

## **SOLICITORS' DIVERSION PROGRAMS INFORMATION:**

### **Alcohol Education Programs Summary**

- A. Each Solicitor has discretion to establish an Alcohol Education Program (AEP) for persons who commit alcohol-related offenses. S.C. Code Ann. §17-22-510(A). AEP is under the direct supervision and control of the Solicitor's Office. §17-22-510(C).
- B. Eligibility for AEP:
- A person may be considered for AEP if:
    - the person is at least 17 but under 21 at the time of the arrest. §17-22-520(A)(1);
    - the person has no prior alcohol-related offense. §17-22-520(A)(2); and
    - the person has no significant history or prior delinquency or criminal activity.
  - A person may not participate in AEP more than one time. §17-22-520 (B).
  - A person may be considered for AEP when charged with the following offenses:
    - Purchase or possession of beer or wine by a person under 21. §63-19- 2440;
    - Purchase or possession of alcoholic liquors by a person under 21. 63-19-450;
    - Open container in a motor vehicle. §61-4-110;
    - Public disorderly conduct. §16-17-530;
    - Providing false information concerning age to purchase beer or wine. §61-4-60;
    - Littering. §16-11-700;
    - Unlawful purchase of beer or wine for a person who cannot legally buy for consumption on the premises. §61-4-80;
    - Transfer of beer or wine for underage person's consumption §61-4-90;
    - Transfer of alcoholic liquors for underage person's consumption. §61-6-4070;
    - Possession of altered driver's license or other false documentation. §56-1-515; and
    - Another offense similar in nature and severity to the above-described offenses, as determined by the circuit solicitor. However, the provisions of this item may not be construed to include an offense enumerated in §56-5-2930 or §56-5-2933.
- C. A person's participation in AEP does not prevent the person's participation in pretrial intervention §17-22-520(D).
- D. When a person successfully completes AEP, the Solicitor's Office must effect a noncriminal disposition of the alcohol-related offense.
- E. Termination from AEP:
- A Solicitor has discretion to terminate a person from AEP and reinstate the alcohol-related offense when the person violates the conditions of AEP. §17-22-530(C).