

**STATE OF FLORIDA
OFFICE OF THE STATE ATTORNEY
SEVENTH JUDICIAL CIRCUIT
PRETRIAL INTERVENTION CONTRACT**

NAME: HOWELL, MARIA ROSE. CASE #: 16-00752-CFFA DC#: _____

It is alleged that you have committed an offense against the State of Florida on 08/24/2016, to wit: BATTERY ON LAW ENFORCEMENT OFFICER, DISORDERLY INTOXICATION 784.07 2b, 856.011. After an investigation of the offense and your background it appears that the interests of the State of Florida and your own will best be served by the following procedures, therefore:

On the authority of R.J. LARIZZA, State Attorney, in and for the Seventh Judicial Circuit, Florida, prosecuting in this matter for said violation will be deferred for a period of 24 MONTHS from this date provided you abide by the following conditions:

- (1) You shall refrain from violation of any law (Federal, State and Local). In the event of a criminal arrest while on the Program you are subject to automatic dismissal.
- (2) No later than the fifth day of each month, or at the direction of your Pretrial Intervention Officer, you will make a full and truthful report to your officer on the form provided for that purpose.
- (3) You shall:
 - (a) maintain or actively seek gainful employment, such as weekly job employment logs or
 - (b) pursue a course of study as a full-time student;
 - (c) participate in any and all programs established for you under supervision of the Department of Corrections;
 - (d) **not** possess or carry any firearms or weapons during your Pretrial Intervention Supervision;
 - (e) advise your employer of your Pretrial Intervention Supervision and current charges; and
 - (f) support your dependents to the best of your ability
- (4) You shall **immediately** inform the Pretrial Intervention Officer of any change in residence, employment or arrest.
- (5) You will allow an investigation of your personal background and make yourself available for the services of the Pretrial Intervention Program. You shall also answer truthfully all inquiries by your Pretrial Intervention Officer and allow the officer to visit your home, employment, school or elsewhere, and carry out all instructions.
- (6) You shall pay **Court Costs** in the amount of **\$250** on each case listed (which includes a statutory **\$50.00 to the Crimes Compensation Trust Fund**), pursuant to Florida Statutes 775.083(2), 938.01, 938.03, 938.05, 938.15, and 939.185(1)(a).
- (7) You will pay to the State of Florida at the rate of \$10.00 per month toward the cost of your supervision, plus a 4% administrative processing fee in accordance with Florida Statutes 945.31 and 948.09.
- (8) You will not use intoxicants at all and will be required to submit to urinalysis as directed by your Pretrial Intervention Officer.
- (9) You shall pay to the Department of Corrections a \$2.00 per month surcharge fee for each month you are under supervision pursuant to Section 948.09(1)(2), F. S.
- (10) You shall pay a mandatory one time Drug Fee of Thirty Dollars (\$30.00), as directed by your Pretrial Intervention Officer.
- (11) You will **immediately** report to the Probation Office, located at 2405 East Moody Boulevard, Suite #301, Bunnell, Florida, 32110. Failure to do so will result in this contract being null and void.
- (12) You shall pay one dollar (\$1.00) per month for each month under supervision to be dispersed to **First Step, Inc.**, a non-profit organization, in accordance with Florida Statute 948.02.

**** SPECIAL CONDITIONS ****

NOTE: THE FOLLOWING FINANCIAL OBLIGATIONS SHALL BE PAID TO THE DEPARTMENT OF CORRECTIONS AND SHALL HAVE A 4% PROCESSING CHARGE ASSESSED AS REQUIRED BY F. S. 945.31, UNLESS OTHERWISE DIRECTED.

- (X) You shall pay a total of \$ 150.00 , for **cost of prosecution**, as directed by your officer, in accordance with Florida Statute 939.01.
- (X) You shall pay **law enforcement investigative costs** in the amount of \$ 100.00, to be dispersed to **FLAGLER COUNTY SHERIFF'S OFFICE** in accordance with Florida Statute 939.01.
- (X) You will obtain a substance abuse evaluation and comply with any recommended treatment.
- (X) You will obtain a mental health evaluation and comply with any recommended treatment.
- (X) You will complete an anger management course.
- (X) You will abstain from illegal drugs and alcohol and not enter any bars or establishments which exclusively serve alcohol.
- (X) You shall complete fifty (50) community service hours to be completed at the rate of 10 (ten) hours per month.
- (X) You may terminate the supervision under this agreement upon full compliance so long as there are no violations at 12 months.
- (X) You will have a curfew of 10PM – 6 AM.

It is understood that this agreement is a deferral of prosecution. If its terms are violated in any essential respect, or if any conditions are not completed within sixty (60) days prior to termination date, the prosecution may be commenced. If the agreement is not violated, no criminal prosecution concerning this charge will be instituted in this circuit. The initial charge will be dismissed and the State of Florida will be barred from prosecution. It is also understood that if this agreement is revoked that I will not be given any credit for time spent on Pretrial Intervention toward any sentence I might receive as a result of a conviction from the charge stated herein.

BY SIGNING THIS DEFERRED PROSECUTION AGREEMENT,

I, Marie Howell, WITHDRAW AND WAIVE MY RIGHT TO SPEEDY TRIAL UNDER THE CONSTITUTION OF THE LAWS OF FLORIDA AND THE UNITED STATES OF AMERICA IN THE CAUSE FOR WHICH THIS PROSECUTION IS BEING DEFERRED.

I, Marie Howell, UNDERSTAND THAT THIS CONTRACT BEING ENTERED IS CONTINGENT UPON ENTERING A PLEA TO THE COURT OF THE ABOVE CHARGES. THE SENTENCING WILL BE DEFERRED AFTER THE PLEA IS ENTERED. UPON SUCCESSFUL COMPLETION OF THE TERMS OF THIS AGREEMENT, THE STATE ATTORNEY WILL ADMINISTRATIVELY DISMISS THE CHARGES BEFORE A SENTENCING HEARING IN THE CASE. HOWEVER, UPON THE COURT FINDING THAT THE DEFENDANT HAS VIOLATED THE AGREEMENT, THE CONTRACT WILL BE VOID AND THE COURT WILL SENTENCE THE DEFENDANT IN ACCORDANCE WITH THE LAW.

I HEREBY STATE THAT THE ABOVE HAS BEEN READ TO ME THIS DATE. I UNDERSTAND THE TERMS AND CONDITIONS OF MY PRETRIAL INTERVENTION/DEFERRED PROSECUTION, AND AGREE TO COMPLY WITH THESE TERMS AND CONDITIONS AS STATED HEREIN ABOVE.

Marie Howell

11/2/16 / DATE

ML 11/2/16

MARK LEWIS, ASA / DATE
FLA BAR NO: 115346

[Signature]

DEFENSE ATTY / DATE
FLA BAR NO: 31027

PROGRAM ADMINISTRATOR / DATE