

STATE OF ILLINOIS       )  
                                  ) SS.  
COUNTY OF COOK        )

IN THE CIRCUIT COURT OF COOK COUNTY  
COUNTY DEPARTMENT - CRIMINAL DIVISION

PEOPLE OF THE STATE OF ILLINOIS	)	
	)	Case Number (MC Number)
vs.	)	
	)	
	)	Charge
Defendant	)	

**COOK COUNTY STATE'S ATTORNEYS OFFICE**  
**DEFERRED PROSECUTION PROGRAM**

The State's Attorneys Office Deferred Prosecution Program is a diversion program for adult felony offenders without a prior felony conviction that have been arrested for committing a specified non-violent felony offense. The State's Attorneys Office has set the guidelines for this diversion program, and the Assistant State's Attorneys assigned to the Felony Preliminary Hearing courtrooms will determine whether a defendant will be offered the opportunity to participate in this program. This Deferred Prosecution Program will divert selected non-violent felony defendants without a prior felony conviction into an intensive twelve (12) month pre-indictment program and offer services to the defendants with the goal of these defendants avoiding future criminal behavior. When a defendant successfully completes this intensive year-long program, the State's Attorneys Office will exercise its prosecutorial discretion and dismiss the felony charge. Should a defendant fail, the felony case will proceed to a felony courtroom, where prosecution of the defendant will continue.

*Participation in the Deferred Prosecution Program is a privilege.* The determination by the State's Attorneys Office to allow a defendant's participation is an opportunity granted to the defendant to straighten out his or her life and to avoid the permanent detrimental consequences of a felony conviction. Whether a defendant is successful in completing this program depends solely upon the initiative and self-discipline of the defendant.

## AGREEMENT

### Participation Requirements

1. Defendant in this case understands the statutory provision for a Preliminary Hearing. 725 ILCS 5/109-3. The People do not demand a preliminary hearing in this case, and both the People and defendant waive a Preliminary Hearing. 725 ILCS 5/109-3(b).
2. Defendant understands the statutory right to a speedy trial in this case. 725 ILCS 5/103-5. Defendant waives the right to a speedy trial in this case.
3. *Defendant agrees to follow all of the requirements and conditions of this Program.*
4. Defendant has not previously been a participant in the State's Attorneys Office Deferred Prosecution Program.
5. Defendant understands this Deferred Prosecution Program is for one year (twelve months).
6. Defendant does not have any other felony case pending in any court.
7. Defendant has no prior felony conviction from any jurisdiction.
8. Defendant has no prior misdemeanor conviction from any jurisdiction for a "violent offense" as previously defined.
9. Defendant understands that misrepresentation of his or her criminal history will constitute failure of the entire Program.
10. A failure of *any one* of the requirements or conditions of this Program will constitute a failure of the entire Program and will cause an Information to be filed by the State's Attorneys Office and will cause this case to be placed on the Arraignment call of the Presiding Judge for assignment of this case to a felony courtroom.

### Conditions

1. Defendant will not violate *any* criminal law of the United States, the State of Illinois, any other State, or any municipality.
2. Defendant shall not possess a firearm, firearm ammunition, knife, bludgeon, or any other deadly weapon.
3. Defendant shall not possess cannabis, methamphetamine, any controlled substance, or any other drug not authorized by a doctor's prescription.

4. Defendant must make full restitution to the victim or property owner.
5. Defendant must obtain employment. If defendant is not able to find employment, defendant must perform no less than ninety-six (96) hours of community service.
6. If defendant has not completed high school, defendant must attend high school classes with the goal of obtaining a high school diploma, or study and take, as many times as necessary to pass, the test of General Educational Development (G.E.D.) or work toward completing a vocational training program.
7. If needed, defendant must undergo treatment for drug abuse, drug addiction, or alcohol abuse.
8. Defendant must attend all scheduled court dates and appointments with Pre-Trial Services.
9. Defendant and the State's Attorneys Office agree that satisfactory completion of ***all of the conditions*** of this twelve (12) month Deferred Prosecution Program will result in the Assistant State's Attorney dismissing the present felony charge and the State's Attorneys Office not objecting to defendant's request for expungement of this case.
10. Defendant states that he or she has reviewed the eligibility requirements and the conditions of this Deferred Prosecution Program with his or her attorney and understands all of them.

\_\_\_\_\_  
Assistant State's Attorney

\_\_\_\_\_  
Defendant

\_\_\_\_\_  
Date

\_\_\_\_\_  
Attorney for Defendant

\_\_\_\_\_  
ARDC Number