

IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL CIRCUIT
IN AND FOR SEMINOLE COUNTY, FLORIDA
CASE NUMBER:

IN THE INTEREST OF:

DOB:

A CHILD

_____/

STATE ATTORNEY PLEA OFFER AND JUVENILE PLEA (RULE 8.080)

THE STATE OF FLORIDA, by and through its undersigned Assistant State Attorney, hereby gives notice to the defendant or his/her Attorney of Record of the following plea offer:

1. The Child is charged with the offense(s) of:

2. The State would amend or reduce the above charges and the undersigned defendant withdraws the previously entered plea(s) of not guilty and tenders a plea of () guilty, () no contest as follows:

If my plea is guilty, I hereby acknowledge that I am in fact guilty of the foregoing offenses. When asked by the Judge, I will provide a factual basis to support my plea. If my plea is no contest, I believe such plea is in my best interest and recognize that the Judge will find me guilty after being provided a factual basis.

The State of Florida has offered and I have agreed upon the following disposition (sentence) to be imposed as a condition of this plea. I acknowledge and understand that the court may change, add to, or delete any of these conditions:

Refer to Evolution, if successfully completes Evolution the charge will be dropped. If the defendant fails to complete Evolution, the case will be set for a sentencing hearing. Abide by a curfew of 6:00 p.m. to 6:00a.m. daily. Attend school daily with no unexcused absences, tardies, or behavior referrals. Random urinalysis with at least one every 30 days. Subject to random searches of persons and property by parents, Evolution staff, and law enforcement. Grant access to all social media to probation officer, Evolution staff, law enforcement, and parent(s) or guardian(s).

_____ I understand that if probation is a part of my sentence that the court may impose conditions of probation authorized by law, including restitution and public service and,

unless conditions are specifically attached hereto, those conditions are by this agreement left to the discretion of the court. I further understand that statutory costs may be imposed as a part of my sentence unless those costs are waived by the court.

_____ I have the right to plead not guilty and to be tried by the judge with the assistance of a lawyer, the right to compel attendance of witnesses on my behalf, the right to confront and cross examine witnesses against me, the right to present defenses to the judge, and the right to take the witness stand and testify on my own behalf. I also have the right not to take the witness stand and testify and cannot be compelled to incriminate myself. I give up these rights by entering this plea.

_____ I understand that if I enter a plea without reserving the right to appeal, I will give up my right to appeal all matters relating to the judgment, including the issue of guilt or innocence except for the limited review on any pretrial rulings made by the judge unless such right is specifically reserved in this agreement.

_____ I understand that I may be asked questions by the judge under oath about this plea and that my answers, if untruthful, may be used against me later in a prosecution for perjury.

_____ I enter this plea freely and voluntarily. No person has forced, threatened or coerced me into entering this plea.

_____ I am satisfied with the representation my lawyer has given me and I have fully discussed my case and the contents of this agreement.

_____ I am relying upon no promises or assurances except as contained in this agreement.

_____ I do not suffer from any physical or mental disabilities to the degree that I am incapable of understanding this agreement, the nature of the proceeding against me, or assisting my lawyer in my behalf. I am not under the influence of alcohol or any drug at this time.

_____ I understand that if I plead guilty or nolo contendere, and the offense to which I am pleading is a sexually violent offense or a sexually motivated offense, or if I have been previously adjudicated for such an offense, this plea may subject me to involuntary civil commitment as a sexually violent predator on completion of my sentence.

_____ I understand that DNA evidence would not exonerate me, or prove me not guilty of this crime.

_____ I understand that if I plead guilty or nolo contendere, and I am not a United States citizen, this plea may subject me to deportation pursuant to the laws and regulations governing United States Citizenship and Immigration Services.

I understand that this portion of the plea agreement is conditioned upon the following requirements:

_____ (1) If a disposition (sentence) has been agreed to as a condition of this plea, I waive the right to have a pre-disposition report prepared as required by F.S. 985.43(a).

_____ (2) If a predisposition report has been ordered, I must appear at the Department of Juvenile Justice office as directed by the court.

_____ (3) I must obey the order of the court requiring me to undergo drug or alcohol screening or for other evaluation if such an order has been made in my case.

_____ (4) I must appear on time for all appointments with the assigned probation officer and not be under the influence of any illegal drugs or alcohol.

_____ (5) I must appear in court on time for sentencing and not be under the influence of any illegal drugs or alcohol.

I realize that this agreement is subject to being accepted or rejected by the judge and if it is rejected for any reason other than for a breach of this agreement, I may withdraw my plea.

Child

Parent/Guardian

CERTIFICATE OF DEFENSE ATTORNEY

I certify that I have fully discussed this case and this plea agreement with the child including the nature of the charges, their elements, the evidence of which I am aware, any possible defenses, the maximum and minimum penalties which may be imposed and the defendant's right to appeal.

Counsel for Defendant

Bar Number _ _ _ _ _

CERTIFICATE OF PROSECUTION

I accept and recommend to the court the terms of this agreement.

BY: _____

SWORN TO, SIGNED AND FILED IN OPEN COURT, IN MY PRESENCE AND
ACCEPTED BY ME THIS ____ DAY OF _____, 2017.

CIRCUIT JUDGE

IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL CIRCUIT
IN AND FOR SEMINOLE COUNTY, FLORIDA

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Counsel for Defendant

Bar Number _ _ _ _ _

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BY: _____

SWORN TO, SIGNED AND FILED IN OPEN COURT, IN MY PRESENCE AND
ACCEPTED BY ME THIS ____ DAY OF _____, 2017.

CIRCUIT JUDGE



EVOLUTION

Evolution Mission: To help young people mature through leadership and positive interactions with law enforcement and mentors.

Evolution Overview

Evolution is a 6 to 9-month diversion program through a partnership with the Seminole County Sheriff's Office and the State Attorney's Office, specifically address at risk youth between the ages of 14 and 17 years of age. Evolution activities include, but are not limited to volleyball, dodge ball, daily workouts, nutrition, career building and a variety of community service activities designed to develop a sense of community and pride.

Youth in Evolution are required to attend monthly meetings as schedule on the monthly calendar; hours may vary depending on the activity. Other activities may also be scheduled as needed. An activity calendar will be provided as early as possible each month. You are responsible to arrange your own timely transportation.

Youths are expected to attend school without unexcused absences, tardiness or disciplinary problems. Youths are required to maintain passing grades in school. Youths are required to notify Evolution personnel at the next meeting of ANY school referrals or disciplinary action. Evolution staff will obtain school records on all of the above and review with the youth and parent at a monthly treatment team meeting that the parents will be required to attend.

Youth must remain free of alcohol and drugs, including tobacco. Youth will be required to submit to random, unannounced tests for drugs and/or alcohol. Failure to comply with this requirement is a serious violation of Evolution rules and may result in dismissal of the youth from the Evolution Program.

Youths are expected to obey all federal, state and local laws and ordinances, including traffic laws. Failure to do so is considered a serious violation of Evolution rules and may result in dismissal of the youth from the Evolution Program. If you receive a traffic citation or are involved in a traffic crash, you must report this immediately to your Advisor, or the Program Director.

Youth entering Evolution must enter a plea with the court. The court will, upon the approval of the State's Attorney's Office and the Evolution Program Director, accept the plea, order the youth to Evolution and set a disposition date 12 months after the plea date. Upon the successful completion of the Evolution program, the State Attorney's Office will withdraw the plea and Noelle Pros the case.

To enroll in the program contact Manager Omar Mestre: Office: (407) 708-7660 Email: [omestre\(\(\)seminolesheriff.org](mailto:omestre(()seminolesheriff.org)

The Evolution Program meets at the Juvenile Enforcement Center located at 1151 E 28th Street in Sanford; the building is located at the corner of E 28th Street and Mellonville Avenue.

Failure to contact the Evolution Program Director within one week of referral from court could result in termination from the program and the return of your referral to the State Attorney's Office.

Evolution Mission: To help young people mature through leadership and positive interactions with law enforcement and mentors.



EVOLUTION

Discipline, Consequences and Sanctions

For any violation of our program rules, a consequence or a sanction will be given to the youth. Examples of consequences and sanctions are as follows:

A. Operation Right Track or ORT. ORT is our 2 day, 12-hour boot camp and parent/teen challenge day. ORT consists of two full Saturdays. The first Saturday will be for 12 hours dedicated to the youth, the second Saturday will be a 6 to 8-hour session with ALC (adolescent life coach). There is a mandatory \$70.00 fee for these two programs. The parents are required to attend the second Saturday of ORT with ALC. If your child is assigned to ORT there will be a mandatory parent's only meeting on Wednesday at 6 PM at the JEC.

B. Sheriff's Work Ethics and Training or SWEAT are held on Saturdays from 8 am to 5 pm and are work group.

C. Curfew Adjustment

D. GPS Placement - The amount of days will depend on the violation.

E. Consequence Alternative Sanction Unit or CASU - Youth may receive up to five (5) days for their first offense and up to fifteen (15) days for every offense thereafter. Each day, youth in the Consequence Alternative Sanctions Unit receive (7.5) hours of traditional education at Eugene Gregory Memory Youth Academy. The youth are then taken out for (4.5) hours of supervised, meaningful, labor-intensive community service within Seminole County.

F. Referral for resources

G. Essays, reports or papers

H. Any other sanction or consequence that the advisor or administrator sees appropriate.

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Merits



EVOLUTION

An Evolution member can earn merits for positive behavior, being constantly on time for meeting and other events, attending volunteer community service, etc. Merits also must be approved by the Program Director or Senior Advisor. Merits can be used to remove demerits, to "skip" a community service or to complete the program early.

I acknowledge that I have read and understood the discipline, consequences, sanctions and merit guidelines:

(Youth) print & signature

(Parent or Guardian) print & signature

I acknowledge that I have read and understood the guidelines for the Evolution program:

(Youth) print & signature

(Parent or Guardian) print & signature

Parents e-mail address: _____

Child's e-mail address: _____



EVOLUTION

Rules

1. Evolution members are responsible for their uniform shirt. Any lost shirts will be replaced at a cost of \$20.00 to be paid at the time of replacement.
2. Meeting start time is 6:30 pm unless otherwise noted on the monthly calendar. Any youth that arrives late will receive a demerit.
3. Pick up time is 8:30 pm. Unless otherwise noted on the monthly calendar. Youths are to be picked up on time. Any youth not picked up by 8:40 pm will be transported to the JAC. Parents are **REQUIRED** to come into the meeting room and pick up their child and make verbal contact with an advisor prior to leaving for the evening. The only exception will be the members that drive themselves to and from the meetings.
4. If you owe any restitution, you will not be dismissed from the program until all the restitution is satisfied.
5. Parents are required to attend their TREATMENT TEAM MEETING that is scheduled for every MONTH. If the youth drives him or herself to the meeting, the Sr. Advisor may make an exception.
6. Evolution attendance records are kept and reviewed by the director. Any student with 2 or more unexcused absences will be given sanctions by the director. Failure to follow or complete these sanctions will result in dismissal from the Evolution program. ALL MISSING MEETINGS MUST be made up prior to the youth graduating from the program. This includes excused and unexcused absences. One (1) unexcused absence from a meeting will result in two (1) sweat days. One (1) excused absence will result in one (1) make up meeting.
7. Any youth that fails a drug test will be given sanctions by the program director. A failure will result in a referral to the Grove. A second failed drug test will result in possible expulsion from the program. (No exceptions)
8. The director will review any youth that receives a NEW law violation while in the program and dismissal from the program will be applied.
9. All Evolution members have a **6:00 pm** curfew. (**No exceptions**) Anyone violating this curfew will be given a sanction up to and including GPS impact or dismissal from the program. All curfew questions will be directed to your assigned Advisor.
10. All phone calls to Evolution staff will be conducted between the hours of 8 am to 5 pm, Monday through Friday. Make sure to contact your Advisor for excused absences and some Evolution questions. Any other questions or calls can be directed to Manager Omar Mestre, Evolution at 407-708-7660.
11. All youth will follow the General Conditions of the Evolution Program.

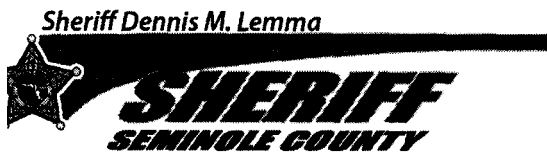
I acknowledge that I have read and understood the revised rules:

(Youth) Print & Signature

(Parent or Guardian) Print and Sign

Evolution Mission: To help young people mature through leadership and positive interactions with law enforcement and mentors.

GENERAL CONDITIONS OF EVOLUTION PROGRAM



EVOLUTION

Evolution Mission: To help young people mature through leadership and positive interactions with law enforcement and mentors.

DRESS CODE

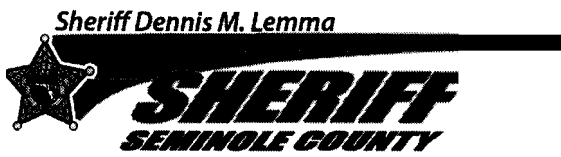
1. Jeans and Evolution shirt will be worn to **all** Evolution meetings, work details and other events.
2. Shirts **will** be tucked in. Pants will be at waist level. Black or brown belt will be worn.
3. Male and female students will not come to Evolution meetings, work details or other events with any piercings, to include tongue rings, earrings or any other visible variations.
4. Female students will **not** wear any shoes that are not athletic shoes, flats, or boots. (No high heels)
5. Male and female students will **not** wear any jewelry including bracelets, necklaces, rings or hair clips.
6. Students **may** bring cell phones to the meetings and work details; however, their use during the events is strictly prohibited. All other property (!Pods, cameras and any other valuable) is unnecessary and will not be brought to meetings.
7. All students will show up groomed, bathed, properly attired and hair will be of natural color **before** entering the building.
8. Evolution advisors reserve the right to advise students to cover any tattoos or "brands" that they deem inappropriate.
9. Students will appear and act professional at all Evolution meetings, work details and events.
10. Evolution members' that are in violation of the dress code more than once will be sent home for all further violations. Shirt violations will result in either: 1) offer to purchase another shirt for \$20.00 and continue with meeting or community service or 2) leave and not receive credit for the meeting plus receive a demerit. (**No exceptions**)

I acknowledge that I have read and understood the dress code:

(Youth) print & signature

(Parent or Guardian) print & signature

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EVOLUTION

1. Obey all laws/ rules of parent(s).
2. Attend school on a regular basis with no disciplinary referrals, unexcused absences, tardiness or expulsions, or shall maintain employment and shall not be tardy or absent without valid reason.
3. Shall not change or leave his/ her residence, school or place of employment without the consent of the parent(s) and Advisor.
4. Shall obey all household rules and reasonable requests of his/ her parent(s) / legal guardian, and Advisor.
5. Shall not use any intoxicants nor possess any alcoholic beverages, tobacco products, marijuana, or drugs unless drug is prescribed for said juvenile by a duly licensed physician. Shall not be in any place where alcohol, marijuana, or drugs are unlawfully used or possessed by others. Shall submit to random urinalysis testing at the request of his/ her JPO for purposes of determining if the juvenile is complying with this condition. No prior notice is required of the urinalysis testing.
6. Shall follow 6:00pm curfew at all times unless it is adjusted by the Advisor.
7. Shall not possess any weapons or firearms.
8. Juvenile / parent shall report all arrests by Law Enforcement to the Advisor as soon as possible.
9. Shall have no contact with co-defendants, known delinquents, criminals, gangs, or with other persons deemed inappropriate by the parent(s) / guardian, or Advisor.
10. Shall not leave the state of Florida without Evolution Administrator and State Attorney's permission.
11. Shall provide the parent(s) / guardian of whereabouts during non-curfew hours.
12. Shall not leave Seminole County without prior knowledge/ permission of the Advisor.

By signing this form on _____(DATE), I confirm that I have read and receive a copy of this form.

Print Name: _____

Signature: _____