

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
CRIMINAL DIVISION

UNITED STATES OF AMERICA :

v. :

Criminal No. _____

**COMMUNITY SERVICE
DEFERRED PROSECUTION AGREEMENT**

The United States of America, by and through its attorney, the United States Attorney for the District of Columbia and the defendant agree to a deferment of the prosecution of this case for a period of four months, beginning with the date of the signing of this agreement by the defendant and the United States,¹ with the following terms and conditions:

1. The defendant agrees to abide by the following conditions during the four month deferment period:
 - a. The defendant must not violate any law or be arrested on probable cause.
 - b. The defendant must not violate any Court Order.
 - c. The defendant must abide by all release conditions set by the D.C. Pretrial Services Agency ("PSA") and the Court.
 - d. Community Service: The defendant must perform 32 hours of verified community service in Washington, D.C. within the four-month deferment period as directed by the Community Courts' Community Service Program (CSP) at D.C. Superior Court. Any community service completed other than at the direction of the CSP will not be honored.
 - e. In addition, the defendant must abide by the special conditions set forth herein:

_____ Stay Away - The defendant must stay away from: _____

¹ The United States may revoke this agreement at any time prior to the agreement being filed by the United States with the Court.

_____ Curfew - The defendant must abide by a curfew of: _____

_____ Restitution - The defendant will pay restitution in the amount of \$ _____
to _____

_____ Other Conditions: _____

2. At the conclusion of the four-month time period, if the defendant abides by the conditions set forth in this agreement, the United States will dismiss the above-captioned case with prejudice. If the United States determines that the defendant has violated any condition of this agreement, the United States will not dismiss this case and the case will be set for trial or other disposition.
3. The determination of whether the defendant has violated any of the conditions of this agreement rests exclusively with the United States.
4. The defendant acknowledges that there is probable cause for the Court to conclude that the defendant committed the charged offense(s) and that there is sufficient evidence for the United States to proceed with this case.
5. The defendant is unaware of any physical or mental condition that would prevent his/her full participation in the Program [performing community service] (or, if applicable, he/she has fully disclosed to USAO any and all factors that would limit participation in the Program)... In consideration for admission into the Program, and upon being fully advised by counsel, the defendant expressly waives any and all claims in law and/or equity for personal injury and/or death that may arise against the United States and/or the Downtown D.C. Business Improvement District or other community service site as a result of his/her participation in the Program. This waiver shall be binding upon the defendant's heirs, assigns, executors, administrators, and/or successors in interest.

Date: _____

Assistant United States Attorney

ACCEPTANCE

I have read, or have had read to me, this Deferred Prosecution Agreement and have discussed it with my attorney. I fully understand this agreement and agree to it without reservation. I do this voluntarily and of my own free will. No threats have been made to me. I am not under the influence of anything that could interfere with my ability to understand this agreement fully.

I understand that the Sixth Amendment to the United States Constitution gives me the right to a speedy trial. I request a delay in the trial and agree to waive my speedy trial rights in this case for the duration of this agreement.

No promises, agreements, understandings, or conditions have been made except those set forth in this agreement.

I am satisfied with the legal services provided by my attorney in connection with this agreement and matters related to it.

Date: _____

Defendant

ATTORNEY'S ACKNOWLEDGMENT

I have read each of the pages constituting this Deferred Prosecution Agreement, reviewed them with my client, and discussed the provisions of the agreement with my client fully. These pages accurately and completely set forth the entire agreement.

Date: _____

Attorney for the Defendant