

<p>SUPERIOR COURT OF CALIFORNIA, COUNTY OF NAPA</p>	<p>FOR COURT USE ONLY</p>
<p>PEOPLE OF THE STATE OF CALIFORNIA</p> <p style="text-align: center;">v.</p> <p>DEFENDANT:</p>	
<p>PRETRIAL DRUG DIVERSION PROGRAM AGREEMENT</p>	<p>CASE NUMBER:</p>

INSTRUCTIONS: Read, date, and sign this form if you wish to participate in the Pretrial Drug Diversion Program (PDDP). The Court may grant pretrial diversion with respect to any offense specified in Penal Code section 1000, subdivision (a). If you successfully complete the PDDP, your case will be dismissed. If you do not successfully complete the PDDP, the Court will reinstate criminal proceedings. If you have any questions about your case, the possible sentence, or the information on this form, ask your attorney or the judge.

PRETRIAL DRUG DIVERSION PROGRAM RULES AND CONSEQUENCES

1. I understand that, as part of the PDDP, I will be required to successfully complete a drug program which will last no fewer than 12 months and no longer than 18 months from the date of my referral to the program, as determined by the Court. I will be required to pay for the actual cost of the education program, as long as I have the ability to pay. I also may be required to pay a criminal lab fee as well as administrative fees (up to \$500 for a felony and \$300 for a misdemeanor) to the Probation Department, depending on my ability to pay.
2. I understand that the Court will order me to pay a diversion restitution fee of \$100 to \$1,000.
3. I understand that I may be required to submit to urine tests to check for the presence of drugs, but the results will not be admissible as the basis of any new criminal prosecution or proceeding.
4. I understand that if I successfully complete the PDDP and receive a positive recommendation from the program authority, my case will be dismissed. However, I must still disclose my arrest upon request if I apply for a position as a peace officer. Also, if I plead guilty based on a forged or altered drug prescription, I may still be subject to disciplinary action or denial of a license by an administrative agency.
5. I understand that the Court may, after notice to me, schedule a hearing to determine if: (1) I am performing unsatisfactorily in the PDDP, or (2) I am convicted of any felony, or (3) I am convicted of any offense indicating a propensity for violence, and that upon any failure of treatment or condition under the program, or circumstance specified in Penal Code section 1000.3, the District Attorney, Probation Department, or the Court (on its own motion) may move to terminate pretrial diversion.
6. I understand that I am pleading not guilty. I have a right to a speedy trial, a speedy preliminary hearing (for a felony), and a trial by jury. I give up these rights in order to participate in the PDDP.
7. I understand that if I fail to successfully complete the PDDP then all criminal proceedings shall be reinstated.
8. I understand that regardless of my successful completion of a pretrial diversion program, an order to seal records pertaining to an arrest made pursuant to Penal Code section 1000.4, subdivision (d), has no effect on a criminal justice agency's ability to access and use those sealed records and information regarding sealed arrests, as described in Penal Code section 851.92.

_____ Date

_____ Defendant's Signature

INTERPRETER'S STATEMENT

I, having been duly sworn or having a written oath on file, certify that I truly translated this form to the defendant in the following language: Spanish Other (specify) _____

_____ Date

_____ Interpreter's Name

_____ Interpreter's Signature