

IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL CIRCUIT
IN AND FOR BREVARD AND SEMINOLE COUNTIES, FLORIDA.

STATE OF FLORIDA,
Plaintiff

CASE NUMBER:

vs.

Defendant,

TIER ONE (PTI) DRUG COURT AGREEMENT

THIS CAUSE came on to be heard on this _____ day of _____, 2018. The court finds after an investigation of the offense and into the Defendant's background it appears the Defendant meets the statutory criteria to become a Tier One (PTI) Drug Court Participant and at this time it is in the Defendant's interest to attend and complete the Tier One (PTI) Drug Court Program.

THE COURT FURTHER FINDS the Defendant hereby waives his/her right to speedy trial under the Constitution and Laws of Florida and of the United States of America and Rule 3.191 of the Florida Rules of Criminal Procedure in this case for which prosecution is being deferred.

THE COURT HEREBY DIVERTS the Defendant to Drug Court Supervision as a Drug Court participant for twelve months from the date of his/her Drug Court Initial Appearance to include the following conditions:

GENERAL CONDITIONS

- 1) You will live without violating the law. In the event of a criminal arrest (Federal, State or Local) while in the program you are subject to automatic dismissal. A conviction is not necessary for you to be terminated from the program.
- 1) You shall:
 - a) Work regularly at a lawful occupation and/or pursue a course of study as a full time student with verification by pay stub/transcript;
 - b) Participate in all programs established for you under the supervision of the Department of Corrections;
 - c) **Not** possess or carry any firearms or weapons while in the Pretrial Intervention Program;
 - d) **Not** change your residence or employment without first obtaining the consent of your Pretrial Intervention Officer;
 - e) **Not** leave the county of your residence without first procuring the consent of your Pretrial Intervention Officer;
 - f) Promptly and truthfully answer all inquiries by your Pre-Trial Intervention Officer and allow the Supervisor to visit your home, employment, school or elsewhere and you will comply with all instructions your officer may give you;
 - g) **Not** associate with any person or persons involved in any criminal activity;
 - h) **Not** use alcohol or illegal drugs including medications prescribed to others. Any prescriptions taken throughout the course of treatment will be disclosed to the drug court team;
 - i) **Not** enter an establishment whose primary purpose is to sell alcoholic beverages
 - j) Submit to random drug testing but no less than one time per month.

MONETARY OBLIGATIONS

- 2) You shall pay the following monetary obligations to the Florida Department of Corrections:
 - a) The Participant will pay the Seminole County Drug Court Program a Program a \$1000.00 fee, plus a 4% surcharge to the Department of Corrections payable to The Seminole County Board of County Commissioners to be held in the Adult Drug Court Treatment Fee Fund.
 - b) Restitution in the amount of \$____ jointly and severally if applicable, on behalf of _____.
 - c) Cost of investigation in the amount of \$107.44 jointly and severally if applicable, on behalf of OVIEDO POLICE DEPARTMENT, payable to the Seminole County Clerk of the Court, PO

BOX 8099, Sanford FL 32772.

- d) You shall pay \$100.00 cost of prosecution as authorized pursuant to Florida Statute 938.27, on behalf of the Office of the State Attorney for the 18th Judicial Circuit payable to the Seminole County Clerk of the Court, PO BOX 8099, Sanford FL 32772.
- e) If applicable you shall pay the \$50.00 Public Defender application fee as authorized pursuant to Florida Statute 27.52(1)(b) to the Seminole County Clerk of the Court pursuant to Administrative Order 08-24.
- f) A onetime **\$65.00** drug testing fee.
- g) **\$1.00** per month to the Department of Corrections First Step program.
- h) Pursuant to Florida Statute 945.31, you must pay an additional 4% surcharge on all monetary payments collected by the Department of Corrections.

SPECIAL CONDITIONS

- 3) You shall complete **25** hours of community service work with a non-profit, tax exempt organization approved by your Pretrial Intervention Officer, unless physically unable to do so as documented by your Officer and the following conditions as indicated:
 - a) ☒ a six week drug education class at New Life Connections.
 - b) ☒ attend one adult drug court session.
 - c) ☒ receive HIV testing (results are not disclosed to drug court personnel).
- 4) If you have successfully complied with all conditions of your supervision you may request early termination of supervision from the drug court team after completing six (6) months supervision.
- 5) If the participant fails to comply with the Drug Court Program treatment recommendations, the Drug Court Judge reserves the right to impose sanctions, which can include, but are not limited to community service hours, and/or removal from the Tier One (PTI) Drug Court Program.

Upon successful completion of the period of this agreement and the agreement of the drug court team, the charges filed in this case will be dismissed.

Circuit Judge

I hereby state the above has been read to me. I understand the conditions of my deferred prosecution and agree that I will comply with them. They have been read and explained to me and I fully understand the charges against me.

DEFENDANT

Date Signed

ATTORNEY FOR DEFENDANT

Date Signed

CPO, PTI Supervision Officer

Date Signed