

HIGH SPEED RESPONSE PROGRESSION

POPULATION DESCRIBED: individuals who are the subject of a criminal case referral for "Excessive Speed" or "Negligent Operation," based upon a speed greater than 60 mph and more than 30 mph in excess of the speed limit.

STEP #1: IDENTIFY AGGRAVATING FACTORS

- Reckless indifference for the value of human life
- Street racing
- School zone/ downtown area
- Speed greater than 110 MPH
- Presence of a child in the vehicle
- Prior history of similar behavior

STEP #2: NO AGGRAVATING FACTORS: DIVERSION REFERRAL

- Charge case
- Refer to Diversion

Note: Diversion has committed to require participants to:

- Complete Safe Driving Panel
- Complete restorative programming or similar
- Pay a civil violation for speeding:
 - This civil violation will be written by Diversion and signed by the prosecutor
 - Signing the ticket will be the prosecutor's only involvement in the Diversion process.
 - The civil violation will bear the waiver fine for the underlying speed offense
 - This civil violation is in addition to any other violations written for collateral offenses (ex: no insurance, no license, vehicle not inspected)
 - If the arresting/citing officer wrote a ticket meeting the above requirements, it may be used in lieu of a violation written by Diversion and signed by the prosecutor.

STEP #3: IF AGGRAVATING FACTORS ARE PRESENT OR PARTICIPANT DID NOT COMPLETE DIVERSION:

- File criminal case as Negligent Operation but may amend to Excessive Speed
- Anticipated dispositions: fine, work crew.