

TRACY GRAHAM LAWSON

District Attorney
Clayton Judicial Circuit



Shavon Hagger,
Director of Program

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CONSTITUTIONAL RIGHTS

You have been accused of violating the law. The purpose of this questionnaire is to demonstrate your understanding of your Constitutional Rights. The purpose of our talking with you at this time is to determine whether or not you clearly understand your Constitutional Rights, and for you to decide whether or not you desire to be diverted from the usual criminal justice system and considered for the Diversion Program.

Please print your name: _____

Please print your birthday (month/day/year) _____

- 1) Are you presently under the influence of drugs or intoxicants? Circle YES/NO
- 2) Do you want to consult with your attorney at this time? Circle YES/NO
- 3) Do you understand that any decisions you make to enter the Diversion Program is yours alone, and must be made freely and voluntarily by you? Circle YES/NO
- 4) Do you understand that you have been accused of a crime? Circle YES/NO
- 5) Do you understand that you are to be presumed innocent of this violation of the law until you plead GUILTY or are found GUILTY in a court of law? Circle YES/NO
- 6) Do you understand that you have the right to answer in court any accusations made against you?
Circle YES/NO
- 7) Do you understand that you have the right to have an attorney represent you and advise you at every step, in any portion of these procedures? Circle YES/NO
- 8) Do you understand that by participating in the Diversion Program you surrender some of your Constitutional Rights, regarding any events that occur on connection with the Diversion Program? Circle YES/NO
- 9) Do you understand that there was sufficient probable cause to charge you with a crime?
Circle YES/NO

- 10) Do you understand that you have the right to trial by jury? Circle YES/NO
- 11) Do you understand that you have a right to a public and speedy trial and that by applying for Diversion the trial will be delayed? Circle YES/NO
- 12) Do you understand that successful completion of the Diversion Program will result in the entry of a nolle prosequere to charges, and the participant will be eligible for a record restriction? Circle YES/NO
- 13) Do you understand an investigation of your personal and family background may be conducted by a Diversion Program representative? Circle YES/NO
- 14) Do you now wish the Prosecuting Attorney to consider your application for the Diversion Program and defer or delay further prosecuting of your case?
Circle YES/NO
- 15) Do you understand that payment of restitution and fees is a component of the Diversion Program and any payments you make are nonrefundable?
Circle YES/NO
- 16) Do you understand ALL requirements must be met to successfully complete program?
Circle YES/NO
- 17) Do you fully understand all of the questions you have been asked? Circle YES/NO

Participant's Signature: _____

Diversion Representative: _____

Participant's Attorney: _____

Date: _____