

# Anchorage Wellness Felony DUI Court

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## Mission Statement

The mission of the Anchorage Wellness Courts (AWC) is to enhance the quality of life in our community and public safety by breaking the cycle of criminality of drug- and alcohol-addicted persons, and to reduce the cost associated with re-arrest, criminal case processing, confinement, and jail overcrowding. Using evidence-based practices, AWC supports participants' abstinence from drugs and alcohol and promotes self-sufficiency while they reside in the community and rebuild their lives.

## Who is eligible?

The Felony DUI Court is a voluntary court for defendants who want to overcome addiction to alcohol and other drugs and achieve sobriety. To be considered, your case needs to be in the pre-indictment stage. You must have been charged with a felony DUI anywhere in Alaska, but will need to reside in Anchorage during participation in the program. Defendants must meet all Eligibility Standards (some of which are listed on the back of this brochure).

## What are the program benefits?

- Expedited substance abuse treatment
- Reduced jail time and fines
- Eligibility for limited driver's license
- If eligible, financial assistance for treatment services, housing, and other basic needs
- Case management support to assist you in accomplishing your goals
- Achieve lifetime sobriety and avoid future criminal involvement

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## How does AWC work?

The program involves a team of designated and specially trained professionals who meet regularly and participate consistently in AWC proceedings.

The AWC case plan requires each participant to:

- Work with a case manager
- Participate in a substance abuse assessment
- Participate in substance abuse treatment
- Adhere to any referrals for services outside of the scope of the court or substance abuse treatment, such as mental health, medical, behavioral health, or vocational/employment services
- Attend community-based recovery meetings as assigned
- Participate in Moral Reconciliation Therapy
- Maintain engagement in structured activity
- Undergo regular alcohol and drug testing
- Maintain sobriety
- Participate for 18 months

The judge will monitor the defendant's case plan through regular status hearings and standardized reporting from various members of the AWC team.

## How much does it cost?

The first 12 weeks of the program will be at no cost to the participant. After the initial 12 weeks, the participant will be assessed for program fees based on the participant's budget and on a sliding fee scale.

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### How do I enter AWC?

The district attorney flags certain cases that meet the initial legal criteria for AWC. In addition, your attorney can request an application to AWC. Interested defendants may watch AWC proceedings with no commitment to participate. If they desire to enter the program and the AWC team agrees, defendants may “opt in” to the program. If they decide they are not interested, their case will proceed in the regular court as usual.

### What is required to enter?

- The defendant will be asked to complete an application packet and forms.
- The defendant will be scheduled for court observation and informed whether or not he/she will be eligible to continue through the admission process.
- The defendant will be given an opportunity to “opt in” to AWC.
- A case coordinator is assigned to assist in completing the remaining requirements of the referral and admission process.
- The district attorney offers a Criminal Rule 11 agreement that incorporates the AWC case plan.
- The defendant accepts the agreement and enters a plea of guilty or no contest.
- The AWC judge approves the negotiated sentence agreement.

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## Anchorage Felony DUI Court Eligibility Standards (additional standards may exist)

### Minimum Standard

A defendant is eligible for consideration for participation in the Anchorage Felony DUI Court if:

1. The *situs* of the alleged crime is within the Anchorage venue district.
2. The defendant is:
  - a. currently charged with a felony DUI or felony refusal; **or**
  - b. on probation for a felony DUI or felony refusal; **or**
  - c. currently charged with DUI or refusal and has two or more DUI or refusal convictions within the past 10 years.
3. The defendant:
  - a. has not previously participated more than once in a drug or alcohol therapeutic court; **and**
  - b. is 18 years old or older; **and**
  - c. has not been indicted on the current charge.

A defendant who meets the requirements above cannot participate in the Anchorage Felony DUI Court if the defendant:

1. is charged with an unclassified felony, a class A felony, or an offense under AS 11.41 defined as an offense against the person.
2. has a prior felony offense under AS 11.41 or a similar offense in another jurisdiction.
3. has any prior drug distribution history.
4. has ever been convicted in a homicide case.

AWC is a problem-solving court, or therapeutic court, that hears cases involving defendants with substance abuse problems who are charged with felony offenses. The court ensures public safety while focusing on treatment and rehabilitation of the individual.

The Anchorage Wellness Felony DUI Court is a cooperative effort by:

- Alaska Court System
- Alaska Department of Law
- Alaska Public Defender Agency
- Alcohol Safety Action Program

### Anchorage Wellness Felony DUI Court Status Hearings are open to the public.

They are held on Mondays at 2:30 p.m.  
Nesbett Courthouse  
825 W. 4<sup>th</sup> Avenue, Anchorage  
(907) 264-0573

**For more information:**  
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Project Coordinator  
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Anchorage, AK 99501  
(907) 264-0573