

AGREEMENT FOR PRETRIAL DIVERSION PROGRAM DISTRICT OF KANSAS

You, [Click here to enter text.](#), have been charged in the District of Kansas with an offense(s) against the United States in violation of Title [Click here to enter text.](#), United States Code, Section(s)[Click here to enter text.](#), as alleged in the Indictment entitled United States v. [Click here to enter text.](#), Case number: [Click here to enter text.](#). Those offenses are: [Click here to enter text.](#).

Upon admitting that you committed Count(s) [Click here to enter text.](#) of these offense(s), and accepting responsibility for your conduct, and by your signature on this Agreement, it appearing, after an investigation of the offense, and your background, that the interest of the United States and your own interest and the interest of justice will be served by the following procedure; therefore:

On the authority of the Attorney General of the United States, by Barry R. Grissom, United States Attorney for the District of Kansas, prosecution in this District for this offense shall be deferred for the period of [Click here to enter text.](#) months (not to exceed 18 months) from this date, provided you abide by the following conditions and the requirements of this Agreement set out below.

Should you violate the conditions of this Agreement, the United States Attorney may revoke or modify any conditions of this pretrial diversion program or change the period of supervision, which shall in no case exceed eighteen months. The United States Attorney may release you from supervision at any time. The United States Attorney may at any time within the period of your supervision reinstate prosecution for this offense should you violate the conditions of this Agreement. In this case [Choose an item.](#) will furnish you with notice specifying the conditions of the Agreement which you have violated. By your signature, you understand that this decision is final and is the exclusive decision of the United States Attorney.

After successfully completing your diversion program and fulfilling all the terms and conditions of the Agreement, the indictment and charges filed in this case shall be dismissed with prejudice.

The parties specifically agree that this Agreement and any other document filed with the United States Attorney as a result of your participation in the Pretrial Diversion Program may be publicly disclosed and released to anyone by the United States Attorney. Subject to the conditions set forth below, the parties further agree that the admissions made by you in this agreement can and will be used against you in connection with any prosecution of the above-described offense, including for impeachment purposes.

General Conditions of Pretrial Diversion

1. You shall not violate any law (Federal/State/Local). You shall immediately contact your pretrial diversion supervisor if arrested and/or questioned by any law enforcement officer.
2. You shall attend school or work regularly at a lawful occupation or otherwise comply with the terms of the special program described below. If you lose your job or are unable to attend school, you shall notify your pretrial diversion supervisor at once. You shall consult him/her prior to job or school changes.
3. You shall report to your supervisor as directed and keep him/her informed of your whereabouts.
4. You shall follow the program and such special conditions as may be described below.

Special Conditions:

[Click here to enter text.](#)

I assert and certify that I am aware of the fact that the Sixth Amendment to the Constitution of the United States provides that in all criminal prosecutions the accused shall enjoy the right to a speedy and public trial. I am also aware that Rule 48(b) of the Federal Rules of Criminal Procedure provides that the Court may dismiss an indictment, information, or complaint for unnecessary delay in presenting a charge to the Grand Jury, filing an information, or in bringing a defendant to trial.

I hereby request the United States Attorney for the District of Kansas to defer such prosecution. I specifically agree and consent to waive my right to constitutional, as determined by the application case law, and statutory speedy trial pursuant to Title 18, United States Code, Sections 3161 – 3741. I agree and consent that any delay from the date of this Agreement to the date of initiation of prosecution, as well as from the date of the the filing of the Indictment to the date of this Agreement, as provided for in the terms expressed herein, shall be deemed to be a necessary delay at my request. I waive any defense to such prosecution on the ground that such delay operated to deny my rights under Rule 48(b) of the Federal Rules of Criminal Procedure and the Sixth Amendment to the Constitution of the United States to a speedy trial, or to bar the prosecution by reason of the running of the statute of limitations for a period of months equal to the period of this Agreement.

I agree to petition the Court to request that the deadlines for discovery be extended due to consideration of the request for pretrial diversion. The petition, in which the United States will join, will request that the deadlines be extended for the duration of the term of this Pretrial Diversion Agreement.

In the event the United States Attorney determines I have breached this Agreement, I hereby waive my right to a jury trial on such charges, and consent and agree that such charges shall be resolved through a stipulate facts bench trial.

By my signature below, I verify that (a) I have consulted with my attorney and fully understand all my rights with respect to this Pretrial Diversion Agreement; (b) I have read this Pretrial Diversion Agreement and carefully reviewed every part of it with my attorney; (c) I understand this Pretrial Diversion Agreement and the conditions contained in it; and (d) I voluntarily agree to enter into this Pretrial Diversion Agreement and agree that I will comply with its conditions.

Click here to enter text.

Date

I am the attorney for [Click here to enter text.](#). I have fully explained to [Choose an item.](#) the rights with respect to this Pretrial Diversion Agreement. Further, I have carefully reviewed every part of the Pretrial Diversion Agreement with [Choose an item.](#) To my knowledge, [Click here to enter text.](#)'s decision to enter into this Pretrial Diversion Agreement is an informed and voluntary decision.

[Click here to enter text.](#)

KS. S.Ct. 3 [Click here to enter text.](#)

[Click here to enter text.](#)

[Click here to enter text.](#)

Telephone: [Click here to enter text.](#)

E-Mail: [Click here to enter text.](#)

Date

[Click here to enter text.](#), #[Click here to enter text.](#)

Assistant U.S. Attorney

[Choose an item.](#)

[Choose an item.](#)

Telephone: [Choose an item.](#)

Fax: [Choose an item.](#)

E-mail: [Click here to enter text.](#)@usdoj.gov

Date

[Click here to enter text.](#)

United States Probation Officer

[Choose an item.](#)

[Choose an item.](#)

Telephone: [Choose an item.](#)

Email: [Click here to enter text.](#)@ksp.uscourts.gov

Date

(USA Form 186 & CRM 712, revised for KS)