

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



Date: February 1, 2013

Prepared by: Saint Paul City Attorney's Office
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Minnesota Department of Public Safety

For: All cities & counties currently participating in the program

**In conjunction with
Diversion Solutions, LLC**



Cities & Counties currently participating in DDP

CITIES	COUNTIES
Bloomington Deephaven Duluth* Faribault Grand Rapids Inver Grove Heights* Isanti Lino Lakes Loretto Maple Grove Maplewood Medina Minneapolis Morristown Plymouth Robbinsdale Rockford South St. Paul* Spring Lake Park St. Paul* West St. Paul*	Rice County Scott County St. Louis County Steel County Goodhue County
*Original Pilot Cities	

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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 During the 2010 and 2011 legislative sessions the Minnesota Legislature enacted several changes to the pilot program; most notably, it extended the sunset date to June 30, 2013.

Since 2009, the Commissioner of Public Safety has been authorizing additional cities to join the DDP.

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time, it is estimated that more than 500,000 drivers are driving after the Department of Public Safety (the “DPS”) has withdrawn their driving privileges.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.²

Driving After Suspension (“DAS”) and Driving After Revocation (“DAR”) citations constitute a significant portion of violations committed by non-licensed individuals consuming scarce resources of the prosecuting cities, counties 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 many of these individuals; their situations are

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

² 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.

often complicated by poor life choices. As a result, unlicensed drivers 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, failure to pay outstanding traffic citations, failure 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.

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.³ 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 Results: The License Reinstatement Diversion Pilot Program

Results of the pilot program continue to be very encouraging. Participation from suspended and revoked drivers has been very strong and the recidivism rate is extremely low at 6%. Not only has DDP benefited thousands of participants, but many Minnesota cities and counties have benefited along with the criminal justice system, Department of Revenue, Department of Public Safety (DPS) division of Driver and Vehicle Services (DVS). 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 effects.

II. THE DRIVING DIVERSION PROGRAM

A. How the DDP Works

The participating cities and counties 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 DAR, 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 may then contact Diversion Solutions, LLC and request admission into the program.

³ 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

Diversion Solutions, LLC, in consultation with DPS/DVS and the appropriate prosecuting attorney, evaluates the driver's driving and criminal records and determines whether the driver is eligible for participation.⁴ 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 self-development, financial management and life skills course.⁵ The participant 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 DVS 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 into the payment plan. The program also charges a \$350.00 participation fee which pays for all program-related services. Diversion Solutions, LLC provides the program services with the assistance of the city or county attorneys' offices, rather than repeatedly prosecuting these individuals. The typical participant has seven (7) outstanding citations and owes an average of \$1,800 in outstanding fees and fines. The maximum length of any payment 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 the appropriate city or county agencies in order 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 DVS 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,

⁴ 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 license 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.

⁵ The course materials are found in Appendix 2

LLC in consultation with the appropriate city or county attorney terminates the participant from the DDP, and notifies DVS. DVS 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

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 the opportunity to have a valid license and at the same time obligates and permits 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 working with the Minnesota DPS - DVS, court administration and the Department of Revenue collection division. 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 does not possess 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 from 2009 through 2012. Of the 5,597 participants, 45 percent of participants⁶ have completed the course and provided proof of insurance. Most of these participants have also obtained a valid driver's license status conditioned upon their continued compliance with DDP requirements. An additional 26 percent of the participants have met eligibility requirements, but have yet to attend the class and fulfill the program requirements.

1108 individuals have successfully fulfilled the requirements of the DDP and have maintained valid insurance.⁷

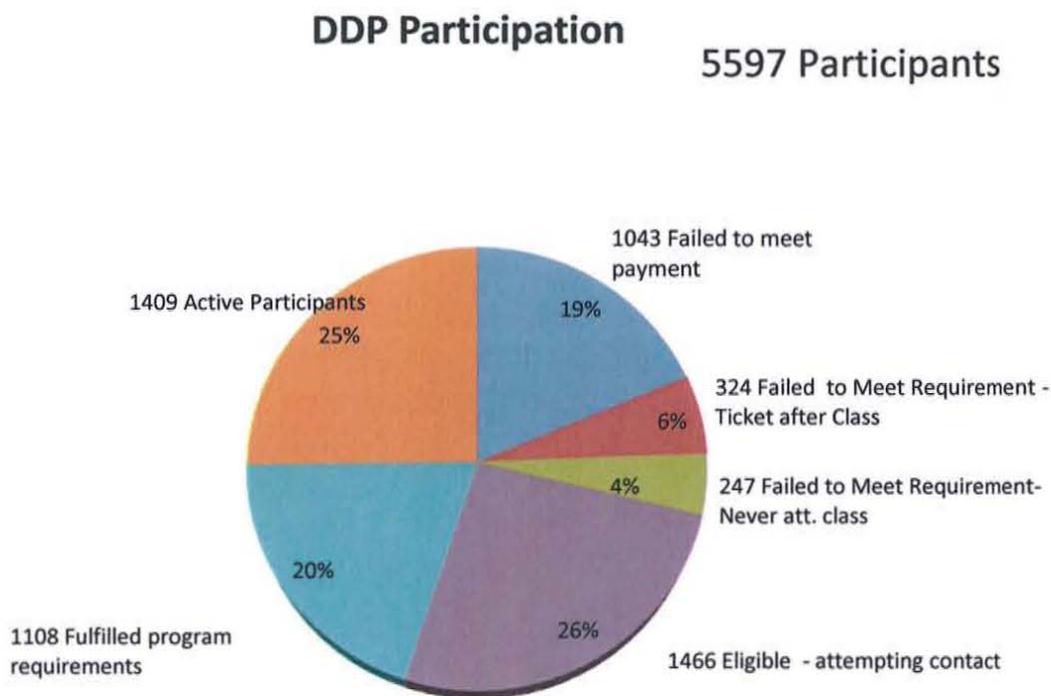


Figure 1

B. Termination and Recidivism Rates for Participants

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

⁶ See Figure 1 (sum of active participants and participants that have fulfilled program requirements)

⁷ See Figure 1

⁸ See Figure 1

court resources, while providing a solution to a problem that has seemingly escaped a solution.

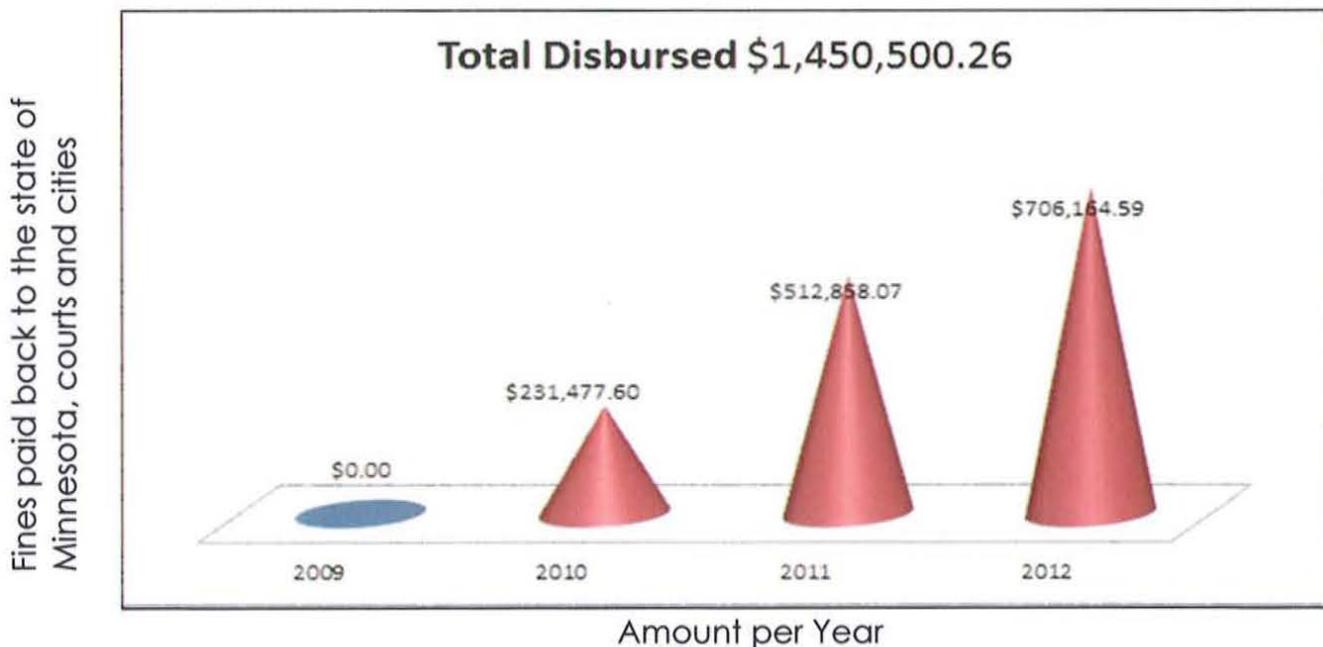
Slightly more than two-thirds of the total program participants are in compliance with the DDP program requirements⁹. Accordingly, it is encouraging that just less than one third of the total participants have been terminated from the program for recidivism and failure to meet requirements, including failure to attend class or make payments as required.

C. Collection of Existing Unpaid Fines and Fees

The DDP is responsible for recovering significant outstanding fine and fee revenue that would otherwise remain uncollected. Figure 2 summarizes the fines and fees that the DDP has collected. As of December 31, 2012, the amount of outstanding fines paid back to the State of Minnesota, courts and cities is \$1,450,500.26. The DDP is in the process of collecting in excess of \$10,000,000 of fines owed by participants pursuant to the individual program payment plans¹⁰.

Figure 2

Total Fines and Fees Disbursed



⁹ See Figure 1 (sum of active participants, participants who have fulfilled program requirements, and participants who are eligible and DDP is attempting to contact)

¹⁰ See Figure 3 (Citations/Fees Owed)

Figure 3

**Driving Diversion Program (DDP) Fines and Fees
Owed by Participants
December 1, 2009 Through December 31, 2012**

JURISDICTION	CITATIONS/FEES OWED	TOTAL PAID PURSUANT TO PAYMENT PLANS	DISBURSED
STATE OF MINNESOTA	\$652,801.00	\$221,960.13	\$181,560.00
CITY OF ARDEN HILLS	\$100.00	\$0.00	\$0.00
CITY OF BELLE PLAINE	\$600.00	\$100.00	\$100.00
CITY OF BLOOMINGTON	\$14,150.00	\$7,556.00	\$6,925.00
CITY OF DEEPHAVEN	\$100.00	\$0.00	\$0.00
CITY OF DULUTH	\$32,256.00	\$14,664.01	\$14,125.00
CITY OF FARIBAULT	\$600.00	\$200.00	\$200.00
GOODHUE COUNTY SHERIFFS OFFICE	\$500.00	\$300.00	\$100.00
CITY OF GRAND RAPIDS	\$600.00	\$0.00	\$0.00
CITY OF INVER GROVE HEIGHTS	\$13,382.00	\$6,062.00	\$5,625.00
CITY OF ISANTI	\$100.00	\$100.00	\$100.00
CITY OF JORDAN	\$900.00	\$700.00	\$600.00
CITY OF LINO LAKES	\$1,600.00	\$400.00	\$300.00
CITY OF LITTLE CANADA	\$200.00	\$0.00	\$0.00
CITY OF LORETTO	\$100.00	\$100.00	\$0.00
CITY OF MAPLE GROVE	\$2,000.00	\$600.00	\$500.00
CITY OF MAPLEWOOD	\$11,650.00	\$4,645.00	\$4,225.00
CITY OF MEDINA	\$100.00	\$0.00	\$0.00
CITY OF MINNEAPOLIS	\$132,075.00	\$50,608.99	\$46,634.99
CITY OF MORRISTOWN	\$100.00	\$53.00	\$0.00
CITY OF NEW PRAGUE	\$300.00	\$100.00	\$0.00
CITY OF OWATONNA	\$2,900.00	\$968.00	\$800.00
CITY OF PINE ISLAND	\$200.00	\$100.00	\$100.00
CITY OF PLYMOUTH	\$4,900.00	\$1,880.00	\$1,100.00
CITY OF PRAIRIE ISLAND RESERVATION	\$100.00	\$100.00	\$100.00
CITY OF PRIOR LAKE	\$2,300.00	\$974.00	\$800.00
CITY OF RED WING	\$1,600.00	\$629.00	\$500.00
CITY OF RICE COUNTY	\$500.00	\$486.00	\$400.00
CITY OF ROBBINSDALE	\$5,700.00	\$1,838.00	\$1,300.00
CITY OF SAVAGE	\$1,700.00	\$809.00	\$700.00
CITY OF SCOTT COUNTY SHERIFF OFFICE	\$500.00	\$500.00	\$400.00
CITY OF SHAKOPEE	\$3,700.00	\$1,700.00	\$1,300.00
CITY OF SOUTH ST PAUL	\$9,758.00	\$4,425.00	\$4,325.00
CITY OF SPRING LAKE PARK	\$100.00	\$100.00	\$0.00
CITY OF ST LOUIS COUNTY	\$2,500.00	\$1,033.00	\$600.00
CITY OF ST PAUL	\$283,438.00	\$99,056.50	\$93,312.50
CITY OF STEELE COUNTY SHERIFF	\$200.00	\$0.00	\$0.00
CITY OF WEST ST. PAUL	\$26,316.50	\$12,117.50	\$11,687.50
CITY OF ZUMBROTA	\$100.00	\$0.00	\$0.00
AITKIN COUNTY	\$3,148.00	\$410.00	\$290.00
ANOKA COUNTY	\$230,922.39	\$20,638.33	\$14,066.70

JURISDICTION	CITATIONS/FEES OWED	TOTAL PAID PURSUANT TO PAYMENT PLANS	DISBURSED
BECKER COUNTY	\$310.00	\$0.00	\$0.00
BELTRAMI COUNTY	\$413.00	\$0.00	\$0.00
BENTON COUNTY	\$996.20	\$523.20	\$376.80
BLUE EARTH COUNTY	\$3,171.22	\$926.74	\$640.40
CARLTON COUNTY	\$11,372.52	\$1,557.90	\$1,136.40
CARVER COUNTY	\$6,186.00	\$387.00	\$107.00
CASS COUNTY	\$1,922.00	\$485.00	\$485.00
CHISAGO COUNTY	\$10,509.57	\$2,452.90	\$1,849.00
COOK COUNTY	\$366.00	\$365.00	\$365.00
COTTONWOOD COUNTY	\$70.00	\$0.00	\$0.00
CROW WING COUNTY	\$2,152.08	\$368.08	\$18.08
DAKOTA COUNTY	\$576,435.17	\$102,886.61	\$70,228.98
DIVERSION SOLUTIONS	\$312,906.83	\$94,540.65	\$2,573.60
DODGE COUNTY	\$1,038.00	\$130.00	\$0.00
DOUGLAS COUNTY	\$1,575.02	\$425.00	\$425.00
FARIBAULT COUNTY	\$285.00	\$0.00	\$0.00
FILLMORE COUNTY	\$950.00	\$0.00	\$0.00
FREEBORN COUNTY	\$335.00	\$215.00	\$215.00
GOODHUE COUNTY	\$20,778.71	\$2,720.06	\$1,710.06
HENNEPIN COUNTY	\$4,227,086.78	\$534,022.11	\$431,184.69
HUBBARD COUNTY	\$487.00	\$0.00	\$0.00
ISANTI COUNTY	\$717.40	\$437.90	\$254.40
ITASCA COUNTY	\$7,452.80	\$755.40	\$417.40
JACKSON COUNTY	\$350.00	\$0.00	\$0.00
KANABEC COUNTY	\$1,624.00	\$398.00	\$398.00
KANDIYOHI COUNTY	\$921.00	\$0.00	\$0.00
KITSON COUNTY	\$125.00	\$0.00	\$0.00
KOOCHICHING COUNTY	\$806.00	\$806.00	\$764.00
LAC QUI PARLE COUNTY	\$1,105.40	\$398.40	\$398.40
LAKE COUNTY	\$2,099.00	\$1,314.00	\$732.00
LESUEUR COUNTY	\$580.00	\$0.00	\$0.00
MCLEOD COUNTY	\$157.00	\$157.00	\$0.00
MEEKER COUNTY	\$955.00	\$227.00	\$227.00
MILLE LACS COUNTY	\$3,524.37	\$435.10	\$185.00
MORRISON COUNTY	\$380.00	\$95.00	\$95.00
MOWER COUNTY	\$4,732.30	\$1,863.00	\$1,664.40
MURRAY COUNTY	\$225.00	\$0.00	\$0.00
NICOLLET COUNTY	\$2,672.00	\$0.00	\$0.00
NOBLES COUNTY	\$2,073.40	\$1,837.40	\$1,837.40
OLMSTED COUNTY	\$4,600.32	\$736.82	\$736.82
OPEN CITY	\$64,000.00	\$27,546.00	\$27,125.00
OTTER TAIL COUNTY	\$8,333.89	\$1,332.00	\$1,332.00
PINE COUNTY	\$3,135.48	\$215.00	\$215.00
PIPESTONE COUNTY	\$72.00	\$72.00	\$72.00
POLK COUNTY	\$570.00	\$0.00	\$0.00
RAMSEY COUNTY	\$3,503,678.53	\$506,670.87	\$426,770.53
REDWOOD COUNTY	\$861.06	\$150.06	\$150.06

JURISDICTION	CITATIONS/FEEES OWED	TOTAL PAID PURSUANT TO PAYMENT PLANS	DISBURSED
RENVILLE COUNTY	\$1,905.80	\$0.00	\$0.00
RICE COUNTY	\$15,656.18	\$3,089.51	\$2,836.51
SCOTT COUNTY	\$64,838.68	\$6,518.50	\$3,510.80
SHERBURNE COUNTY	\$11,461.22	\$1,393.40	\$830.40
SIBLEY COUNTY	\$1,164.00	\$157.00	\$157.00
ST LOUIS COUNTY	\$225,152.98	\$44,587.15	\$33,094.43
STEARNS COUNTY	\$3,175.00	\$107.00	\$107.00
STEELE COUNTY	\$30,446.00	\$3,803.84	\$1,980.21
SWIFT COUNTY	\$122.00	\$0.00	\$0.00
WABASHA COUNTY	\$2,139.00	\$0.00	\$0.00
WADENA COUNTY	\$302.00	\$0.00	\$0.00
WASECA COUNTY	\$3,706.17	\$89.17	\$9.17
WASHINGTON COUNTY	\$261,337.83	\$45,843.48	\$35,582.58
WATONWAN COUNTY	\$105.00	\$0.00	\$0.00
WEST ST. PAUL CITY OF	\$150.00	\$0.00	\$0.00
WILKIN COUNTY	\$785.00	\$125.00	\$125.00
WINONA COUNTY	\$958.00	\$0.00	\$0.00
WRIGHT COUNTY	\$13,312.60	\$630.60	\$468.60
YELLOW MEDICINE COUNTY	\$1,240.00	\$285.00	\$285.00
ADAIR CLERK OF DISTRICT COURT (IA)	\$471.50	\$0.00	\$0.00
BLACK HAWK COUNTY (IA)	\$687.00	\$0.00	\$0.00
BREMER COUNTY (IA)	\$1,061.40	\$0.00	\$0.00
BRYAN COUNTY	\$296.50	\$296.50	\$296.50
BUFFALO COUNTY NE	\$107.00	\$0.00	\$0.00
CASS COUNTY (IA)	\$283.60	\$283.60	\$283.60
CERRO GORDO COUNTY	\$2,533.40	\$0.00	\$0.00
CHICKASAW COUNTY (IA)	\$1,293.75	\$41.75	\$0.00
COAHOMA COUNTY	\$2.00	\$0.00	\$0.00
COFFEY COUNTY DISTRICT COURT (KS)	\$167.00	\$167.00	\$167.00
COOKIE COUNTY (TX)	\$284.00	\$284.00	\$284.00
DAVISS COUNTY (MO)	\$140.39	\$74.00	\$0.00
DECATUR COUNTY	\$247.80	\$0.00	\$0.00
DES MOINES CLERK OF COURTS	\$118.58	\$118.58	\$118.58
DUVAL COUNTY (FL)	\$1.00	\$0.00	\$0.00
FLOYD COUNTY (IA)	\$2,189.06	\$0.00	\$0.00
FRANKLIN COUNTY COURT (IA)	\$2,034.52	\$1,257.80	\$1,257.80
GIRARD COUNTY	\$110.00	\$110.00	\$110.00
GRAND FORKS MUNICIPAL COURT	\$71.00	\$0.00	\$0.00
HAMILTON COUNTY CLERK OF COURTS	\$2,223.71	\$1,031.01	\$447.50
HAMPTON COUNTY CLERK OF COURTS	\$388.90	\$0.00	\$0.00
HILLSBOROUGH COUNTY (FL)	\$192.00	\$0.00	\$0.00
INDIANOLA COUNTY	\$248.00	\$0.00	\$0.00
JOHNSON COUNTY (IA)	\$307.13	\$0.00	\$0.00
KEOKUK IA CLERK OF COURTS	\$502.04	\$502.04	\$502.04
LAS VEGAS JUSTICE COURT TRAFFIC OFFICE	\$3,780.00	\$0.00	\$0.00
LINN COUNTY (IA)	\$195.50	\$0.00	\$0.00
LYON COUNTY	\$1,240.00	\$245.66	\$0.00

JURISDICTION	CITATIONS/FEEES OWED	TOTAL PAID PURSUANT TO PAYMENT PLANS	DISBURSED
MADISON COUNTY JUSTICE COURT (MS)	\$451.00	\$0.00	\$0.00
MASON CITY CLERK OF COURTS (IA)	\$615.50	\$119.30	\$119.30
MENA POLICE DEPARTMENT	\$600.00	\$0.00	\$0.00
MIDDLEBURG HTS MAYORS COURT	\$220.00	\$0.00	\$0.00
MYRTLE BEACH MUNICIPAL COURT	\$133.00	\$133.00	\$133.00
OBRIEN COUNTY CLERK OF COURT (IA)	\$431.80	\$0.00	\$0.00
OXFORD MUNICIPAL CT (MS)	\$1.00	\$0.00	\$0.00
POLK COUNTY IA CLERK OF COURTS	\$802.25	\$0.00	\$0.00
POWESHIEK COUNTY (IA)	\$983.53	\$0.00	\$0.00
SAC CITY IA CLERK OF COURTS	\$379.61	\$0.00	\$0.00
SCOTT COUNTY (IA)	\$1.00	\$0.00	\$0.00
SHOSHONE COUNTY (ID)	\$1.00	\$0.00	\$0.00
SIOUX COUNTY (IA)	\$733.50	\$0.00	\$0.00
ST CROIX COUNTY (WI)	\$207.56	\$0.00	\$0.00
WASHINGTON COUNTY (IA)	\$504.38	\$328.13	\$328.13
TOTAL	\$10,905,093.30	\$1,854,987.68	\$1,450,500.26

D. Positive Collateral Impact of the Program

In addition to keeping traffic offenders out of 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;
- Department of Revenue collection fees;
- Satisfaction of outstanding judgments¹¹; and
- Payment of child support arrears¹².

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 participation, such as the active warrants, unsatisfied judgments and outstanding child support obligations so as to become eligible in the future.

¹¹ 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.

¹² 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.

IV. LEGISLATIVE RECOMMENDATIONS

The participating cities recommend that the Minnesota Legislature:

1. Continue the pilot program for two (2) additional years; and
2. Grant the Commissioner of Public Safety the authorization to allow an individual who owes the license reinstatement fee associated with a DWI offense to participate in the DDP once he or she has completed the revocation period associated with the DWI offense in order to regain valid license status.

V. CONCLUSION

For the reasons more fully described herein, the DDP should be continued due to the program's positive benefits to the public. The DDP has recovered outstanding fines and fees which 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 without the support of tax payer dollars to solve the persistent and pervasive problem of unlicensed drivers. Because of its preliminary success, continued study is warranted.

APPENDIX 1

ENACTED LEGISLATION

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 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 to establish license reinstatement diversion pilot programs within their cities.

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

Subd. 4. Diversion of individual. A prosecutor for a participating city 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).

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, 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, 2011, the commissioner of public safety and each eligible city 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;
- (3) payment of the fees and fines collected in the diversion pilot program to cities, counties, and the state;
- (4) educational support provided to participants in the diversion pilot program; and
- (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. The pilot project under this section expires June 30, 2011.

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

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.

CHAPTER 87—H.F.No. 387

An act relating to drivers' licenses; allowing counties to participate in driver's license reinstatement diversion pilot program; extending diversion pilot program; amending Laws 2009, chapter 59, article 3, section 4, as amended.

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

Section 1. Laws 2009, chapter 59, article 3, section 4, as amended by Laws 2010, chapter 197, section 1, is amended to read:

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 and counties.** 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 and counties to establish license reinstatement diversion pilot programs within their cities respective jurisdictions.

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 those required fees, fines, and charges that affect 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, ~~2011~~ 2013, 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;~~

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

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

~~(5)~~ (4) 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 or county participating in this pilot program may accept an individual for diversion into the pilot program until June 30, ~~2011~~ 2013. 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~~ 2014, 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 May 24, 2011

Signed by the governor May 27, 2011, 10:28 a.m.

APPENDIX 2

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 Class Schedule 2012

<u>Date</u>	<u>Place</u>	<u>Time</u>	<u>Instructor</u>
September			
SEP5: Tuesday 9-4-2012	St Paul PD West District Office	1:00pm – 4:00pm	Dave Hake
SEP1: Thursday 9-6-2012	West St. Paul City Hall	5:00pm – 9:00pm	Dave Hake
SEP2: Saturday 9-15-2012	West St. Paul City Hall	9:30am – 1:30pm	Pete Badker
SEP7: Wednesday 09-19-2012	Faribault Government Center	1:00pm – 4:00pm	Mike Lewis
SEP3: Thursday 9-20-2012	Duluth Public Library	12:30pm – 4:30pm	Tom Krause
SEP4: Monday 9-24-2012	City of MPLS PD 4 th Precinct	12:30pm – 2:30pm	Craig Lunde
SEP6: Monday 9-24-2012	St Paul PD West District Office	1:00pm – 4:00pm	Mike Lewis
SEP8: Monday 9-24-2012	City of MPLS PD 4 th Precinct	2:45pm – 4:30pm	Craig Lunde
SEP9: Tuesday 9-25-2012	Red Wing Public Library	5:00pm – 7:00pm	Pete Badker
SEP10: Saturday 9-29-2012	St Paul PD West District Office	9:30am – 1:30pm	Pete Badker
October			
OCT1: Thursday 10-4-2012	West St. Paul City Hall	5:00pm – 9:00pm	Mike Lewis
OCT5: Tuesday 10-9-2012	St Paul PD West District Office	1:00pm – 4:00pm	Dave Hake
OCT11: Saturday 10-13-2012	St Paul PD West District Office	9:30am – 1:30pm	Dave Hake
OCT6: Monday 10-15-2012	St Paul PD West District Office	1:00pm – 4:00pm	Dave Hake
OCT8: Wednesday 10-17-2012	Faribault Government Center	1:00pm – 4:00pm	Mike Lewis
OCT3: Thursday 10-18-2012	Duluth Public Library	4:30pm – 8:30pm	Tom Krause
OCT2: Saturday 10-20-2012	West St. Paul City Hall	9:30am – 1:30pm	Craig Lunde
OCT4: Monday 10-22-2012	City of MPLS PD 4 th Precinct	12:30pm – 2:30pm	Craig Lunde
OCT9: Monday 10-22-2012	City of MPLS PD 4 th Precinct	2:45pm – 4:30pm	Craig Lunde
OCT10: Tuesday 10-23-2012	Red Wing Public Library	5:00pm – 7:00pm	Pete Badker
OCT7: Friday 10-26-2012	St Paul PD West District Office	1:00pm – 4:00pm	Dave Hake
November			
NOV1: Thursday 11-1-2012	West St. Paul City Hall	5:00pm – 9:00pm	Dave Hake
NOV5: Wednesday 11-7-2012	St Paul PD West District Office	1:00pm – 4:00pm	Dave Hake
NOV11: Saturday 11-10-2012	St Paul PD West District Office	9:30am – 1:30pm	Pete Badker
NOV10: Tuesday 11-13-2012	Red Wing Public Library	5:00pm – 7:00pm	Pete Badker
NOV6: Wednesday 11-14-2012	St Paul PD West District Office	1:00pm – 4:00pm	Dave Hake
NOV3: Thursday 11-15-2012	Duluth Public Library	12:30pm – 4:30pm	Tom Krause
NOV2: Saturday 11-17-2012	West St. Paul City Hall	9:30am – 1:30pm	Pete Badker
NOV8: Wednesday 11-21-2012	Faribault Government Center	1:00pm – 4:00pm	Mike Lewis
NOV4: Monday 11-26-2012	City of MPLS PD 4 th Precinct	12:30pm – 2:30pm	Craig Lunde
NOV9: Monday 11-26-2012	City of MPLS PD 4 th Precinct	2:45pm – 4:30pm	Craig Lunde
NOV7: Wednesday 11-28-2012	St Paul PD West District Office	1:00pm – 4:00pm	Dave Hake

December

DEC5: Tuesday 12-4-2012	St Paul PD West District Office	1:00pm – 4:00pm	Dave Hake
DEC6: Wednesday 12-5-2012	St Paul PD West District Office	1:00pm – 4:00pm	Dave Hake
DEC1: Thursday 12-6-2012	West St. Paul City Hall	5:00pm – 9:00pm	Mike Lewis
DEC9: Tuesday 12-11-2012	Red Wing Public Library	5:00pm – 7:00pm	Pete Badker
DEC3: Thursday 12-13-2012	Duluth Public Library	4:30pm – 8:30pm	Tom Krause
DEC2: Saturday 12-15-2012	West St. Paul City Hall	9:30am – 1:30pm	Craig Lunde
DEC7: Wednesday 12-19-2012	Faribault Government Center	1:00pm – 4:00pm	Mike Lewis
DEC4: Thursday 12-20-2012	City of MPLS PD 4 th Precinct	12:30pm – 2:30pm	Craig Lunde
DEC8: Thursday 12-20-2012	City of MPLS PD 4 th Precinct	2:45pm – 4:30pm	Craig Lunde

**Directions to West St. Paul class site: 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
Address: 1616 Humboldt Avenue West St Paul, MN 55118**

Directions to Duluth class site: none at this time

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

Address: Duluth Public Library 520 West Superior Street Duluth, MN 55802

Directions to Minneapolis class site: none at this time

Address: City of Minneapolis Police Department 4th Precinct 1925 Plymouth Avenue North Minneapolis, MN 55411

Directions to St Paul class site:

From Minneapolis take University East to Hamline take right and it one block down

From Minneapolis take 94 East to Hamline, right on Hamline one block

From the South take 35E to 94W to Hamline Ave right Hamline one block

Address: St Paul Police Department West District Office 389 N Hamline Avenue Saint Paul, MN 55104

Directions to Faribault class site: From Hwy 35 north or south take exit 59/MN hwy 60. Head east (toward downtown). Turn right onto 3rd Ave. NW, then right onto 3rd Street NW. Building is on your right.

Address: Rice County Government Center, Commissioner's Board Room, 320 NW Third St., Faribault, MN 55021

Driving Diversion Program Class Schedule 2013

Date	Place	Time	Instructor
January			
JAN2: Wednesday 1-9-2013	St Paul PD West District Office	1:00pm – 4:00pm	Dave Hake
JAN4: Wednesday 1-16-2013	Faribault Government Center	1:00pm – 4:00pm	Mike Lewis
JAN5: Thursday 1-17-2013	Duluth Public Library	4:30pm – 8:00pm	Tom Krause
JAN6: Saturday 1-19-2013	West St. Paul City Hall	9:30am – 1:30pm	Pete Badker
JAN7: Tuesday 1-22-2013	Red Wing Public Library	5:00pm – 7:00pm	Pete Badker
JAN8: Wednesday 1-23-2013	St Paul PD West District Office	1:00pm – 4:00pm	Dave Hake
JAN9: Monday 1-28-2013	City of MPLS PD 4 th Precinct	12:30pm – 2:30pm	Craig Lunde
JAN10: Monday 1-28-2013	City of MPLS PD 4 th Precinct	2:45pm – 4:30pm	Craig Lunde
February			
FEB1: Thursday 2-7-2013	West St. Paul City Hall	5:00pm – 9:00pm	Mike Lewis
FEB2: Saturday 2-9-2013	St Paul PD West District Office	9:30am – 1:30pm	Craig Lunde
FEB3: Tuesday 2-12-2013	St Paul PD West District Office	1:00pm – 4:00pm	Mike Lewis
FEB4: Saturday 2-16-2013	West St. Paul City Hall	9:30am – 1:30pm	Pete Badker
FEB5: Tuesday 2-19-2013	St Paul PD West District Office	1:00pm – 4:00pm	Dave Hake
FEB6: Wednesday 2-20-2013	Faribault Government Center	1:00pm – 4:00pm	Mike Lewis
FEB7: Monday 2-25-2013	City of MPLS PD 4 th Precinct	12:30pm – 2:30pm	Craig Lunde
FEB8: Monday 2-25-2013	City of MPLS PD 4 th Precinct	2:45pm – 4:30pm	Craig Lunde
FEB9: Tuesday 2-26-2013	St Paul PD West District Office	1:00pm – 4:00pm	Dave Hake
FEB10: Tuesday 2-26-2013	Red Wing Public Library	5:00pm – 7:00pm	Pete Badker
FEB11: Thursday 2-28-2013	Duluth Public Library	12:30pm – 4:30pm	Tom Krause
March			
MAR1: Thursday 3-7-2013	St Paul PD West District Office	1:00pm – 4:00pm	Mike Lewis
MAR2: Thursday 3-7-2013	West St. Paul City Hall	5:00pm – 9:00pm	Mike Lewis
MAR3: Thursday 3-14-2013	St Paul PD West District Office	1:00pm – 4:00pm	Dave Hake
MAR4: Saturday 3-16-2013	West St. Paul City Hall	9:30am – 1:30pm	Pete Badker
MAR5: Wednesday 3-20-2013	Faribault Government Center	1:00pm – 4:00pm	Mike Lewis
MAR6: Thursday 3-21-2013	St Paul PD West District Office	1:00pm – 4:00pm	Dave Hake
MAR7: Thursday 3-21-2013	Duluth Public Library	4:30pm – 8:00pm	Tom Krause
MAR8: Monday 3-25-2013	City of MPLS PD 4 th Precinct	12:30pm – 2:30pm	Craig Lunde
MAR9: Monday 3-25-2013	City of MPLS PD 4 th Precinct	2:45pm – 4:30pm	Craig Lunde
MAR10: Tuesday 3-26-2013	Red Wing Public Library	5:00pm – 7:00pm	Pete Badker
MAR11: Saturday 3-30-2013	St Paul PD West District Office	9:30am – 1:30pm	Craig Lunde

April

APR1: Thursday 4-4-2013	St Paul PD West District Office	1:00pm – 4:00pm	Dave Hake
APR2: Thursday 4-4-2013	West St. Paul City Hall	5:00pm – 9:00pm	Mike Lewis
APR3: Thursday 4-11-2013	St Paul PD West District Office	1:00pm – 4:00pm	Dave Hake
APR4: Wednesday 4-17-2013	Faribault Government Center	1:00pm – 4:00pm	Mike Lewis
APR5: Thursday 4-18-2013	Duluth Public Library	12:30pm – 4:30pm	Tom Krause
APR6: Thursday 4-18-2013	St Paul PD West District Office	1:00pm – 4:00pm	Mike Lewis
APR7: Saturday 4-20-2013	West St. Paul City Hall	9:30am – 1:30pm	Pete Badker
APR8: Monday 4-22-2013	City of MPLS PD 4 th Precinct	12:30pm – 2:30pm	Craig Lunde
APR9: Monday 4-22-2013	City of MPLS PD 4 th Precinct	2:45pm – 4:30pm	Craig Lunde
APR10: Tuesday 4-23-2013	Red Wing Public Library	5:00pm – 7:00pm	Pete Badker
APR11: Thursday 4-25-2013	St Paul PD West District Office	1:00pm – 4:00pm	Mike Lewis

May

MAY1: Thursday 5-2-2013	West St. Paul City Hall	5:00pm – 9:00pm	Mike Lewis
MAY2: Thursday 5-9-2013	St Paul PD West District Office	1:00pm – 4:00pm	Dave Hake
MAY3: Wednesday 5-15-2013	Faribault Government Center	1:00pm – 4:00pm	Mike Lewis
MAY4: Thursday 5-16-2013	St Paul PD West District Office	1:00pm – 4:00pm	Dave Hake
MAY5: Thursday 5-16-2013	Duluth Public Library	4:30pm – 8:00pm	Tom Krause
MAY6: Saturday 5-18-2013	West St. Paul City Hall	9:30am – 1:30pm	Pete Badker
MAY7: Thursday 5-23-2013	St Paul PD West District Office	1:00pm – 4:00pm	Mike Lewis
MAY8: Monday 5-27-2013	City of MPLS PD 4 th Precinct	12:30pm – 2:30pm	Craig Lunde
MAY9: Monday 5-27-2013	City of MPLS PD 4 th Precinct	2:45pm – 4:30pm	Craig Lunde
MAY10: Tuesday 5-28-2013	Red Wing Public Library	5:00pm – 7:00pm	Pete Badker
MAY11: Thursday 5-30-2013	St Paul PD West District Office	1:00pm – 4:00pm	Mike Lewis

June

JUN1: Thursday 6-6-2013	West St. Paul City Hall	5:00pm – 9:00pm	Dave Hake
JUN2: Thursday 6-13-2013	St Paul PD West District Office	1:00pm – 4:00pm	Dave Hake
JUN3: Saturday 6-15-2013	West St. Paul City Hall	9:30am – 1:30pm	Craig Lunde
JUN4: Wednesday 6-19-2013	Faribault Government Center	1:00pm – 4:00pm	Mike Lewis
JUN5: Thursday 6-20-2013	Duluth Public Library	12:30pm – 4:30pm	Tom Krause
JUN6: Thursday 6-20-2013	St Paul PD West District Office	1:00pm – 4:00pm	Mike Lewis
JUN7: Monday 6-24-2013	City of MPLS PD 4 th Precinct	12:30pm – 2:30pm	Craig Lunde
JUN8: Monday 6-24-2013	City of MPLS PD 4 th Precinct	2:45pm – 4:30pm	Craig Lunde
JUN9: Tuesday 6-25-2013	Red Wing Public Library	5:00pm – 7:00pm	Pete Badker

July

JUL1: Tuesday 7-9-2013	West St. Paul City Hall	5:00pm – 9:00pm	Mike Lewis
JUL2: Saturday 7-13-2013	St Paul PD West District Office	11:30am – 1:30pm	Mike Lewis
JUL3: Wednesday 7-17-2013	Faribault Government Center	1:00pm – 4:00pm	Mike Lewis
JUL4: Thursday 7-18-2013	St Paul PD West District Office	1:00pm – 4:00pm	Dave Hake
JUL5: Thursday 7-18-2013	Duluth Public Library	4:30pm – 8:00pm	Tom Krause
JUL6: Saturday 7-20-2013	West St. Paul City Hall	9:30am – 1:30pm	Pete Badker
SEP7: Tuesday 7-23-2013	Red Wing Public Library	5:00pm – 7:00pm	Pete Badker
OCT8: Monday 7-24-2013	City of MPLS PD 4 th Precinct	12:30pm – 2:30pm	Craig Lunde
OCT9: Monday 7-24-2013	City of MPLS PD 4 th Precinct	2:45pm – 4:30pm	Craig Lunde
JUL10: Thursday 7-25-2013	St Paul PD West District Office	1:00pm – 4:00pm	Dave Hake

August

AUG1: Thursday 8-1-2013	West St. Paul City Hall	5:00pm – 9:00pm	Mike Lewis
AUG2: Thursday 8-8-2013	St Paul PD West District Office	1:00pm – 4:00pm	Mike Lewis
AUG3: Thursday 8-15-2013	Duluth Public Library	12:30pm – 4:30pm	Tom Krause
AUG4: Thursday 8-15-2013	St Paul PD West District Office	1:00pm – 4:00pm	Mike Lewis
AUG5: Saturday 8-17-2013	West St. Paul City Hall	9:30am – 1:30pm	Pete Badker
AUG6: Wednesday 8-21-2013	Faribault Government Center	1:00pm – 4:00pm	Mike Lewis
AUG7: Thursday 8-22-2013	St Paul PD West District Office	1:00pm – 4:00pm	Dave Hake
AUG8: Monday 8-26-2013	City of MPLS PD 4 th Precinct	12:30pm – 2:30pm	Craig Lunde
AUG9: Monday 8-26-2013	City of MPLS PD 4 th Precinct	2:45pm – 4:30pm	Craig Lunde
AUG10: Tuesday 8-27-2013	Red Wing Public Library	5:00pm – 7:00pm	Pete Badker
AUG11: Thursday 8-29-2013	St Paul PD West District Office	1:00pm – 4:00pm	Dave Hake

September

SEP1: Thursday 9-5-2013	West St. Paul City Hall	5:00pm – 9:00pm	Mike Lewis
SEP2: Thursday 9-12-2013	St Paul PD West District Office	1:00pm – 4:00pm	Dave Hake
SEP3: Wednesday 9-18-2013	Faribault Government Center	1:00pm – 4:00pm	Mike Lewis
SEP4: Thursday 9-19-2013	St Paul PD West District Office	1:00pm – 4:00pm	Dave Hake
SEP5: Thursday 9-19-2013	Duluth Public Library	4:30pm – 8:00pm	Tom Krause
SEP6: Saturday 9-21-2013	West St. Paul City Hall	9:30am – 1:30pm	Pete Badker
SEP7: Monday 9-23-2013	City of MPLS PD 4 th Precinct	12:30pm – 2:30pm	Craig Lunde
SEP8: Monday 9-23-2013	City of MPLS PD 4 th Precinct	2:45pm – 4:30pm	Craig Lunde
SEP9: Tuesday 9-24-2013	Red Wing Public Library	5:00pm – 7:00pm	Pete Badker
SEP10: Thursday 9-26-2013	St Paul PD West District Office	1:00pm – 4:00pm	Mike Lewis

October

OCT1: Thursday 10-3-2013	West St. Paul City Hall	5:00pm – 9:00pm	Mike Lewis
OCT2: Thursday 10-10-2013	St Paul PD West District Office	1:00pm – 4:00pm	Mike Lewis
OCT3: Wednesday 10-16-2013	Faribault Government Center	1:00pm – 4:00pm	Mike Lewis
OCT4: Thursday 10-17-2013	Duluth Public Library	12:30pm – 4:30pm	Tom Krause
OCT5: Thursday 10-17-2013	St Paul PD West District Office	1:00pm – 4:00pm	Dave Hake
OCT6: Saturday 10-19-2013	West St. Paul City Hall	9:30am – 1:30pm	Pete Badker
OCT7: Thursday 10-24-2013	St Paul PD West District Office	1:00pm – 4:00pm	Dave Hake
OCT8: Monday 10-28-2013	City of MPLS PD 4 th Precinct	12:30pm – 2:30pm	Craig Lunde
OCT9: Monday 10-28-2013	City of MPLS PD 4 th Precinct	2:45pm – 4:30pm	Craig Lunde
OCT10: Tuesday 10-29-2013	Red Wing Public Library	5:00pm – 7:00pm	Pete Badker

November

NOV1: Thursday 11-7-2013	St Paul PD West District Office	1:00pm – 4:00pm	Mike Lewis
NOV2: Thursday 11-7-2013	West St. Paul City Hall	5:00pm – 9:00pm	Mike Lewis
NOV3: Thursday 11-14-2013	St Paul PD West District Office	1:00pm – 4:00pm	Mike Lewis
NOV4: Wednesday 11-20-2013	Faribault Government Center	1:00pm – 4:00pm	Mike Lewis
NOV5: Thursday 11-21-2013	Duluth Public Library	4:30pm – 8:00pm	Tom Krause
NOV6: Saturday 11-23-2013	West St. Paul City Hall	9:30am – 1:30pm	Pete Badker
NOV7: Monday 11-25-2013	City of MPLS PD 4 th Precinct	12:30pm – 2:30pm	Craig Lunde
NOV8: Monday 11-25-2013	City of MPLS PD 4 th Precinct	2:45pm – 4:30pm	Craig Lunde
NOV9: Tuesday 11-26-2013	Red Wing Public Library	5:00pm – 7:00pm	Pete Badker

December

DEC5: Thursday 12-5-2013	St Paul PD West District Office	1:00pm – 4:00pm	Mike Lewis
DEC1: Thursday 12-5-2013	West St. Paul City Hall	5:00pm – 9:00pm	Mike Lewis
OCT4: Monday 12-16-2013	City of MPLS PD 4 th Precinct	12:30pm – 2:30pm	Craig Lunde
OCT9: Monday 12-16-2013	City of MPLS PD 4 th Precinct	2:45pm – 4:30pm	Craig Lunde
SEP9: Tuesday 12-17-2013	Red Wing Public Library	5:00pm – 7:00pm	Pete Badker
DEC7: Wednesday 12-18-2013	Faribault Government Center	1:00pm – 4:00pm	Mike Lewis
DEC3: Thursday 12-19-2013	Duluth Public Library	12:30pm – 4:30pm	Tom Krause
DEC6: Thursday 12-19-2013	St Paul PD West District Office	1:00pm – 4:00pm	Mike Lewis
DEC2: Saturday 12-21-2013	West St. Paul City Hall	9:30am – 1:30pm	Pete Badker

**Directions to West St. Paul class site: 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
Address: 1616 Humboldt Avenue West St Paul, MN 55118**

Directions to Duluth class site: none at this time

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

Address: Duluth Public Library 520 West Superior Street Duluth, MN 55802

Directions to Minneapolis class site: none at this time

Address: City of Minneapolis Police Department 4th Precinct 1925 Plymouth Avenue North Minneapolis, MN 55411

Directions to St Paul class site:

From Minneapolis take University East to Hamline take right and it one block down

From Minneapolis take 94 East to Hamline, right on Hamline one block

From the South take 35E to 94W to Hamline Ave right Hamline one block

Address: St Paul Police Department West District Office 389 N Hamline Avenue Saint Paul, MN 55104

Directions to Faribault class site: From Hwy 35 north or south take exit 59/MN hwy 60. Head east (toward downtown). Turn right onto 3rd Ave. NW, then right onto 3rd Street NW. Building is on your right.

Address: Rice County Government Center, Commissioner's Board Room, 320 NW Third St., Faribault, MN 55021

Driving Diversion Program

Diversion Solutions LLC

DRIVING DIVERSION PROGRAM
MINNESOTA CLASS MANUAL
File Number: _____

DDP Office number: 651-385-4341
DDP FAX number: 1-651-385-4348
Info@diversionsolutions.net

Driving Diversion Program
Managed by Diversion Solutions, LLC
PO Box 19, Red Wing, MN 55066

If you need insurance call Wessel Insurance at 1-866-663-7561

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DISCLAIMER OF WARRANTY

The DS Driving Diversion Program makes no representation or warranties, either expressed or implied, with respect to the contents of this manual and specifically disclaims any implied warranties of merchantability or fitness for any particular purpose. Further, the DS Driving Diversion Program reserves the right to revise this publication and to make changes from time to time in the content hereof without obligation to notify any person or organization of such revision or changes.

- ## GENERAL INFORMATION
- Sign-in sheet
 - Bathrooms
 - Cell phones
 - Breaks
 - DDP Driver's Pledge
 - DDP Questionnaire
 - **File Numbers: Keep them handy!**
 - **Please place any garbage or recycling in appropriate containers**
- 

- ## DDP History
- Help you get off the DAR/DAS – license suspension– fine accumulating– court appearances - Merry-Go-Round
 - Help people identify what they need to do to obtain and maintain a valid driver's license / Instructional Permit (IP)
 - Collaborative effort between you and:
 - DVS - State
 - Attorneys
 - Courts
 - Law Enforcement
 - DDP
 - Why require the class? Education - Not Humiliation.

- ## DDP Benefits
- Awesome Second Chance
 - Clean Slate
 - Meaning Fines and suspension periods satisfied
 - Unfortunately **Not** a clean driving record
 - Take this opportunity seriously
 - Don't squander your second Chance
 - Have your paperwork (Insurance Proof, ID/DL Card, DVS Receipts) with you at all times
 - Check your DL Status Often/before driving
 - Make your payments in a timely manner

- ## DDP Benefits
- Possibility of Having a Ticket(s) Dismissed
 - One Monthly Payment
 - 18 Month Payment Plan
 - Gather & Identify Tickets Affecting DL Status
 - Pay off tickets in Multiple Counties
 - Pay off DWI \$680 (if applicable)
 - Suspension Penalties Do Not Apply!
 - Obtain a Valid License
 - Drive while making payments

INSURANCE ISSUES

Certificate of Insurance is a Separate Requirement

If required, Certificate of Insurance (PS35016-10) faxed to DVS by your insurance company (*Noted on your certificate, if required*)

WESSELL Insurance 1-866-663-7561 - Resource

I attended the class. NOW What?

- NO NEW TICKETS!!!!
- Requirements to obtain the certificate:
- Current PP
- 6 month term of insurance faxed to DDP by the insurance company.
- DDP will mail certificate within 10 business days of the class/receipt of your insurance
- Make sure DDP/DVS has your current address

Tickets After the Class

- **ANY TICKET FOR ANY VIOLATION IS CAUSE FOR REMOVAL FROM THE DDP PROGRAM**
- NOTIFY DDP RIGHT AWAY WITH THE TICKET NUMBER, DATE, OFFENSE, AND ISSUING AGENCY.
- FAX DDP A COPY OF THE TICKET- Not so we can "Fix" it for you
- DON'T RISK DRIVING UNTIL YOU ARE CERTAIN THAT YOU ARE VALID
- DVS 651-284-1234 PROMPT #2 - Have YOUR DL NUMBER READY

Tickets After the Class

- Mndriveinfo.org- DL Number
- If your not valid or not certain, find a friend who is valid or don't drive!



DVS Locations

- 651-267-2005
- www.mndriveinfo.org
- You must go to a DVS location that offers knowledge testing!

I received my certificate now what?

- Make sure that you satisfy all of the requirements on the certificate.
 - Bring enough Money!
 - Reinstatement Fee \$30
 - License Application \$24
- After completing all the requirements, Wait 10-15 business days for DVS to process



I received my certificate now what?

- Citations will not be satisfied until after you complete your reinstatement requirements!
- Pending suspension periods do not apply you!

You ARE NOT Valid to drive until your status is "ID Only" or "Valid"

- Mndriveinfo.org / 651-284-1234 #2

I received my certificate now what?

- DVS has the final say regardless of what your certificate shows- whether DVS tells you that you do not have to complete a requirement- or if they tell you that there is another requirement
- If your license has been expired more than 1 year – Complete Class D Written Test
- If your license has been expired more than 5 years – Complete the Driving Test

DL vs. IP

- If you've never held a DL in MN or any other state – then you are applying for an IP
- IP must be held for 90 days
- IP – must be valid the entire 90 days
- IP – You must abide by the IP regulations – *Consult the MN Driver's Manual*
- You may test for a DL after the 90 period

DL vs. IP

- If you recently held a DL from another state, provide proof to satisfy DVS
 - Outstate license must be currently valid OR expired less than 1 year.

"ID ONLY" STATUS

- If you currently have a valid ID card
- ID Only Status is a valid status to drive*
- *Important Requirement: Must keep your class certificate, clipped ID Card, and DVS Documentation with you while driving*
- Status will change to valid once your drivers license is issued.

"ID ONLY" STATUS

- If you have an issue with your insurance or employer while you have the ID only status .
 - Call DDP right away and we will try to assist you.

You are not above the law while participating in DDP!

- Follow all traffic laws
- Don't drive until you're certain you are valid
- If you're not sure, find someone who is valid
- Have proof of insurance for any vehicle you drive!
- Non-Owner's Insurance DOES NOT satisfy the MN proof of Insurance requirement!
- Wear your seatbelt!
- Put kids in appropriate child restraints
- Current Motor Vehicle registration

You are not above the law while participating in DDP!

- Inattentive driving: Cell Phone, texting, reading, eating, or putting on make-up while driving.
- Vehicle lighting, equipment, glass, muffler, suspended objects
- "But Officer, I'm in DDP!"
- Participation in DDP does not mean that you're VALID!

• Why?



• Check Your DL Status Often! – mndriveinfo.org -651-284-1234

COURT DATES

VERY IMPORTANT!!

- You must attend all court dates!
- Unless excused by the prosecutor.
- Don't assume that you are excused because you are in DDP!
- If in doubt, go to court!

DVS Diversion License "Process"

- Why?: Splash and Ripple Affect
- Process takes time.
- DVS has to check for added citations and requirements
- Sometimes new citations or requirements are found.
- New citations and or requirements need to be satisfied
- DVS has to manually satisfy the tickets

TICKETS INCLUDED IN PP

- Only tickets that were affecting your DL status at the time of the check are listed.
- "Snapshot" of your driving record only good as of the date and time the check was done.
- DDP will check to see, if added tickets can be added after your PP is set up.

DVS PAPERWORK

- Class Certificate
- License Application
- Clipped ID Card / or Clipped DL Card
- Keep in your possession while driving until your Driver's License arrives
- Insurance Proof
- Retain all Receipts for Tests taken and fees paid to DVS

DDP PAYMENT DUE DATES

- Payment Plan Due dates are chosen by the participant.
- Payments are due at the DDP office **on or before** the chosen **due date**.
- Payments received after the due date are considered to be late / broken payments regardless of the post mark date.
- Broken payment(s) are unacceptable.
- Broken payments will lead to removal from the program.

PAYMENT PLAN REMINDER LETTERS

- DDP provides this service at no additional cost to you.
- Reminder is mailed to you about 12-15 days prior to your upcoming due date.
- Includes total balance, current balance, and DDP address.
- Can be used to include with your check or money order

DDP PAYMENT OPTIONS

- **US MAIL**
- Check or Money Order
- **NO** Added fees.
- Must allow 5-7 days for mail and processing.
- Write your file number on your payment or include the bottom half of the payment plan reminder letter.
- \$32.50 fee will be added for NSF Checks.

DEBIT / CREDIT CARD

- Call DDP office
- Have your file number ready
- \$5.00 convenience fee per transaction.
- Instant Confirmation
- **Card owner's authorization required.**

REVENUE RECAPTURE

- Keep any documentation received from the state regarding the capture of funds.
- Contact DOR to obtain documentation.
- Fax DDP, the counties, case numbers, and amounts paid

DVS NOTICES!!!

- **VERY IMPORTANT – VERY EASY TO RESOLVE!**
- Fax DDP the letter right away!
- **TIME SENSATIVE!**
- **Write your file number on the letter**
- **You may receive several notices**
- **Don't panic**
- **Most Important! You Must keep your address current with DVS/DDP!!**
- **Resolving DVS Notices Is Your Responsibility Not DDP'S!**

171.11 Change of Residence or Name

- When any person, after applying for or receiving a driver's license, shall change permanent domicile from the address named in such application or in the license issued to the person, or shall change a name by marriage or otherwise, such person shall, within 30 days thereafter, apply for a duplicate driver's license upon a form furnished by the department and pay the required fee. The application or duplicate license shall show both the licensee's old address and new address or the former name and new name as the case may be.
- **What does all of this mean?**
- When you move/change your name you have 30 days to go to DVS to change your address/name.
- **Why Should I care?**
- DVS notices are sent to your last address on file at DVS.
- DVS Notices do not get forwarded by a change of address at the Post Office
- Unresolved DVS notices will cause your license to be revoked!
- Check your status often!

**Sufficiency of notice
171.24 Subd. 7**

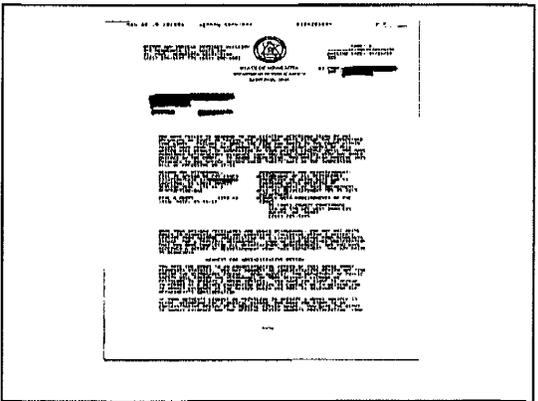
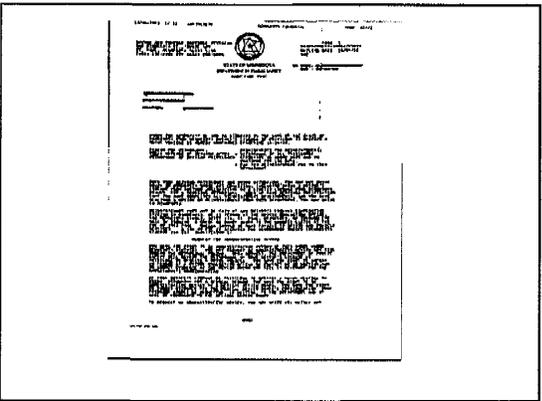
- **What does this law mean to me as a DDP Participant?**
- The state only needs to send your DVS notices to the address that is on your file. A mailed DVS notice is considered, by law, to be sufficient notification.
- It is also not a defense to claim that you never received the notice.
- It is not a defense that you failed to change your address causing you not to receive the notice.
- There is no argument so keep your address up to date, fax all DVS notices to DDP ASAP, and check your status often!

DVS ENVELOPE

MINNESOTA DEPARTMENT OF PUBLIC SAFETY

Driver and Vehicle Services
447 Maroon Street
St. Paul, Minnesota 55101

2/06



DOR Levies

- Call DDP as soon as you receive mail from DOR
- (Department of Revenue)

Child Support Holds

- A C/S hold makes you ineligible for DDP
- Uphold your C/S agreements
- If you default on your C/S agreement, DVS will suspend your license regardless if you are already in DDP.

WARRANTS

- You cannot participate in DDP with an active warrant.
- You must satisfy an active warrant even after you've obtained the diversion license.
- If DDP is notified of the warrant, you may be removed from the program.

CIVIL JUDGMENTS

- You cannot participate in DDP if you have an unsatisfied Civil Judgment.
- If you default on a civil judgment payment agreement, you will be removed from DDP.
- Regardless if you are already in DDP and have a valid status.

DDP PROCESS

- PROCESS TAKES TIME
- PLEASE BE PATIENT
- PATIENT WITH DVS & DDP
- If you are having an issue, contact DDP first before calling DVS.



COMMUNICATION

- **KEY** to successful completion
- Let DDP know if you're having issues with your drivers license status.
- Follow through with your payments
- Keep DDP staff updated with any address or phone number changes.
- Set up your V/M Boxes, Leave room in your V/M Boxes, accept incoming calls, answer your phone - 651-385-4341
- Fax or Mail DVS Notices ASAP!

DDP PHONE

- DDP Call Center is 651-385-4341 not the number on caller ID.
- LEAVE A MESSAGE WITH YOUR FILE NUMBER STATING THAT YOU NEED TO MAKE A PAYMENT, HAVE QUESTION, OR ANY OTHER ISSUE.

Last Chance

- DVS Notices – DVS Notices – DVS Notices
- Prompt Payments – Prompt Payments
- You shouldn't be leaving if you have any doubt in your mind
- Ask Now!
- Check your status' often and before you drive from home!

Wrap Up!

- NO tickets after the class!
- Don't Drive Until You are Certain you are valid
- Fax DVS Notices ASAP
- Keep your address current with DVS & DDP
- You will not get your certificate until we receive the 6 month term of insurance
- **Don't Assume** that you are valid just because you're in DDP.
- Check your DL status often – why? 
- Better to find out for yourself at home and not from an officer at the side of the road!

Wrap Up Continued!

- DDP DRIVER PLEDGE MUST BE COMPLETELY FILLED OUT AND TURNED IN TO RECEIVE YOUR CERTIFICATE.
- Turn in your class questionnaire.
- Turn in Pens

Questions ?

- Pass your completed DDP questionnaire and drivers pledge towards the middle.
- Pick up the area around you.
- Please push in your chairs.
- Pick up your garbage.




DDP DRIVER'S PLEDGE (Participant Initial each item below)

_____ I understand that the tickets are made for the safety of the public including me, my passengers, other drivers and pedestrians. I pledge to drive safely and obey the law at all times.

_____ I WILL OBEY TRAFFIC LAWS

- _____ I will not drive a heavy vehicle while it is equipped, loaded, or modified.
- _____ I will not drive a vehicle without proof of valid insurance.
- _____ I will always buckle my seat belt and will insist that my passengers buckle up.
- _____ I will not drive under the influence of a drug or alcohol.

_____ I WILL DRIVE RESPONSIBLY

- _____ I understand that I am responsible for my actions while driving.
- _____ When I am in a hurry, I will not drive faster than safely. I understand that being late is better than getting into a accident or receiving a citation.
- _____ I will be strict when I am driving. If I feel tired or drowsy, I will pull over and call someone for assistance.
- _____ I will not be distracted by using a cell phone or other electronic device, texting, talking, reading or other actions that take my attention away from the road.
- _____ I will be extra careful when driving at night or in particularly weather conditions.
- _____ I will ensure that the DVS and all us agencies (including DDP) have the date, effective period information for our mailing address, telephone and/or e-mail. I will **immediately** fax the DDP updates I receive in order to ensure correct mail return from the DVS.

_____ Once I am approved into the program, I UNDERSTAND THAT IF I GET A NEW TRAFFIC CITATION BEFORE I OBTAIN A VALID DRIVER'S LICENSE, I WILL BE ELIGIBLE FOR THE DDP.

Name: _____ (print name)

Signature: _____

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 Division Program?

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

3. Why did you decide to do something now?

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

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

6. Other comments or suggestions?

UNDERSTANDING WANTS AND NEEDS

Of the following list of items, select the ones that you think are **wants** and the ones that you think are **needs**. Write the number of the item in the box next to the item. You may want to write more than one number in the box. Write the number of the item in the box next to the item. You may want to write more than one number in the box. Write the number of the item in the box next to the item.

1. A new TV	11. A car	21. A new house
2. A new car	12. A new job	22. A new car
3. A new house	13. A new job	23. A new house
4. A new job	14. A new job	24. A new job
5. A new job	15. A new job	25. A new job
6. A new job	16. A new job	26. A new job
7. A new job	17. A new job	27. A new job
8. A new job	18. A new job	28. A new job
9. A new job	19. A new job	29. A new job
10. A new job	20. A new job	30. A new job

Total number of Wants (W) _____ Total number of Needs (N) _____

Would the above wants and needs be the same if you lost your job tomorrow?
 Don't let your budget determine your priorities. Let your priorities determine your budget!

Financial Priorities	Personal Priorities
1. _____	1. _____
2. _____	2. _____
3. _____	3. _____
4. _____	4. _____
5. _____	5. _____
6. _____	6. _____

AREAS TO CONSIDER WHEN MAKING A BUDGET

Financial Priorities (page 10)

Personal Priorities (page 10)

Transportation Needs

Credit Card Debt

Monthly Expenses

Other

Living Expenses

BUDGETING YOUR INCOME

Monthly Income

Monthly Expenses

Total

INCOME AND EXPENSES

1. Determine your net pay.

2. List all your monthly expenses.

3. Subtract your total expenses from your net pay.

4. If you have a surplus, you can save or invest it.

5. If you have a deficit, you need to find ways to reduce your expenses.

PAY DOWN YOUR DEBT

1. List all your debts.

2. Determine the interest rate on each debt.

3. Pay off the debt with the highest interest rate first.

4. Continue to pay off debts until they are all paid.

Monthly Payment Schedule

MY GOAL PLANNING SHEET

Using the SMART Goal format is a great way to work out an action plan to accomplish any goal. It can be a short term or a long term goal. Use the following format to plan out something that is important to you or accomplish your most cherished dream.

1. Specific - you specify exactly what you want the end result to be.

2. Measurable - you need to be able to measure your progress along the way.

3. Attainable - you need something that you have a chance of achieving.

4. Realistic - you have a strategy in mind of achieving the goal. It can be a stretch but it must be realistic.

5. Time-Based - All goals must have a deadline or target date.

My SMART Goal is _____

Action Steps To Achieve My Goal	Target Date	Completed
1. _____	_____	_____
2. _____	_____	_____
3. _____	_____	_____
4. _____	_____	_____
5. _____	_____	_____
6. _____	_____	_____
7. _____	_____	_____
8. _____	_____	_____
9. _____	_____	_____
10. _____	_____	_____

APPENDIX 3

LETTER OF SUPPORT FROM DEPARTMENT OF PUBLIC SAFETY

MINNESOTA DEPARTMENT OF PUBLIC SAFETY



Office of the Commissioner

445 Minnesota Street • Suite 1000 • Saint Paul, Minnesota 55101
Phone: 651.201.7160 • Fax: 651.297.5728 • TTY: 651.282.6555
Website: dps.mn.gov

February 4, 2013

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
Pipeline Safety

Office of
Traffic Safety

State Fire
Marshal

The Honorable Ron Erhardt
The Honorable Linda Runbeck
Minnesota House of Representatives
Transportation Policy Committee

The Honorable Frank Hornstein
The Honorable Michael Beard
Minnesota House of Representatives
Transportation Finance Committee

The Honorable D. Scott Dibble
The Honorable John C. Pederson
Minnesota Senate
Transportation Finance and Public Safety Committee

Dear Chairmen:

As directed by Minnesota session laws 2009, Chapter 59, Article 3, Section 4, I am pleased to be a part of the report on the progress and results of the Diversion Pilot Program.

Administered through Driver and Vehicle Services (DVS), the program has helped improve the safety of the motoring public by providing problem drivers with an option to regain valid driving privileges and obtain auto insurance. DVS has partnered with the participating cities, counties and Diversion Solutions, LLC, to work through program issues and are making changes to the "graduation criteria" to show a more accurate accounting of those who have successfully completed the program.

Continuation of the pilot 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,

A handwritten signature in cursive script, appearing to read "Ramona Dohman".

Ramona Dohman, Commissioner

Enclosure

cc: Legislative Reference Library

APPENDIX 4

LETTERS OF SUPPORT FROM PILOT CITIES



City of Duluth
Attorney's Office

411 West First Street • Room 410 • Duluth, Minnesota • 55802-1198
218-730-5490 • Fax: 218-730-5918 • www.duluthmn.gov

An Equal Opportunity Employer

The Duluth City Attorney's Office supports legislation that will expand the License Reinstatement Program throughout the State of Minnesota.

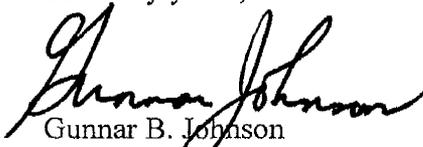
In 2009, the Duluth City Attorney's Office, along with the city attorney offices from St. Paul, Inver Grove Heights and West St. Paul, participated in a pilot program to get suspended and revoked Minnesota drivers reinstated. Prosecutors from the Duluth City Attorney's Office felt strongly at that time, and still do today, that some kind of intervention to break the cycle of unlicensed drivers routinely reoffending was needed. The prosecutors identified that many of the reoffending drivers were eligible to reinstate their driving privileges except for their inability to satisfy the financial requirements for reinstatement. Unlicensed drivers cited child care, employment needs, medical issues and the lack of access to the mass transit system as reasons they drove without a license. These unlicensed drivers continue to get caught, continue to receive a court fine and continue to get deeper in debt and further away from their ability to satisfy the financial requirements for driver's license reinstatement.

The Driver Diversion Program has had a positive impact in Duluth. It is an excellent tool to assist medium and low income individuals to earn their driving privileges back by paying off their financial requirements at a rate equal to their earning power. Participants in the Driver Diversion Program can legally drive for employment purposes, child care purposes and grocery shopping without incurring further fines and suspensions.

The Driver Diversion Program has not only made a positive impact on participants, the Driver Diversion Program has helped make our community safer by reintroducing licensed and insured drivers back onto our roadways. The court system is seeing fewer driving after suspension and driving after revocation tickets on the docket, which helps reduce case backlog. The Driver Diversion Program makes the participants accountable for their past behavior.

In conclusion, the City of Duluth and the Duluth City Attorney's Office fully support the Driver Diversion Program and legislation extending the License Reinstatement Diversion Program for the entire State of Minnesota. Please call me if you have any questions about this valuable program.

Sincerely yours,



Gunnar B. Johnson
City Attorney

GBJ:dma

*Citizens and Government working together to provide an environment in which
our community can enhance its quality of life and continue to prosper*

LEVANDER,
GILLEN &
MILLER, P.A.

ATTORNEYS AT LAW

Established in 1929

January 25, 2013

To: The Minnesota House Public Safety Finance and Policy Committee
The Minnesota House Judiciary Finance and Policy Committee
The Minnesota House Transportation Finance Committee
The Minnesota House Transportation Policy Committee
The Minnesota Senate Judiciary Committee
The Minnesota Senate Transportation and Public Safety Committee

RE: Legislative Support of Driving Diversion Pilot Program

Dear Committee Members:

As the City Attorneys and Police Chiefs for the Cities of Inver Grove Heights and West St. Paul, we write this letter in support of the Driving Diversion Program (DDP).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.

This program has had a positive impact on our cities by increasing public safety and promoting efficiency within the Courts. For the reasons set forth below, we fully support proposed legislation to continue the pilot program for two (2) additional years.

The obvious benefits of this program have been:

- Increasing the number of validly licensed and insured drivers on Minnesota roads;
- Reducing the number of DAS/DAR cases in the state's judicial system; and
- Receiving outstanding fines and fees that otherwise would remain unpaid.

¹ See Laws of Minnesota 2009, chapter 59, article 3, section 4, as amended by Laws 2010, chapter 197, section 1 and Laws of Minnesota 2011, chapter 87, section 1

TIMOTHY J. KUNTZ
DANIEL J. BEESON
*KENNETH J. ROHLF
*STEPHEN H. FOCHLER
*JAY P. KARLOVICH
ANGELA M. LUTZ AMANN
*KORINE L. LAND
*DONALD L. HOEFT
DARCY M. ERICKSON
DAVID S. KENDALL
*BRIDGET McCAULEY NASON
DAVID B. GATES
HAROLD LEVANDER
1910-1992
ARTHUR GILLEN
1919-2005
ROGER C. MILLER
1924-2009
*ALSO ADMITTED IN WISCONSIN
*ALSO ADMITTED IN NORTH DAKOTA
*ALSO ADMITTED IN MASSACHUSETTS
*ALSO ADMITTED IN OKLAHOMA

Driving Diversion Program Legislation
Page 2

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

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

Based upon the above-mentioned success, the Cities of Inver Grove Heights and West St. Paul fully support legislation to extend the Driving Diversion Pilot Program.

Please contact any of the undersigned if you have any questions or concerns with respect to the Program or this legislation.

Very truly yours,



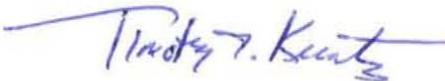
Larry Stanger
Inver Grove Heights Police Chief

Very truly yours,



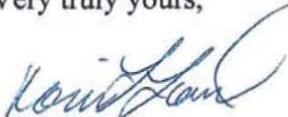
Bud Shaver
West St. Paul Police Chief

Very truly yours,



Timothy J. Kuntz
Inver Grove Heights City Attorney

Very truly yours,



Korine L. Land
West St. Paul City Attorney



Office of the City Attorney

Susan L. Segal
City Attorney

January 9, 2013

350 South 5th Street - Room 210
Minneapolis MN 55415

Office 612 673-2010
Civil Division Fax 612 673-3362
Criminal Division Fax 612 673-2189
CPED FAX 612 673-5112
TTY 612 673-2157

Scott Adkisson
Driving Diversion Program
P.O. Box 19
Redwing, MN 55066

Dear Mr. Adkisson:

The Minneapolis City Attorney's Office supports legislation that not only continues the Driving Diversion Program in the current cities, including Minneapolis, but also supports legislation that would expand the program statewide.

The City of Minneapolis joined the Driving Diversion Program in 2010. Over the past several years, driving after revocation or cancellation offenses have comprised approximately 10-20% of our caseload. Many of these drivers were repeat offenders due to the fact that they could not meet the financial obligations needed to reinstate their license. These drivers continued to drive without a valid license. When given another citation, this simply added to the financial hurdle they already faced as they attempt to reinstate their driving privileges.

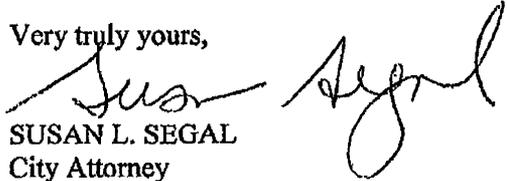
The Driving Diversion Program has had a positive impact in Minneapolis. Over the past three years, Minneapolis has had 1,116 participants approved for the program and over \$383,000.00 in citations paid off through the program. The successful participants are not only driving with a valid license, but they are required to have valid insurance, which makes our roadways safer. This program has helped reduce the caseload both in court and at the Hennepin County Violations Bureau

The City of Minneapolis fully supports the Driving Diversion Program and the proposed legislation which would expand this program statewide.



www.ci.minneapolis.mn.us
Affirmative Action Employer

Very truly yours,


SUSAN L. SEGAL
City Attorney



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

January 22, 2013

To: The Minnesota House Public Safety Finance and Policy Committee
The Minnesota House Judiciary Finance and Policy Committee
The Minnesota House Transportation Finance Committee
The Minnesota House Transportation Policy Committee
The Minnesota Senate Judiciary Committee
The Minnesota Senate Transportation and Public Safety Committee

RE: The License Reinstatement Diversion Pilot Program

Dear Committee Members:

As the City Attorney for the City of Saint Paul, I write this letter in support of the current legislation that will continue the existence of the License Reinstatement Diversion Pilot Program in the State of Minnesota.

Historical Background

In 2008, prosecutors from the cities of Saint Paul, Duluth, South Saint Paul, Inver Grove Heights and West Saint Paul met to discuss the issue of “chronic traffic offenders” (i.e those individuals who chronically drive with a revoked or a suspended driver’s license). These prosecutors recognized that unlicensed drivers, and the traffic crimes which they commit, made up a significant portion of their caseloads and consumed considerable judicial resources. They also noted that problems caused by chronic driving offenders were not being adequately addressed by the criminal justice system because all agencies were trying to do more with less. The prosecutors further found that although many of the chronic traffic offenders were *eligible* to have their driving privileges reinstated, they did *not* have the financial means to do so. Thus, in an effort to assist the chronic traffic offender in “breaking the cycle,” the idea of the Driving Diversion Program was born.

How It Works

Since July 2009, the cities of Saint Paul, Duluth, South Saint Paul, Inver Grove Heights and West Saint Paul have collaborated with both the Department of Public Safety – Driver and Vehicle Services and Diversion Solutions, LLC to develop and to administer the Driving Diversion Program. The Driving Diversion Program has assisted numerous individuals who have been charged with driving after suspension/revocation (DAS or DAR) in their effort to earn back their driving privileges by requiring them to (1) adhere to a supervised payment plan; (2)

attend a mandatory financial management and life skills course; (3) maintain valid vehicle insurance; and (4) obtain a valid driver's license.

Program Benefits

The Driving Diversion Program has had a positive impact on the City of Saint Paul and several other communities statewide.¹ As of December 31, 2012, approximately 2517 individuals have obtained a valid driver's license as a result of their participation in the Driving Diversion Program. The Driving Diversion Program has helped to make our streets and roadways safer by increasing the number of *valid, insured* drivers on the road. The program promotes efficiency within the state's judicial system by helping the chronic traffic offender "break out of the cycle." Finally, the Driving Diversion Program holds participants accountable for their past behavior by requiring them to pay off outstanding court fines and fees – most of which, arguably, would have never been paid.

Conclusion

The Saint Paul City Attorney's Office fully supports the continued success of the Driving Diversion Program. I respectfully request your support of this proposed legislation that will maintain the continued existence of the License Reinstatement Diversion Pilot Program throughout the State of Minnesota.

Very truly yours,

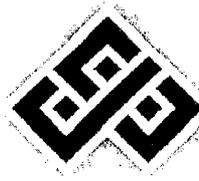


Sara Grewing
Saint Paul City Attorney

¹ Currently, there are approximately twenty-one cities and five counties who have been approved by the commissioner of public safety to participate in the DDP.

APPENDIX 5

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



Diversion Solutions, LLC
415 Main Street
Red Wing, MN 55066

From:
Scott Adkisson
CEO/President
Diversion Solutions, LLC

For the past four years, Diversion Solutions has been working closely with the pilot cities and DPS/DVS to support and streamline the Driving Diversion Program. This has been a great effort from all entities.

Over the course of this time, the program has reviewed over 10,000 individuals driving privileges (DVS reviews each individual as well.) Approximately 5400 individuals were allowed to participate in the program. The 4600 that were not eligible were given the proper information and contacts to correct their situation(s) which would then allow them to re attempt to re apply for the program.

A brief history on how this program was started; Diversion Solutions was approached in 2008 by five Pilot City Attorneys and asked to collaborate on the development of the Driving Diversion Program. The City Attorneys were seeking assistance in the development of a Diversion Program that would support offenders receiving Driving after Revocation (DAR) or Driving after Suspension (DAS) citations. At that time, these cases were 33% of their case loads in court. As each office was faced with budget cuts, they needed solutions that would benefit their departments with minimal risk.

While the program got off to a slow start, and we worked with the five original cities for the first two years, we ended 2012 with 21 cities and five counties participating in the program. We have paid off over 1.8 million dollars in fines for participants benefitting every county in MN.

As mentioned above, we have been fully involved with DDP from its conception to the actual management of the program, working closely with the five pilot cities, Department of Motor Vehicles and most recently, Court Administration and the Department of Revenue.

With your support we look forward to expanding DDP so we can assist more individuals in realizing the success of the program stands on licensed individuals driving and carrying insurance, payment of old fines and income generated to the state and cities.

Finally, we have developed this program without asking for any tax payer dollars. This program and its development have been paid for by Diversion Solutions and the participants, along with the hard work from our pilot City Attorney's and the Department of Driver Vehicles.

Respectfully,



Scott Adkisson

APPENDIX 6

PARTICIPANT LETTERS

To,
The person in Charge of The D.D.P.

- I just want to thank you so much for helping me out with my Renewal of my Min. Driving License. I don't no what I would of done without your program.

I would love to come and be an example sometime, to let people no they can complete the program successfully as I did. again thank you so much

Dawn Brown
251 528-0979



12-8-12

Hello D.D.P.,
I Don't Have a lot of money
But w/ your help I was able to
stay o.k. w/ the legal sys..

I want to say THANK YOU!
You know when someone takes time
out of their life, it is important.
no matter how smart or stupid they're

TODD
HOBBS
#110758

P.S. THANK YOU!

iving Diversion Program
Post Office Box #19
Red Wing, Minnesota 55066

Ms Angela Gammage #122095
4417 2 1/2 Str. N.E
Columbia Heights, MN 55421

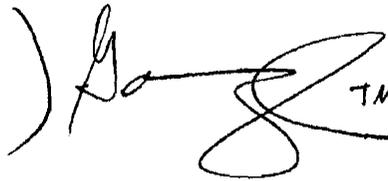
February 9, 2012

Attention: All Staff.

Greetings,

My name is Angela Gammage. I want to thank your staff for their prompt attention to my big problem. Thanks to you alls hard work & constant "nagging" the state of Minnesota I'm working & driving again. Please know that your work has put a single mother of two back to work & on the road again. My employer laid me off until this issue was resolved. Don't feel like you've got a grungy job pushing papers around. Your programs puts real people back to work & makes real people employable. I just wanted you all to know that.

Thanks.

Ms Angie (Driving
Ms. Daisy)  T.M.C.A.A.

APPENDIX 7

NEWS ARTICLES

Driver diversion effort deserves green light

Each year, thousands of Minnesotans lose their driver's license due to an illegal offense they have made after getting behind the wheel.

Not only is this a bad personal decision but it's also a bad financial choice. By the time you figure in the cost of higher car insurance payments and legal fees, not to mention the fine that could be imposed by the court, a person arrested for drunken driving could face bills totaling well over \$10,000.

Eventually, that person will pay his debt to society. But he or she may not be able to pay their fines, and they may not be able afford the costs to have their driver's license reinstated.

With many families already facing reduced incomes if not outright job losses, financial hardships prevent these folks from becoming valid. Cities and counties also feel the pinch as the fines they had expected to collect are nowhere to be found.

Yet as many of us know, taking a person's driver's license

Tim Kelly

Minnesota District
28A Representative



away does not always mean that person will not get behind the wheel.

Program started here

In 2009, a local businessman came up with a private solution that he felt could eliminate these problems.

Scott Adkisson, who is the president of Financial Crimes Services and Diversion Solutions, developed a plan allowing a person whose license had been suspended to drive legally, while also making sure they could pay off their citations.

The proposal was very simple: If a person had been charged with driving illegally because their license was suspended or revoked, they were offered the choice to receive a

diversion driver's license. To receive it, the offender needed to prove he was paying for car insurance and making regular payments toward his court ordered fines. The offender would also have to pay for a class that teaches them life and financial management skills.

The pilot program was implemented in Red Wing. Later, Duluth, St. Paul, South St. Paul, West St. Paul and Inver Grove Heights signed up.

Two years later, and the pilot program has been a tremendous success.

According to some of the program statistics, 1,781 participants were eligible at the end of last year, of which the average had seven outstanding citations with an average balance of \$1,700. It has returned nearly \$500,000 back to the participating cities.

The problem is that without legislative approval, the program is going to come to an abrupt end June 30.

That's why I am carrying a bill in the Minnesota House

that would not only continue the driver's license reinstatement diversion program for another two years, but could also expand it.

Under this bill, the program would continue operation until June 30, 2013. The Department of Public Safety would determine which cities were eligible, and it could also allow counties to participate. There's even a possibility the program could be open to communities statewide.

Moving forward

Not surprisingly, the updated proposal has been well received, sailing through the House Public Safety and Crime Prevention Policy and Finance Committee, as well as the Transportation Policy and Finance Committee.

I expect a House floor debate on the diversion program bill in the next two weeks.

This is an excellent example of the private sector being able to accomplish a task much more efficiently than the government. There are times when

people in the private sector have to think outside the box and come up with a solution that isn't necessarily tried and true.

Adkisson did just that, and his private solution might someday be available to any city or county in Minnesota.

The program is a win for communities who, without it, would continue to be owed thousands of dollars. It has also been extremely beneficial to those who want to legally regain their driver's license but may not have the financial ability to make that happen.

Though the program needs government approval, there is no question that this private sector solution is being handled more effectively and efficiently than most people within the current system expected, and I am happy to give the driver's license reinstatement diversion program my full support.

Tim Kelly, R-Red Wing, can be reached at 651-380-4345 or rep.tim.kelly@house.mn.



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.

The Traffic Report

A Publication of the Minnesota County Attorneys Association



Inside this issue:

The Driving Diversion Program: What Is It?	1
Is Dust-Off a Hazardous Substance?	1
Ignition Interlock Goes Statewide	2
Breath Taking News: Source Code Lawsuit Settles	2
BCA Lab Update	2
Traffic Law Update	5
Twins Recognize DWI All-Stars	12

Contact Information:

Bill Lemons
Traffic Safety Resource Prosecutor
100 Empire Drive, Suite 200
St. Paul, MN 55103
(651)641-1600
blemons@mcaa-mn.org

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

The Driving Diversion Program: What Is It?

By: Jessica McConoughey, 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)

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
Law 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"

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

Advertisement

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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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St. Paul Pioneer Press (MN)

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MAKING UNLICENSED DRIVERS LEGAL

PILOT DIVERSION PROGRAM TACKLES COMMON PROBLEM WITH INTERVENTION

Nick Ferraro

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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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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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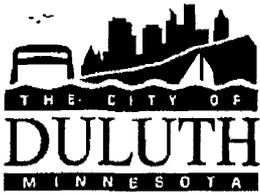
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The Driving Diversion Program (DDP) June 23, 2009

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. 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.

TwinCities.com

Dakota County program helps repentent 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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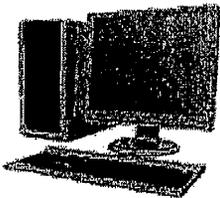
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SouthwestReviewNews.com

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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Win-win relationships

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

By Mike Longaecker
mikel@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

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

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

How does Financial Crimes Services work?

By Mike Longacker
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 Stephen 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.

Program helps drivers reinstate licenses

Success rate far exceeds expectations

By Brett Boese
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RED WING — Starting Wednesday at noon, Goodhue County will join a growing list of communities involved in a pilot program to get people with suspended or revoked driver's licenses back on the road safely and legally.

The Driving Diversion Program has been wildly successful since the 2009 Legislature approved it, and developer Scott Adkisson says the pilot program has generated interest as far away as California and New Hampshire.

Adkisson said the success-rate target was 15 percent when the program began but that nearly 70 percent of its 2,960

participants either have graduated or are on track to graduate.

"And here's the good part: It doesn't cost the city anything; it doesn't cost the county anything," Adkisson said.

The program was approved for trial in five Twin Cities-area communities. The expansion involves an additional 12 cities and five counties. It could be approved as a statewide program next year, which Adkisson says could raise \$30 million through fine collection. It has helped secure \$1.4 million to date.

How it works

The premise is fairly simple. About 500,000 Minnesota drivers don't have a valid license or insurance, but about a third of them continue to, illegally, operate a vehicle. For a fee of \$350, drivers may enroll in an 18-month class that allows them to continue driving — often to work — while completing the state requirements to be re-licensed.

The program has minimum requirements, which typically include a payment plan for fines. Drivers who have been charged with crimes such as criminal vehicular operation, fleeing an officer or auto theft can't enroll.

The average participant has seven citations and a balance of \$1,700 in fines and fees. That indicates a clear need for the program, Adkisson said.

Red Wing Police Chief Tim Sletten and city council member Lisa Bayley concurred Monday evening.

"I have so many clients who can use this program," said Bayley, an attorney. "It's a huge issue. I think it's fantastic."

Sletten said that the program "fills a void that badly needs to be dealt with."



Sletten