

In the Circuit Court of Etowah County, Alabama

State of Alabama

No. _____

Vs.

**Pretrial Intervention Agreement
For Drug Offenses**

The Defendant, _____, having made written application for acceptance into the Pretrial Intervention Program of the Sixteenth Circuit Court of the State of Alabama, and said application having been considered by the District Attorney's Office, the District Attorney finds as follows:

- (a) The offender is eighteen (18) years or older;
- (b) There is substantial likelihood that justice will be served if the offender is placed in an intervention program.
- (c) It is determined that the needs of the offender and the State can better be met outside the traditional criminal justice process;
- (d) It is apparent that the offender poses no threat to the community;
- (e) It appears that the offender is unlikely to be involved in further criminal activity;
- (f) The offender has no significant history of prior delinquency or criminal activity.
- (g) The defendant states that the offense giving rise to this request was in fact committed by the defendant on or about _____ While at or near _____ in Etowah County, Alabama.
- (h) The defendant stated that this request is made with knowledge that the defendant's rights concerning search and seizure, and self-incrimination, must be waived to the extent necessary to consider this request, to rehabilitate the defendant and to protect the people of the State of Alabama from the defendant's criminal behavior. The defendant states that he is fully aware of and understands said constitutional rights and is voluntarily waiving those rights in exchange for the opportunity for rehabilitation.
- (i) I have entered a guilty plea to the offenses charged against me and that there will be no trial. I understand that my sentencing will be postponed while I complete the Community Corrections Pre-trial Intervention Program. I also understand that in the event that I fail to comply with and am terminated from the Pre-trial Intervention Program that my sentence will be in accordance with the plea agreement.

- (j) Defendant is Ordered to pay Court Cost, ACVCC, Subpoena fees, Warrant fees, Attorney's fees, jail fees as determined by the Court Clerk and Bail Bond Fees or otherwise ordered by the Judge.
- (k) Defendant is ordered to pay _____ Restitution to the Etowah County District Attorney's Office, _____ Restitution to the Etowah County Drug Enforcement Unit.
- (l) Clerk is hereby directed to collect and accept partial payments on Restitution as agreed upon by Parties and this Court.

THEREFORE, the offender, _____, is accepted into the Pretrial Intervention Program of Etowah County, Alabama for a period of _____ months under the following terms and conditions:

Offender shall hereafter commit no offense against the laws of this or any other state of the United States, or of the United States;

- 1.) Offender shall avoid injurious and vicious habits;
- 2.) Offender shall avoid persons or places of disreputable or harmful character;
- 3.) Offender shall work faithfully at suitable employment so far as possible;
- 4.) Offender shall remain within the state of Alabama unless authorized to leave and given a travel permit;
- 5.) Offender shall support his/her dependents if any;
- 6.) Offender hereby agrees to waive extradition to the state of Alabama from any other state or jurisdiction in or outside the United States where he/she may be found and also agrees not to contest any effort by any jurisdiction to return him/her to the state of Alabama;
- 7.) Offender hereby agrees to waive any right to a speedy trial as guaranteed by the United States Constitution, the Constitution of the State of Alabama, and all statutes of Alabama pertaining to any right to a speedy trial;

- 8.) Offender agrees to submit to any type of breath, saliva or urinalysis the purpose of which is to detect the possible presence of alcohol and or illegal drugs;
- 9.) Offender shall report to Community Corrections once per week or any other time as directed;
- 10.) Offender agrees to pay court costs, fines, restitution, and District Attorney costs as court ordered and to provide proof of payments made to Community Corrections;
- 11.) Offender agrees to pay \$75.00 per month to Etowah Community Corrections for supervision fees which includes drug testing fees; as well as an initial \$75.00 ORIENTATION FEE.
- 12.) Offender agrees to pay the Pretrial Enrollment fee of _____ as directed to the Etowah County District Attorney's Office;
- 13.) Offender agrees to _____

AGREED to this on the _____ day of _____ 2014.

OFFENDER

ATTORNEY FOR OFFENDER

DISTRICT ATTORNEY

CIRCUIT COURT JUDGE