laws 2009, Chapter 59, Article 3, Section 4 (License Reinstatement Diversion Pilot Program) (effective date July 1, 2009)¹.

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This program increases public safety and promotes efficiency within the state's judicial system. For the reasons set forth below, we hope that you will support proposed legislation to extend the DDP³. With approximately 1,781 participants, the obvious benefits of this program have been:

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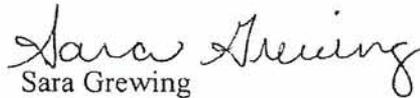
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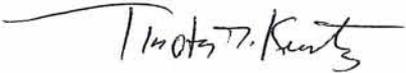
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Korine L. Land
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Enclosures

c: Scott Adkisson, President, Diversion Solutions, LLC

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⁵ An individual is ineligible for the DDP when child support arrears affect their driver's license status.

February 1, 2011

Senator Warren Limmer
Senate Judiciary and Public Safety Budget and Policy Committee
100 Rev. Dr. Martin Luther King Jr. Blvd.
State Office Building, Room 141
St. Paul, MN 55155-1206

RE: Driving Diversion Program Legislation

Dear Senator Limmer:

As the city attorneys for the cities of Duluth, St. Paul, Inver Grove Heights, West St. Paul, and South St. Paul, we write this letter in support of the Driving Diversion Program (DDP) which was authorized by the Legislature and Governor during the 2009 Legislative Session (See Minnesota Session Laws 2009, Chapter 59, Article 3, Section 4 (License Reinstatement Diversion Pilot Program) (effective date July 1, 2009)¹.

Since July 2009, our cities have collaborated with Diversion Solutions, LLC to develop and administer the DDP to assist those individuals who chronically drive with a revoked or a suspended driver's license. The DDP has assisted individuals who have been charged with driving after suspension/revocation (DAS or DAR) to earn back their valid license status by complying with the following requirements:

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- 3) Maintaining valid vehicle insurance; and
- 4) Obtaining a temporary diversion license.²

This program increases public safety and promotes efficiency within the state's judicial system. For the reasons set forth below, we hope that you will support proposed legislation to extend the DDP³. With approximately 1,781 participants, the obvious benefits of this program have been:

- Increasing the number of validly licensed and insured drivers on Minnesota roads;

¹ Please see attached 2009 Session Law.

² For further explanation of the DDP, see attached article "The Driving Diversion Program: What Is It?" The Traffic Report, A Publication of the Minnesota County Attorneys Association, Vol. 1, Issue 1, at 1, 3 July-September 2009.

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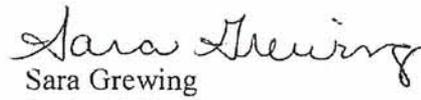
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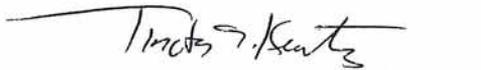
Very truly yours,


Gunnar Johnson
Duluth City Attorney
gjohnson@duluthmn.gov

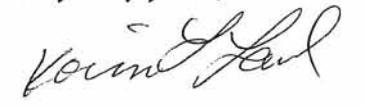
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Korine L. Land
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Enclosures

c: Scott Adkisson, President, Diversion Solutions, LLC

⁴ An individual is ineligible for the DDP when a judgment affects their driver's license status.

⁵ An individual is ineligible for the DDP when child support arrears affect their driver's license status.

Sec. 4. **LICENSE REINSTATEMENT DIVERSION PILOT PROGRAM.**

11.11 Subdivision 1. **Establishment.** An eligible city may establish a license reinstatement
11.12 diversion pilot program for holders of class D drivers' licenses who have been charged
11.13 with violating Minnesota Statutes, section 171.24, subdivision 1 or 2, but have not yet
11.14 entered a plea in the proceedings. An individual charged with driving after revocation
11.15 under Minnesota Statutes, section 171.24, subdivision 2, is eligible for diversion only if
11.16 the revocation was due to a violation of Minnesota Statutes, section 169.791; 169.797;
11.17 169A.52; 169A.54; or 171.17, subdivision 1, paragraph (a), clause (6). An individual
11.18 who is a holder of a commercial driver's license or who has committed an offense in a
11.19 commercial motor vehicle is ineligible for participation in the diversion pilot program.
11.20 Subd. 2. **Eligible cities.** Each of the cities of Duluth, St. Paul, South St. Paul,
11.21 West St. Paul, and Inver Grove Heights is eligible to establish the license reinstatement
11.22 diversion pilot program within its city. The commissioner of public safety may permit
11.23 other cities to establish license reinstatement diversion pilot programs within their cities.
11.24 Subd. 3. **Contract.** Notwithstanding any law or ordinance to the contrary, an
11.25 eligible city may contract with a third party to create and administer the diversion program.
11.26 Subd. 4. **Diversion of individual.** A prosecutor for a participating city may
11.27 determine whether to accept an individual for diversion, and in doing so shall consider:
11.28 (1) whether the individual has a record of driving without a valid license or other
11.29 criminal record, or has previously participated in a diversion program;
11.30 (2) the strength of the evidence against the individual, along with any mitigating
11.31 factors; and
11.32 (3) the apparent ability and willingness of the individual to participate in the
11.33 diversion program and comply with its requirements.
11.34 Subd. 5. **Diversion driver's license.** (a) Notwithstanding any law to the contrary,
11.35 the commissioner of public safety may issue a diversion driver's license to a person who
12.1 is a participant in a pilot program for diversion, following receipt of an application and
12.2 payment of:
12.3 (1) the reinstatement fee under Minnesota Statutes, section 171.20, subdivision 4, by
12.4 a participant whose driver's license has been suspended;
12.5 (2) the reinstatement fee under Minnesota Statutes, section 171.29, subdivision 2,
12.6 paragraph (a), by a participant whose driver's license has been revoked under Minnesota
12.7 Statutes, section 169.791; 169.797; or 171.17, subdivision 1, paragraph (a), clause (6); or
12.8 (3) the reinstatement fee under Minnesota Statutes, section 171.29, subdivision 2,
12.9 paragraph (a), by a participant whose driver's license has been revoked under Minnesota
12.10 Statutes, section 169A.52 or 169A.54. The reinstatement fee and surcharge, both of which
12.11 are provided under Minnesota Statutes, section 171.29, subdivision 2, paragraph (b), also
12.12 must be paid during the course of, and as a condition of, the diversion program.
12.13 The diversion driver's license may bear restrictions imposed by the commissioner suitable
12.14 to the licensee's driving ability or other restrictions applicable to the licensee as the
12.15 commissioner may determine to be appropriate to assure the safe operation of a motor
12.16 vehicle by the licensee.

12.17 (b) Payments by participants in the diversion program of the reinstatement fee and
12.18 surcharge under Minnesota Statutes, section 171.29, subdivision 2, paragraph (b), must be
12.19 applied first toward payment of the reinstatement fee, and after the reinstatement fee has
12.20 been fully paid, toward payment of the surcharge. Each payment that is applied toward
12.21 the reinstatement fee must be credited as provided in Minnesota Statutes, section 171.29,
12.22 subdivision 2, paragraph (b), and each payment that is applied toward the surcharge must
12.23 be credited as provided in Minnesota Statutes, section 171.29, subdivision 2, paragraphs
12.24 (c) and (d).

12.25 Subd. 6. Components of program. (a) At a minimum, the diversion program
12.26 must require individuals to:

12.27 (1) successfully attend and complete, at the individual's expense, educational classes
12.28 that provide, among other things, information on drivers' licensure;

12.29 (2) pay, according to a schedule approved by the prosecutor, all required fees,
12.30 finest, and charges, including applicable statutory license reinstatement fees and costs
12.31 of participation in the program;

12.32 (3) comply with all traffic laws; and

12.33 (4) demonstrate compliance with vehicle insurance requirements.

12.34 (b) An individual who is accepted into the pilot program is eligible to apply for a
12.35 diversion driver's license.

13.1 Subd. 7. Termination of participation in diversion program. (a) An individual's
13.2 participation in the diversion program may terminate when:

13.3 (1) during participation in the program, the individual is guilty of a moving traffic
13.4 violation or failure to provide vehicle insurance;

13.5 (2) the third-party administrator of the diversion program informs the court and the
13.6 commissioner of public safety that the individual is no longer satisfying the conditions
13.7 of the diversion; or

13.8 (3) the third-party administrator informs the court, the prosecutor, and the
13.9 commissioner of public safety that the individual has met all conditions of the diversion
13.10 program, including, at a minimum, satisfactory fulfillment of the components in
13.11 subdivision 6, whereupon the court shall dismiss the charge or the prosecutor shall decline
13.12 to prosecute.

13.13 (b) Upon termination of an individual's participation in the diversion program, the
13.14 commissioner shall cancel the individual's diversion driver's license.

13.15 (c) The original charge against the individual of violation of Minnesota Statutes,
13.16 section 171.24, may be reinstated against an individual whose participation in the
13.17 diversion program terminates under paragraph (a), clause (1) or (2).

13.18 (d) The commissioner shall reinstate the driver's license of an individual whose
13.19 participation in the diversion program terminates under paragraph (a), clause (3).

13.20 Subd. 8. Report. (a) By February 1, 2011, the commissioner of public safety and
13.21 each eligible city that participates in the diversion program shall report to the legislative
13.22 committees with jurisdiction over transportation and the judiciary concerning the results
13.23 of the program. The report must be made electronically and available in print only upon
13.24 request. The report must include, without limitation, the effect of the program on:

13.25 (1) recidivism rates for participants in the diversion pilot program;

13.26 (2) the number of unlicensed drivers who continue to drive in violation of Minnesota
13.27 Statutes, section 171.24;

13.28(3) payment of the fees and fines collected in the diversion pilot program to cities,
13.29counties, and the state;
13.30(4) educational support provided to participants in the diversion pilot program; and
13.31(5) the total number of participants in the diversion pilot program and the number of
13.32participants who have terminated from the pilot program under subdivision 7, paragraph
13.33(a), clauses (1) to (3).
13.34 (b) The report must include recommendations regarding the future of the program
13.35and any necessary legislative changes.
13.36 Subd. 9. Sunset. The pilot project under this section expires June 30, 2011.
14.1 **EFFECTIVE DATE.** This section is effective July 1, 2009.

Sec. 4. LICENSE REINSTATEMENT DIVERSION PILOT PROGRAM.

Subd. 1. **Establishment.** An eligible city or county may establish a license reinstatement diversion pilot program for holders of class D drivers' licenses who have been charged with violating Minnesota Statutes, section 171.24, subdivision 1 or 2, but have not yet entered a plea in the proceedings. An individual charged with driving after revocation under Minnesota Statutes, section 171.24, subdivision 2, is eligible for diversion only if the revocation was due to a violation of Minnesota Statutes, section 169.791; 169.797; 169A.52; 169A.54; or 171.17, subdivision 1, paragraph (a), clause (6). An individual who is a holder of a commercial driver's license or who has committed an offense in a commercial motor vehicle is ineligible for participation in the diversion pilot program.

Subd. 2. **Eligible cities.** Each of the cities of Duluth, St. Paul, South St. Paul, West St. Paul, and Inver Grove Heights is eligible to establish the license reinstatement diversion pilot program within its city. The commissioner of public safety may permit other cities or counties to establish license reinstatement diversion pilot programs within their jurisdiction cities.

Subd. 3. **Contract.** Notwithstanding any law or ordinance to the contrary, an eligible city or county may contract with a third party to create and administer the diversion program.

Subd. 4. **Diversion of individual.** A prosecutor for a participating city or county may determine whether to accept an individual for diversion, and in doing so shall consider:

- (1) whether the individual has a record of driving without a valid license or other criminal record, or has previously participated in a diversion program;
- (2) the strength of the evidence against the individual, along with any mitigating factors; and
- (3) the apparent ability and willingness of the individual to participate in the diversion program and comply with its requirements.

Subd. 5. **Diversion driver's license.** (a) Notwithstanding any law to the contrary, the commissioner of public safety may issue a diversion driver's license to a person who is a participant in a pilot program for diversion, following receipt of an application and payment of:

- (1) the reinstatement fee under Minnesota Statutes, section 171.20, subdivision 4, by a participant whose driver's license has been suspended;
- (2) the reinstatement fee under Minnesota Statutes, section 171.29, subdivision 2, paragraph (a), by a participant whose driver's license has been revoked under Minnesota Statutes, section 169.791; 169.797; or 171.17, subdivision 1, paragraph (a), clause (6); or
- (3) the reinstatement fee under Minnesota Statutes, section 171.29, subdivision 2, paragraph (a), by a participant whose driver's license has been revoked under Minnesota Statutes, section 169A.52 or 169A.54. The reinstatement fee and surcharge, both of which are provided under Minnesota Statutes, section 171.29, subdivision 2, paragraph (b), also must be paid during the course of, and as a condition of, the diversion program. The diversion driver's license may bear restrictions imposed by the commissioner suitable to the licensee's driving ability or other restrictions applicable to the licensee as the commissioner may determine to be appropriate to assure the safe operation of a motor vehicle by the licensee.

(b) Payments by participants in the diversion program of the reinstatement fee and surcharge under Minnesota Statutes, section 171.29, subdivision 2, paragraph (b), must be

applied first toward payment of the reinstatement fee, and after the reinstatement fee has been fully paid, toward payment of the surcharge. Each payment that is applied toward the reinstatement fee must be credited as provided in Minnesota Statutes, section 171.29, subdivision 2, paragraph (b), and each payment that is applied toward the surcharge must be credited as provided in Minnesota Statutes, section 171.29, subdivision 2, paragraphs (c) and (d). After the reinstatement fee and surcharge are satisfied, the participant must pay the program participation fee.

Subd. 6. **Components of program.** (a) At a minimum, the diversion program must require individuals to:

- (1) successfully attend and complete, at the individual's expense, educational classes that provide, among other things, information on drivers' licensure;
- (2) pay, according to a schedule approved by the prosecutor, all required fees, fines, and charges affecting the individual's driver's license status, including applicable statutory license reinstatement fees and costs of participation in the program;
- (3) comply with all traffic laws; and
- (4) demonstrate compliance with vehicle insurance requirements.

(b) An individual who is accepted into the pilot program is eligible to apply for a diversion driver's license.

Subd. 7. **Termination of participation in diversion program.** (a) An individual's participation in the diversion program may terminate when:

- (1) during participation in the program, the individual is guilty of a moving traffic violation or failure to provide vehicle insurance;
- (2) the third-party administrator of the diversion program informs the court and the commissioner of public safety that the individual is no longer satisfying the conditions of the diversion; or
- (3) the third-party administrator informs the court, the prosecutor, and the commissioner of public safety that the individual has met all conditions of the diversion program, including, at a minimum, satisfactory fulfillment of the components in subdivision 6, whereupon the court shall dismiss the charge or the prosecutor shall decline to prosecute.

(b) Upon termination of an individual's participation in the diversion program, the commissioner shall cancel the individual's diversion driver's license.

(c) The original charge against the individual of violation of Minnesota Statutes, section 171.24, may be reinstated against an individual whose participation in the diversion program terminates under paragraph (a), clause (1) or (2).

(d) The commissioner shall reinstate the driver's license of an individual whose participation in the diversion program terminates under paragraph (a), clause (3).

Subd. 8. **Report.** (a) By February 1, ~~2013~~²⁰¹⁴, the commissioner of public safety and each eligible city and county that participates in the diversion program shall report to the legislative committees with jurisdiction over transportation and the judiciary concerning the results of the program. The report must be made electronically and available in print only upon request. The report must include, without limitation, the effect of the program on:

- (1) recidivism rates for participants in the diversion pilot program;
- ~~(2) the number of unlicensed drivers who continue to drive in violation of Minnesota Statutes, section 171.24;~~

~~(2)(3)~~ payment of the fees and fines collected in the diversion pilot program to cities, counties, and the state;

~~(3)(4)~~ educational support provided to participants in the diversion pilot program; and

~~(4)(5)~~ the total number of participants in the diversion pilot program and the number of participants who have terminated from the pilot program under subdivision 7, paragraph (a), clauses (1) to (3).

(b) The report must include recommendations regarding the future of the program and any necessary legislative changes.

Subd. 9. **Sunset.** A city participating in this pilot program may accept an individual for diversion into the pilot program until June 30, ~~2013~~~~2014~~. The third party administering the diversion program may collect and disburse fees collected pursuant to subdivision 6, paragraph (a), clause (2), through December 31, ~~2014~~~~2012~~, at which time the pilot program under this section expires.

EFFECTIVE DATE. This section is effective the day following final enactment.



A Publication of the Minnesota County Attorneys Association



The Driving Diversion Program: What Is It?

By: Jessica McConaughey, Assistant St. Paul City Attorney

You may (or may not) be familiar with the recently created Driving Diversion Program (DDP) that has been implemented in five Minnesota cities. The idea behind the DDP was developed by prosecutors from the cities of St. Paul, Duluth, West St. Paul, South St. Paul and Inver Grove Heights. The prosecutors from these cities recognized that unlicensed drivers, and the traffic crimes which they commit, make up a significant portion of their caseloads and consume considerable judicial resources. They also realized that problems caused by chronic driving offenders were not being adequately addressed by the criminal justice system because all agencies were being asked "to do more with less. Because they believed that there had to be a better way to resolve these cases, they worked with several legislators to create a pilot diversion

program to address those individuals who continue to drive with a revoked or a suspended driver's license. As such, the idea behind the DDP was conceived.

Early on, these prosecutors realized that they could not undertake such a project without the help of the State and/or an outside agency to administer the program. The group met with representatives from the DPS - Driver and Vehicle Services Division and gained their support for the project. Simultaneously, the group worked with Financial Crimes Services, LLC (FCS) to help develop and to administer the program. In August 2009, after numerous meetings and planning sessions, the DDP officially launched.

(Continued On Page 3)

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This material was developed by a grant from the Minnesota Office of Traffic Safety and the National Highway Traffic Safety Administration

Is Dust-Off A Hazardous Substance?

By: Bill Lemons, Traffic Safety Resource Prosecutor

On July 6, 2009, a teenager crashed his car into a tree. By his own admission, he hit the tree going the 30 mile per hour speed limit. The amount of damage suggests the car was going significantly faster. The two passengers were severely injured and taken to the hospital. They told the police that the driver was inhaling *Dust-Off* while driving and saw him pass out just before the crash. One of the passengers tried to take control of the vehicle, but did not have time. The police obtained a blood sample from the driver and asked the BCA to test for the impairing

substance in *Dust Off*. The blood test was positive.

The prosecutor reviewed the case and charged the driver with two counts of *Criminal Vehicular Operation* based upon gross negligence.

You might be asking, "what about charges of CVO and DWI based upon impairment of a hazardous substance?" Was the case charged properly? The prosecutor came across a large hole in the DWI statute.

(Continued On Page 4)

This newsletter is a publication of the Minnesota County Attorneys Association (MCAA). "The Traffic Report" encourages readers to share varying viewpoints on current topics of interest. The views expressed in this publication are those of the authors and not necessarily those of the MCAA. Please send comments, suggestions, or articles to Bill Lemons at blemons@mcaa-mn.org.

Drivers Diversion Program - Continued From Page 1

How It Works

Working through FCS, the DDP seeks to assist individuals who have been charged with driving after suspension/revocation (DAS or DAR) to earn back their valid license status through a supervised payment plan, a mandatory financial management and life skills course, and the issuance of a temporary diversion license.

FCS and each participant create a monthly payment plan to pay off ALL existing unpaid fines and reinstatement fees that are affecting his/her driver's license status. Participants are given a valid DDP driver's license allowing them to legally drive while they are successfully enrolled in the DDP

Failure to abide by the program's conditions, including monthly payment plan payments, valid insurance, and good driving conduct, will result in an immediate loss of the DDP license and the person will revert back to their original suspension or revocation status and potential prosecution on the original charge(s).

Who can participate?

The DDP was not created to be a "clean slate" program. Many drivers simply will **not** qualify for the program. The DDP focuses on drivers with a suspended or a revoked driver's license. A driver who is charged with DAS or DAR may be eligible to participate IF:

1. The offense occurred in one of the five participating pilot cities;
2. The case is still "pending" (i.e. the driver has NOT yet paid the fine amount for that citation and/or the offender has NOT yet pled guilty to that offense); and
3. The offender has a Class D driver's license.

Ultimately, however, the prosecutor retains the discretion of whether an offender is admitted to the program.

What is law enforcement's role?

Officers who issue citations to drivers for DAS or DAR also provide the drivers with an orange colored DDP card. The DDP card provides information about the program and includes the toll-free number of FCS.

What is the driver's responsibility?

If the driver is interested in the DDP, the driver is responsible for contacting FCS within 72 hours of receipt of the citation and FCS determines initial eligibility. If the driver chooses NOT to contact FCS about the DDP, the citation proceeds through the criminal justice system.

What happens if the driver fails to complete the DDP?

If a participant fails to comply with the program requirements, FCS notifies the prosecuting attorney of the participant's termination from the program. The prosecutor then has the discretion to "re-charge" the initial offense(s) by formal complaint.

Conclusion

The DDP is an innovative solution to an age old problem: the chronic traffic offender who drives without a valid license. The DDP addresses the chronic traffic offender's major issue – their financial inability to pay one large, lump sum to reinstate their driving privileges. We understand that this program cannot and should not be able to help all unlicensed drivers. However, the DDP can work for those people who want it. The pilot cities, along with the commissioner of public safety, will report the results of the program to the legislature by February 1, 2011. We look forward to sharing those results with you at that time.

Approximately 250
People Have
Enrolled in DDP

The Commissioner of
Public Safety has
authority to permit
other cities to
participate in DDP

Minnesota Session
Laws 2009, Chapter
59, Article 3, Section 4

For information about
the program, call DPS,
Driver and Vehicle
Services at:
(651)297-2005

"The DDP is an
innovative solution
to an age old
problem"

APPENDIX 7

LETTER FROM SELECTED THIRD PARTY ADMINISTRATOR
(DIVERSION SOLUTIONS, LLC)



Diversion Solutions, LLC
406 Main Street
Suite 200
Red Wing, MN 55066

To:

Rep. Tony Cornish – House Public Safety and Crime Prevention Policy and Finance Committee

Rep. Steve Smith – House Judiciary Policy and Finance Committee

Rep. Mike Beard – House Transportation Policy and Finance Committee

Sen. Warren Limmer – Senate Judiciary and Public Safety Budget and Policy Committee

Sen. Joe Gimse – Senate Transportation Budget and Policy Committee

Thank you for allowing me the opportunity to share with you the history of Diversion Solutions, LLC's ("Diversion Solutions") participation in the development and implementation of the Driving Diversion Program (the "DDP"), which the Minnesota Legislature and Governor Pawlenty authorized in 2009.

By way of background, Diversion Solutions was selected by the five pilot cities to be the third party administrator of the DDP. In addition to the DDP, Diversion Solutions has developed the following diversion programs in Minnesota:

1. Driving Diversion Program;
2. Property Crimes Diversion; and
3. Warrant Diversion, Sentence Monitoring and Responsible Neighbor Diversion.

Our second operating entity, Financial Crimes Services, LLC developed and manages a Check Diversion Program for over 140 city and county attorneys in Minnesota.

In 2008, the five pilot City Attorneys, led by then St. Paul City Attorney John Choi, approached Diversion Solutions and asked to collaborate on the development of a diversion program for Driving After Revocation ("DAR") and Driving After Suspension ("DAS") cases, because these types of cases represented approximately 33 percent (33%) of their court calendars and consumed increasingly scarce prosecution resources. Given shrinking prosecution budgets, the city attorneys wanted to work with a third party administrator who had experience in developing and operating diversion programs. The pilot cities had enjoyed positive experiences working with Financial Crime Services, LLC, for their respective Check Diversion Programs, so Diversion Solutions seemed to be an ideal option for assistance with developing and administering the driving diversion program.

One of the reasons Diversion Solutions excels at this work is because Diversion Solutions supports a city with the entire program development and management at no cost to the participating city. I understand this statement causes some surprise. Is there a company that actually approaches the City, State or County with a concept and/or is willing to support a concept and pilot cities without having to expend more money? The answer is simple, YES; this is what we (Diversion Solutions) do! While it may sound too good to



Diversion Solutions, LLC
406 Main Street
Suite 200
Red Wing, MN 55066

be true, it is not. Diversion Solutions will develop and manage a diversion program at no cost to a participating city.

As more fully described above, Diversion Solutions has been fully involved with the DDP from its inception to the current day-to-day management and administration of the program, working closely with the five pilot cities, the Department of Public Safety – Driver and Vehicle Services, and most recently, State Court Administration and the Department of Revenue.

The DDP's success has exceeded Diversion Solutions' projections. Diversion Solutions looks forward to continuing the pilot program for another two (2) years to refine program protocols. Diversion Solutions is proud that through the DDP, it has helped return approximately \$421,844.89 to the State of Minnesota, courts and cities that otherwise might remain uncollected. Diversion Solutions is equally proud that its support of and assistance to the DDP participants has enabled participants to drive legally and acquire jobs, which should create additional revenue for the state.

Diversion Solutions respectfully requests your support with respect to this legislation. If you have any questions about this program or would like additional information, please contact me.

Sincerely,

Scott Adkisson
President/CEO
Direct: (651) 388-1023
scott@DiversionSolutions.net

APPENDIX 8

NEWS ARTICLES

- A. CITY OF SAINT PAUL PRESS RELEASE, JUNE 18, 2009



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

400 City Hall
15 West Kellogg Blvd.
Saint Paul, Minnesota 55102

Telephone: 651-266-8710
Facsimile: 651-298-5619

The Driving Diversion Program (DDP)
June 18, 2009

The Saint Paul City Attorney's Office is pleased to announce the creation of the Driving Diversion Program ("DDP"), which was authorized by the 2009 Minnesota Legislature as a pilot program and becomes effective July 1, 2009. The details of the DDP are currently being developed with the Department of Public Safety and our partner pilot cities (Duluth, Inver Grove Heights, South Saint Paul and West Saint Paul). Working through Financial Crimes Services, LLC, the new pilot diversion program seeks to assist individuals who have been charged with driving without a valid license to earn back their valid license status through a supervised payment plan, a mandatory financial management and life skills course, and the issuance of a temporary diversion license.

You **MAY** be eligible for the Driving Diversion Program (DDP) **IF:**

1. You have received a citation for Driving After Suspension (DAS) or Driving After Revocation (DAR);
2. The offense took place in the City of St. Paul;
3. Your case is still "pending" (i.e. you have NOT yet paid the fine amount for that citation and/or you have NOT yet pled guilty to that offense); and
4. You have a Class D driver's license.

Individuals who hold a commercial driver's license or who were driving a commercial vehicle at the time of the offense are NOT eligible for this program.

If you think that you are eligible to participate in this program and would like more information, please contact:

Before July 1, 2009: Assistant St. Paul City Attorney Jessica McConaughy at 651-266-8740.

After July 1, 2009: Financial Crimes Services, LLC (FCS) at 1-866-518-2597.

When you contact us, please have the following information available:

1. Your full name and date of birth
2. Your citation number or court case number (MNCIS number)
3. The date of your offense.

More information about this program will be posted on this website as it becomes available.

APPENDIX 8

NEWS ARTICLES

- B. "THE DRIVING DIVERSION PROGRAM: WHAT IS IT?" THE TRAFFIC REPORT, A PUBLICATION OF THE MINNESOTA COUNTY ATTORNEYS ASSOCIATION, VOL. 1, ISSUE 1, AT 1, 3 JULY-SEPTEMBER 2009.

The Traffic Report

A Publication of the Minnesota County Attorneys Association



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By: Jessica McConaughy, Assistant St. Paul City Attorney

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program to address those individuals who continue to drive with a revoked or a suspended driver's license. As such, the idea behind the DDP was conceived.

Early on, these prosecutors realized that they could not undertake such a project without the help of the State and/or an outside agency to administer the program. The group met with representatives from the DPS - Driver and Vehicle Services Division and gained their support for the project. Simultaneously, the group worked with Financial Crimes Services, LLC (FCS) to help develop and to administer the program. In August 2009, after numerous meetings and planning sessions, the DDP officially launched.

(Continued On Page 3)

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(Continued On Page 4)

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Drivers Diversion Program - Continued From Page 1

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Failure to abide by the program's conditions, including monthly payment plan payments, valid insurance, and good driving conduct, will result in an immediate loss of the DDP license and the person will revert back to their original suspension or revocation status and potential prosecution on the original charge(s).

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What happens if the driver fails to complete the DDP?

If a participant fails to comply with the program requirements, FCS notifies the prosecuting attorney of the participant's termination from the program. The prosecutor then has the discretion to "re-charge" the initial offense(s) by formal complaint.

Conclusion

The DDP is an innovative solution to an age old problem: the chronic traffic offender who drives without a valid license. The DDP addresses the chronic traffic offender's major issue – their financial inability to pay one large, lump sum to reinstate their driving privileges. We understand that this program cannot and should not be able to help all unlicensed drivers. However, the DDP can work for those people who want it. The pilot cities, along with the commissioner of public safety, will report the results of the program to the legislature by February 1, 2011. We look forward to sharing those results with you at that time.

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Minnesota Session
Laws 2009, Chapter
59, Article 3, Section 4

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"The DDP is an
innovative solution
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APPENDIX 8

NEWS ARTICLES

- C. STAR TRIBUNE "A CARROT AND STICK APPROACH TO HELPING SUSPENDED DRIVERS", JUNE 15, 2009

StarTribune.com



A carrot-and-stick approach to helping suspended drivers

St. Paul, Duluth and other cities will test a new approach aimed at helping motorists earn back their licenses.

By PAT PHEIFER, Star Tribune

Last update: June 15, 2009 - 11:27 PM

The ideal candidates don't have a valid driver's license -- and maybe haven't had one for quite a while. But they still need to drive to work, to the grocery store, to pick up the kids at day care.

Every time they're stopped, they get another driving-after-suspension citation, another fine and another court fee. The fines and fees can quickly add up to thousands of dollars.

A pilot program set to begin July 1 in St. Paul, West St. Paul, South St. Paul, Inver Grove Heights and Duluth offers a carrot-and-stick approach to help those drivers get legal. The Minnesota Department of Public Safety limited the number of cities to participate initially, but Minneapolis and other cities may be allowed to join later.

The cities will work with Financial Crimes

Services, a private company based in Red Wing, and the state Department of Public Safety (DPS). Participants, who will be chosen by prosecutors, will receive a "diversion license," similar in all respects to a regular driver's license except to those behind the scenes. A bill approved by the Legislature this spring allows the DPS to issue such a license. In the past, a driver had to pay all outstanding fines and fees up front before they could get their license back.

State records show that more than 14,000 Minnesotans have been ticketed at least five times for driving without a valid driver's license since January 1997. That includes 107 people who have been ticketed more than 20 times.

Some of those individuals will be eligible for the pilot program. Those with more serious offenses on their record won't. Organizers still have some details to work out, but Scott Adkisson, president of Financial Crimes Services, said he anticipates serving about 7,000 people in the first 18 months.

No cost to taxpayers

The program won't cost taxpayers a dime, organizers said. The participants will pay a \$150 fee to Financial Crimes Services. They

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**MORE THAN \$330,000
IN CARS, CASH AND PRIZES!**

LICENSE TO THRILL

FRIDAYS, FEBRUARY 11 - MARCH 18

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CASINO • HOTEL
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Owned and Operated by the Shakopee Mdewakanton Sioux Community

Print Powered By FormatDynamics

StarTribune.com



must take a class on budgeting, financial management and life skills. In return, the company will determine how much is owed and to whom and set up a payment plan that's within their budget. Adkisson said the company is working with an insurance company to allow participants to make monthly, rather than annual or biannual, payments for auto insurance. Participants also will get a special checking account to help them reestablish credit.

"It's like having people," said Kori Land, city attorney for West St. Paul, South St. Paul and Inver Grove Heights. "Everybody needs people. These are their people."

So what's the stick? Participants who don't follow through with the program could be prosecuted, organizers said.

Rep. Tony Cornish, R-Good Thunder, who is police chief in Lake Crystal, spoke in favor of the bill at a hearing in the House on March 10. "Usually I'm for locking everybody up and throwing away the keys," he said. "Especially if it's a bonehead out there trying to prove his or her authority by driving on a suspended license just because they can.

"But in this case, a number of officers have relayed to me that it's like you said, a

revolving wheel. They get three, four, five tickets and they get picked up and the trooper or whoever says, 'Why are you out here driving?' and he or she says, 'I gotta get to work.' Some of them are just a victim of the process and they'd like to change the cycle."

The fine for one driving-after-suspension citation is \$200 plus court costs, but multiple citations, late fees and penalties can ultimately land people in debt for thousands of dollars.

Breaking the cycle

The pilot program's goal is to break that cycle and ultimately save time and money for a court system that's already stretched thin by budget cuts.

St. Paul City Attorney John Choi said last week that his office handles about 15,000 cases a year and about a third of those are traffic-related. The current system, he said, treats traffic offenses as a "collection matter" and creates a revolving door for those who really want to get a valid license and chronic repeat offenders alike.

"If we want to focus on outcomes, what we really need to do is very strategically look at

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who's coming into the system, look at who we can prevent from coming back into the system and separate out those who need to be prosecuted," Choi said.

Drivers can lose their license for having an unpaid speeding ticket, unpaid child support, no proof of insurance and myriad other infractions. People charged with one alcohol-related offense, such as drunken driving, are eligible to participate if they have completed their punishment and the only thing left for them to do is pay the fines and fees.

The program isn't for folks like, oh, R.T. Rybak, for example. The Minneapolis mayor drove without a valid license for nearly three months in 2008 -- his license had been suspended because he failed to pay the full amount of a 2006 speeding ticket. He paid up in mid-May 2008, and his license was reinstated.

"If this is your first one, you're better off just paying the fine and being done with it," Choi said. "But the actual scenario in a lot of these cases is they're driving because they have these outstanding fees and they can't pay them off."

'A promising idea'

The Legislature approved the pilot program for two years; it must be revisited in 2011. Although the city of Minneapolis is not part of the initial program, City Attorney Susan Segal said a provision was added to the bill that allows other cities to join it in the future.

"I do think it is a promising idea and potentially a more effective response than what we're doing currently on these cases," Segal said. "We'll review the pilot and if that appears as promising as it should be we would be interested in joining."

The numbers in Minneapolis are similar to those in the cities participating in the program -- about one-third of the cases handled in any given year are traffic offenses, Segal said.

The numbers are similar in Land's territory.

"These are not bad people, they just make some bad choices," Land said.

"My brother gave me some advice when I started prosecution: Put the bad guys in jail but let the good guys go. That's how I see this program."

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APPENDIX 8

NEWS ARTICLES

- D. ST. PAUL PIONEER PRESS "MAKING UNLICENSED DRIVERS LEGAL, PILOT DIVERSION PROGRAM TACKLES COMMON PROBLEM WITH INTERVENTION", JUNE 12, 2009

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St. Paul Pioneer Press (MN)

June 12, 2009
Section: Local
Edition: St. Paul
Page: B1

MAKING UNLICENSED DRIVERS LEGAL

PILOT DIVERSION PROGRAM TACKLES COMMON PROBLEM WITH INTERVENTION

Nick Ferraro

nferraro@pioneerpress.com

Local prosecutors and law enforcement officials say **driving** without a valid license is an offense they see often, and many times the same people are being caught over and over again.

In many cases, drivers get back behind the wheel because they don't have the money to pay the hefty fines, said Kori Land, city attorney in South St. Paul and West St. Paul.

Help is around the corner for drivers who get their licenses suspended or revoked after an offense in St. Paul, Duluth, Inver Grove Heights, South St. Paul and West St. Paul.

"These are people who get caught in a system that they cannot get out of or don't know how to get out of," Land said.

A two-year pilot program that begins July 1 is aimed at helping eligible drivers get valid licenses again by putting them into a payment plan and giving them a temporary license.

St. Paul City Attorney John Choi's office initiated the **driving diversion** program, which was included in the state's public safety omnibus bill that passed in May.

Choi said more than one-third of the cases presented to the St. Paul city attorney's office each year involve drivers who don't have valid licenses or who don't have insurance, which often go hand in hand.

"We found that essentially a lot of these individuals would be offered the opportunity to pay a fine, but they wouldn't pay the fine," Choi said. "And guess what happens then? Their license will get suspended again."

Driving after suspension or revocation are payable offenses that carry a \$200 fine, plus a \$75 surcharge. However, the offenses are considered misdemeanors, so if a driver goes to court and loses, they carry a maximum punishment of 90 days in jail and a \$1,000 fine.

Here's how the program will work:

A prosecutor will determine whether to accept someone into the program and consider factors such as criminal history.

Participants must pay a \$150 fee to enter the program, which would allow their most recent fine to be dropped. They would have to pay their old fines and fees, however, through a payment schedule that would allow them to spread out the cost. They also must complete a four-hour education class and provide proof of insurance.

Drivers can obtain a valid license and insurance through the program. Once completed, the latest citation will be dismissed, and it will not show up on a driving record.

Someone with a drunken driving offense might be eligible for the program after serving out the revocation period. Those who have commercial licenses or have multiple drunken driving offenses, misdemeanors or child endangerment offenses will not be eligible.

Financial Crime Services, a private vendor out of Red Wing, Minn., that also handles the "worthless check" program for St. Paul and several other cities, will manage the program.

The state commissioner of public safety and staff from the five communities must report back to legislative committees with results of the program, including recidivism rates, by February 2011.

Land said the goal, besides helping people to drive legally, is to free up the court calendars.

"The biggest complaint from judges and public defenders and court staff is the volume," Land said. "So if we can reduce the volume of the court calendars by just eliminating a third of these tickets, it will help."

Nick Ferraro can be reached at 651-228-2173.

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APPENDIX 8

NEWS ARTICLES

- E. STAR TRIBUNE "BREAKING THE CYCLE OF LOST LICENSES", JUNE 22, 2009

StarTribune.com



Editorial: Breaking the cycle of lost licenses

New program should benefit drivers and courts.

Last update: June 22, 2009 - 10:40 AM

One Minnesota driver ignores a series of parking tickets, another neglects to deal with old speeding violations, and a third falls behind on child support. All three lose their driver's licenses, but they continue to drive and rack up more fines.

A soon-to-start pilot program may give drivers like these -- and the courts that prosecute them -- some relief. Beginning July 1, five Minnesota cities will try an innovative approach to help such drivers pay the fines over time, drive legally and reduce the burden on the enforcement, collections and court systems.

St. Paul, South St. Paul, West St. Paul, Inver Grove Heights and Duluth will offer the option of a "diversion license" -- provided violators pay a \$150 fee, take some financial management classes and agree to a payment plan to pay off previous fines. Even including the fee, that approach is cheaper for the

driver than repeatedly getting fines that can run into the hundreds and thousands of dollars.

The program allows motorists to have driving privileges *while* they pay off their debts. Under current law, violators have to pay the fines before licenses can be restored. When those in the program can drive legally, the city court system is less bogged down with repeat cases.

Cities in the pilot program will work with Financial Crimes Services, a private Red Wing-based company that will collect the fee and offer the classes. The Department of Public Safety will issue a "diversion license" that looks like a regular license but has special coding to indicate that it is provisional. During the 2009 session, the Legislature approved a bill to create the pilot program and allow DPS to issue the licenses.

The program is not for repeat DUI offenders or those with a single violation. Rather, it's designed to help those who have had multiple problems with driving without a license. Police confirm that many violators aren't on the road because they want to break the law, but because they have limited or no other transportation options. To earn a living, care for their families and live

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productive lives, they must get behind the wheel. Some live in areas where public transportation is limited or unavailable.

In addition to individual drivers, the court system and taxpayers should reap benefits. The program doesn't cost the state anything, and it should save money in the long run.

State records indicate that more than 14,000 Minnesotans have been ticketed at least five times for driving without a valid driver's license since January 1997. St. Paul City Attorney John Choi, who along with other city attorneys brought the idea to the Legislature, said St. Paul handles about 5,000 traffic-related cases annually.

The current system, he said, treats the violation like a "collections matter" that doesn't separate out those who really need to be prosecuted from others, who with a little support and direction, can pay their fines and be allowed to drive legally.

Five cities will participate initially in the two-year pilot program, but the legislation leaves the door open to add more. Minneapolis and several other cities have indicated interest.

The diversion license is a creative way to address two problems: restoring driver's

licenses and reducing license violations. If the pilot program is successful, it could be a cost-effective model for other cities and counties.

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APPENDIX 8

NEWS ARTICLES

F. CITY OF DULUTH PRESS RELEASE, JUNE 23, 2009



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The Driving Diversion Program (DDP) June 23, 2009

The Duluth City Attorney's Office is pleased to announce the creation of the Driving Diversion Program ("DDP"), which was authorized by the 2009 Minnesota Legislature as a pilot program and becomes effective July 1, 2009. The details of the DDP are currently being developed with the Department of Public Safety and our partner pilot cities (St. Paul, Inver Grove Heights, South Saint Paul and West Saint Paul). Working through Financial Crime Services, LLC, the new pilot diversion program seeks to assist individuals who have been charged with driving without a valid license to earn back their valid license status through a supervised payment plan, a mandatory financial management and life skills course, and the issuance of a temporary diversion license.

You **MAY** be eligible for the Driving Diversion Program (DDP) **IF**:

1. You have received a citation for Driving After Suspension (DAS) or Driving After Revocation (DAR);
2. The offense took place in the City of Duluth;
3. Your case is still "pending" (i.e. you have NOT yet paid the fine amount for that citation and/or you have NOT yet pled guilty to that offense); and
4. You have a Class D driver's license.

Individuals who hold a commercial driver's license or who were driving a commercial vehicle at the time of the offense are NOT eligible for this program.

If you think that you are eligible to participate in this program and would like more information, please contact:

Before July 1, 2009: Duluth Assistant City Attorney Cary Schmies (218) 730-5490.

After July 1, 2009: Financial Crimes Services, LLC (FCS) at 1-866-518-2597.

When you contact us, please have the following information available:

1. You full name and date of birth
2. Your citation number or court case number (MNCIS number)
3. The date of your offense

More information about this program will be posted on this website as it becomes available.

APPENDIX 8

NEWS ARTICLES

- G. ST. PAUL PIONEER PRESS "DAKOTA COUNTY PROGRAM HELPS REPENTANT DRIVERS STOP SPINNING THEIR WHEELS", AUGUST 14, 2010

TwinCities.com

Dakota County program helps repentant drivers stop spinning their wheels

By Nick Ferraro
nferraro@pioneerpress.com

Updated: 08/14/2010 10:02:24 PM CDT

Two years ago, Dominic Kielas Jr. was in a jam: pay his mortgage on time or pay a \$200 speeding ticket.

Kielas chose the mortgage and eventually found himself with a suspended driver's license, which led to another quandary for the general contractor: drive to job sites or don't work.

"I was stuck," said Kielas, 24, of Minnetonka. "I had to drive."

He racked up more than \$4,500 in fines and tow fees after being stopped 15 times for driving after suspension, including once in St. Paul.

"I think — I know — that 90 percent of those were when I was going or coming back from work," he said. "It was out of control."

But Kielas is back behind the wheel legally because of an innovative program implemented a year ago in five pilot cities that allows those with suspended or revoked licenses to drive while they pay off fines.

The two-year pilot program, set in motion in July 2009, is generating praise from participants and

city and state officials.

"I'm certainly supportive," state Public Safety Commissioner Michael Campion said. "We can only go off a year, but by all accounts, there's been some very positive outcomes."

The St. Paul city attorney's office initiated the driving diversion program, which was included in the state's public-safety omnibus bill, for St. Paul, Inver Grove Heights, West St. Paul, South St. Paul and Duluth.

The legislation allows for more cities to establish their own programs and several, including Minneapolis,

have shown interest in doing so, said Scott Adkisson, owner and president of Judicial Administrative Support Services, the Red Wing-based company that manages the program.

Campion said he's heard talk behind the scenes of the program going statewide.

"Adding it statewide might make sense," he said. "I think the interest is there on many fronts."

Officials say the program, which comes at no cost to taxpayers, has been more popular and successful than anticipated.

So far, 1,200 people have been accepted into the program — nearly four times what officials predicted, Adkisson said. Participants must pay a \$300 program fee at the start.

Four hundred thirty people were rejected because they did not qualify.

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People who had a commercial driver's license or a drunken driving conviction within the past 12 months are ineligible, as are those who owe child support or unpaid legal judgments.

"If they clean up their judgments or child support, we can help them," Adkisson said.

Of those accepted, 80 percent are making payments on time and have not received additional moving citations, Adkisson said.

"I think the low dismissal rate points to the success of the program," said Darcy Erickson, assistant city attorney for Inver Grove Heights, South St. Paul and West St. Paul. "And that ultimately means people are paying fines that might not otherwise have been paid."

On average, each participant has entered the program with eight to 10 unpaid citations and about \$1,600 in fines, Adkisson said.

The returns suspended or revoked drivers receive are obvious: They can drive legally again while erasing nagging debt.

But city prosecutors and the court systems also get relief, by handling fewer cases, Erickson said.

Before the program, more than one-third of the cases presented to the city attorney's offices in the pilot cities involved drivers who lacked valid licenses or car insurance, which often go hand in hand.

So far, Adkisson said, 30 people have "graduated" from the program — completed the four-hour class, got insurance, stayed out of trouble and paid their

fines in full. Getting their licenses reinstated and their latest citation dismissed was their reward.

The success apparently extends after the program. "As far as we know, the graduates have not had additional violations," Adkisson said.

The state public safety commissioner and the five communities will report back to legislative committees with results of the program, including recidivism rates, by February.

On a recent Thursday evening, 16 people arrived at West St. Paul City Hall for the class — their final requirement before driving legally. One by one, friends and family dropped them off at the front door.

"I've heard just about every story from people as to why they're here," said instructor Mike Lewis, a former Faribault police chief. "You see people in here from all walks of life — and most say they got caught in the trap and couldn't get out. This brings it together for them."

Over the next four hours, participants were given a lesson on the laws and penalties regarding driving without a license and even advice on how to check credit scores and manage their finances.

Maurice Davis, who hasn't driven legally for 14 years, said the program is worth the effort.

"I'm excited to drive again legally, not that it ever stopped me before," said Davis, 49, of St. Paul. "But I have to do what I have to do."

Davis, who must pay \$96 for each of the next 17 months before getting his license reinstated, added, "It's probably going to save me money in the long

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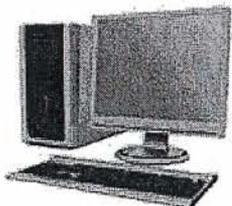
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APPENDIX 8

NEWS ARTICLES

- H. SOUTH-WEST REVIEW "PILOT PROGRAM BENEFITS STATE DRIVERS, CITIES", JUNE 30, 2010



THE ONLINE COMMUNITY SERVING THE SOUTHWEST ST. PAUL SUBURBS

SouthwestReviewNews.com

Wednesday, June 30, 2010

Pilot program benefits state drivers, cities

Alex Holmquist
Review staff

Wednesday, June 30, 2010

Trying to reinstate your driver's license after suspension or revocation can be tough, but some Minnesotans have been given a break.

The Driving Diversion Program, designed to help drivers get back on the road legally, was implemented last year as a pilot program in St. Paul, West St. Paul, Inver Grove Heights, South St. Paul and Duluth.

The program also aims to lessen the burden on court systems bogged down by cases involving drivers who don't have a valid license or insurance.

Before the program, more than one-third of the cases presented to the city attorney's offices in the pilot cities involved drivers without a valid license or insurance, said Scott Adkisson, CEO and president of Judicial Administrative Support Services, the company that manages the program.

That number has been decreasing as a result of the program.

How it works

When a driver without a valid license is pulled over, police give him a card with information about how to enter the program.

Once enrolled, participants can drive legally while they pay off their fines and a \$300 program fee in monthly installments. They are also required to obtain insurance on their vehicles and take a four-hour class.

Upon completion of the program, the city attorney will forgive the citation that brought them to the program, and in some cases may give them a break on previous citations as well.

Not everyone qualifies for the program, including those who are pulled over for DWI or those involved in serious crashes. People who owe child support or other unpaid legal judgments are also ineligible.

However, Adkisson said JASS is willing to work with those who are ineligible by providing them a process to take to become eligible.

"The whole system is built on support," Adkisson said.

If someone fails to complete the program for any reason, all prior payments are put toward paying off fines, but the \$300 program fee is non-refundable.

Benefits for drivers

Deonte Phillips, a 25-year-old St. Paul resident, enrolled in the program after having his license suspended for unpaid parking and speeding tickets.

Phillips said being able to drive while he makes monthly payments on his fines is vital, since the job he's applying for requires a valid driver's license.

Phillips will be making monthly payments of \$182 a month for 18 months instead of having to pay a big lump sum before getting his license back.

"Everyone can't afford to pay their tickets all at once," Phillips said. "This helps a lot of people out."

He added that the city attorney will be dropping four of his tickets upon his completion of the program, and none of them will go on his driving record.

"It's like a blessing that they give people second chances," he said.

Adkisson said the program, which operates at no cost to taxpayers, usually saves participants about \$400, even after they pay the program fee.

The program also saves the court system valuable time and resources because it doesn't have to prosecute as many cases involving drivers without a valid license. On average, the cost for the city to prosecute a case is \$175, and the savings have been adding up as more people take advantage of the program, Adkisson said.

A year in review

The program will be hitting its one-year mark next week, and Adkisson said its success has exceeded his expectations.

"It has been phenomenal," he said.

Adkisson added that he had hoped for a 15 percent success rate when the program was first implemented, but was pleasantly surprised by the program's 85 percent success rate. Additionally, the 1,300 people enrolled in the program are substantially more than the 350 he initially anticipated.

Lt. Brian Sturgeon of the West St. Paul Police Department said the program benefits people who are motivated to get their life in order but may not have the immediate financial means to regain their license.

He added that lots of people are taking advantage of the program in West St. Paul, and that the two monthly classes are always full.

"People are very receptive to it," Sturgeon said.

In January, JASS will present the results of the pilot program to the state legislature, and Adkisson said he expects the program to be implemented statewide by June 2011 if its success continues.

"It would be great if they could do it everywhere," Phillips added.

Alex Holmquist can be reached at aholmquist@lillienews.com or 651-748-7824.



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APPENDIX 8

NEWS ARTICLES

- I. RED WING REPUBLICAN EAGLE "WIN-WIN RELATIONSHIPS",
APRIL 7, 2010

Win-win relationships

Financial Crimes Services includes theft diversion program, juvenile tobacco pilot program

By Mike Longaecker
mlkel@republican-eagle.com

Try convincing people there is such a thing as a free lunch.

Now compound that struggle by selling it to law enforcement officials — a group fundamentally rooted in skepticism.

That difficult prospect was just what Scott Adkisson attempted in 2000 when he pitched a check diversion program that would cost municipalities nothing and help businesses recoup lost funds.

"At first, no one could understand that," said Adkisson, president and CEO of Red Wing-based Financial Crimes Services.

Eventually the idea caught on, but it took almost two years longer to pick up steam than Adkisson expected.

"We had to put the proof into it," he said.

Eight years and 650 Minnesota communities later, Adkisson knows he has made believers of them.

Since the theft diversion program's launch,

Financial Crimes Services has expanded services to include a property crimes diversion program.

A juvenile tobacco diversion program is under way in Red Wing as a pilot program. Another Financial Crimes Services pilot program gaining interest is juvenile drug diversion, which Adkisson said is seeing success in Green Bay, Wis.

Yet another new Financial Crimes Services program under development would help counties recoup outstanding funds sought through driving-after-revocation cases. The program also would allow violators to receive temporary licenses, which Adkisson said helps put them back to work.

The plan could mean a spur to the economy, he said.

Adkisson said Ramsey County work force officials have jobs that are going unfilled due to workers being ineligible to drive.

Adkisson said the driving-after-revocation pro-

gram is on the cusp of going statewide and has already arranged \$1.1 million in fine payback promises.

"We clean up for the courts and the state," he said.

Adkisson runs the business out of the company's home office in Red Wing, a location he keeps under tight wraps due to security concerns. Adkisson said he moved the business to Red Wing from Andover, Minn., after police Chief Tim Sletten pitched him the idea of relocating here while the two fished on the Mississippi River.

After receiving a tour of the town from Red Wing Port Authority officials, he was sold.

"Geographically, it just made sense to do business in Red Wing," Adkisson said.

He was also drawn by the reputation of small-town work ethics.

"It still holds true," Adkisson said.

The Red Wing location employs 22 people. Other offices, including a secondary location in Milwaukee, brings total



Mike Longaecker/Republican Eagle

Financial Crimes Services President and CEO Scott Adkisson runs the business out of offices in Red Wing.

employment to 44 workers.

Adkisson said the business was borne out of a friend's need for help. That friend, John McCullough — who still serves as Adkisson's silent partner — needed a system to

support merchants who were victims of bad checks.

Adkisson, a software developer, created a program to do just that.

"That's how this whole thing developed," he said.

The company's philoso-

phy has been to seek win-win relationships between government, taxpayers and offenders.

"These are not punishment programs," Adkisson said. "These are built to help you succeed."

Inside Progress Edition Section C:

Financial Crimes Services — Page 4C



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How does Financial Crimes Services work?

By Mike Longaecker
mikel@republican-eagle.com

So just how do programs at Financial Crimes Services work?

Consider one of the latest creations — a pilot program initiated in Red Wing for property crimes.

The program applies to people cited for low-level criminal property damage or shoplifting incidents.

Participants join the program voluntarily once police and Goodhue

County prosecutors verify their eligibility. Any prior convictions or participation in other diversion programs means immediate disqualification and a citation is issued.

Financial Crimes Services runs participants through up to five hours of classes developed to show them where they're headed if they “stay on the path,” said Scott Adkisson, CEO and president of the company.

Participants stay in the

program until full restitution is paid. Adkisson said the program gives participants a long leash to make payments, if dollars are hard to come by.

“It's not as much a punishment as it is a support mechanism to help you,” he said.

Successful entrants will be kept in a diversion database but their criminal offense will be not be kept in court records, provided all requirements have been satisfied.

The program does come at a cost for participants — \$100 for juveniles and \$200 for adults. Goodhue County Attorney Stepher Betcher said his office has been told the cost has kept some would-be participants away. But

when compared to the cost of court appearance and attorney fees, he said the cost is worth paying.

“The reality is that people are very economically distressed at this time,” Betcher said.