

**STATE OF LOUISIANA ** PARISH OF MADISON
SIXTH JUDICIAL DISTRICT COURT**

STATE OF LOUISIANA

FILED: _____

VERSUS NO.

DOB: [INSERT DOB]

LAST 4 DIGITS OF SSN: [INSERT SSN]

DATE OF OFFENSE: [INSERT DATE OF
OFFENSE]

DEPUTY CLERK OF COURT

**DRUG AND ALCOHOL COURT
PLEA AGREEMENT UNDER 13:5304 AND PROBATION JUDGMENT**

CHARGE	:	[INSERT CHARGES PLEAD TO]
CHARGES DISMISSED:	:	[INSERT CHARGES TO BE DISMISSED]
SENTENCED TO	:	In accordance with La. R.S. 13:5304, the execution/imposition of sentence is deferred under C.Cr.P. Article 893 and the defendant is placed on ___years of supervision under the usual conditions of probation as provided in C.Cr.P. Article 895 with the following mandatory conditions:

SUSPENSION OF ALL OR PORTION OF SENTENCE

Execution of hard labor portion of sentence is [INSERT HARD LABOR SENTENCE: SUSPENDED or DEFERRED] and defendant is placed on supervised probation for a period of [INSERT SUPERVISED PROBATION: YEARS] years (each count).

Probationary period is:

- To commence upon release from incarceration.
- To commence upon expiration of parole or good time supervision.
- To run concurrent to other probationary period(s).
- To run consecutive to other probationary period(s).

- OR -

The first month of the hard labor portion of sentence is to be served without suspension of sentence.

Sentence is:

- To be served without benefit or probation or parole.
- To run concurrent to other sentence(s).
- To run consecutive to other sentence(s).

The remaining [INSERT REMAINDER OF SENTENCE: YEARS] years of the hard labor portion of sentence is suspended and defendant is placed on supervised probation for a period of [INSERT SUPERVISED PROBATION: YEARS] years (each count).

Probationary period is:

- To commence upon release from incarceration.
- To commence upon expiration of parole or good time supervision.
- To run concurrent to other probationary period(s).
- To run consecutive to other probationary period(s).

**YOU ARE ON PROBATION. THE FOLLOWING ARE CONDITIONS
THAT YOU ARE OBLIGATED TO FOLLOW WHILE YOU ARE ON PROBATION.**

1. Enter the Sixth Judicial District Court Drug and Alcohol Program and comply with all requirements in accordance with court orders, Drug and Alcohol Court Policies and Procedures, and Drug and Alcohol Court Client Handbook, and successfully complete the program.
2. The defendant agrees to all sanctions imposed by the Sixth Judicial District Drug and Alcohol Court Judge including, but not limited to, jail service, community service, frequent Court visits and appearances, increased drug testing, community-based addiction recovery meetings, individual and group counseling sessions, and any conditions of probation which, in the judgment of the Court are necessary or beneficial to the defendant.
3. Undergo a substance abuse evaluation by Delta Recovery and successfully complete all recommendations of the treatment provider.
4. Report to the Drug Court Administrator upon entering this plea.
5. Within twenty-four hours of sentencing, report to the Probation and Parole Office located at 1003 Johnson Street, Tallulah, Louisiana, 318-574-4201.
6. Refrain from violating any federal, state, parish, or city law.
7. Make a full and truthful report to the probation officer at the end of each month, and otherwise as directed by law.
8. Permit the probation officer to visit you at home or elsewhere at the option of the officer.
9. Meet specified family responsibility.
10. Devote to an approved employment or occupation.
11. Obtain a GED if you do not have a high school diploma.
12. Refrain from owning or possessing any firearms or other dangerous weapons.
13. Refrain from frequenting unlawful or disreputable places or consorting with disreputable persons.
14. Remain within Madison Parish, Louisiana, unless given express permission otherwise by the probation officer, and not change employment or residence without prior notification to and permission from the probation officer.
15. Refrain from drinking any alcoholic beverages and intoxicating liquors and from visiting or frequenting places where such is the principal commodity sold.
16. Refrain from illegally consuming, possessing, or using any narcotics, drugs, or other controlled dangerous substances; from associating with persons who illegally consume or use such substances, and from frequenting places where such substances are or may be present.
17. Submit to available laboratory, medical or psychological examination, treatment, or therapy when ordered to do so by the probation officer including, but not limited to, tests for use or consumption of alcohol or controlled dangerous substances.
18. Waive extradition to the State of Louisiana from any jurisdiction in or outside the United States of America where you may be found and you also agree that you will not contest any effort by any jurisdiction to return you to the State of Louisiana.
19. With regard to regular felony cases, probationer waives search requirements for his or her person, vehicle, property, residence or personal effects as set forth below:

C.Cr.P. art 895(13)(a)

“Agree to searches of his person, his property, his place of residence, his vehicle, or his personal effect, or any or all of them, at any time, by the Probation Officer or the Parole Officer assigned to him, with or without a search warrant, when the probation officer or the parole officer has reasonable suspicion to believe that the person who is on probation is engaged in or has been engaged in a criminal activity.”

SPECIAL CONDITIONS REQUIRING PAYMENT OF MONEY

PROBATION SUPERVISION FEES: Pay the required sum of SEVENTY-ONE AND NO/100 (\$71.00) DOLLARS per month supervision fees to the State of Louisiana, Division of Probation and Parole. Sixty Dollars is to the La. DOC for probation Supervision Fees and \$11.00 per month to the La.DOC to the Sex Offender Technical Fund for a total of \$71.00.

In addition, pay a \$65 one- time processing fee to the La. DOC.

DRUG COURT ADMINISTRATIVE FEES: Pay the sum of THIRTY-FIVE AND NO/100 (\$35.00) DOLLARS per month to the Sixth Judicial District Drug Court as an administrative fee.

DRUG ABUSE EDUCATION AND TREATMENT FUND:

As an additional condition of probation, you will pay to the Louisiana Commission on Law Enforcement (*to be credited to the Drug Abuse Education and Treatment Fund and to be used for the purposes provided in La. R.S. 15:122 and C.Cr.P. Art. 895.1 (E)*) the sum of ONE HUNDRED AND NO/100 (\$100.00) DOLLARS on or before 180 days from today's date.

RESTITUTION:

You are ordered to pay restitution to: [INSERT RESTITUTION: NAME, ADDRESS & AMOUNT].

FINES AND COSTS:

OTHER SPECIAL CONDITIONS OF PROBATION:

- ___ 1. Stay away from _____
- ___ 2. Complete ___ hours of Community Service

OTHER CONDITIONS OF PROBATION for DWI: Only those that are checked apply

1. Submit to home incarceration for six (6) months as mandated by La. R.S. 14:98. Home incarceration restrictions shall be as follows:
 - a. Electronic monitoring.
 - b. Defendant must remain at home except to attend work, church services, AA/NA meetings, treatment, driver improvement programs, Court, or any other Court approved activity.
 - c. Home visitation at least once per month by the Department of Public Safety and Corrections.
 - d. Employment must be obtained.
 - e. Participation in a driver improvement program is required.
 - f. Driving privileges shall be restricted to traveling to and from work, church services, AA meetings, and a Court approved driver improvement program.
 - g. Any other applicable provisions of C.Cr.P. art. 894.2.
 - h. Other: [INSERT OTHER CONDITIONS OF HOME INCARCERATION]
2. The vehicle being driven by the offender at the time of this offense is ordered seized, impounded, and sold at auction, all in accordance with La. R.S. 14:98D.
3. Complete [INSERT DAYS (Choice of 30 or 60)] eight (8) hour days of community service.
4. Other: [INSERT OTHER CONDITIONS OF PROBATION].

YOU ARE FURTHER ORDERED TO RETURN for a review hearing at the Madison Parish Courthouse, Tallulah, Louisiana, on [INSERT DATE OF REVIEW HEARING], at 3:00 o'clock p.m., unless otherwise notified in writing by the Probation Officer. Defendant's failure to promptly and adequately

comply with the terms of Drug Court Plea Agreement and Probation Judgment may result in the revocation of probation at the review hearing.

THUS DONE AND SIGNED on [INSERT DATE OF SIGNATURE] in Tallulah, Madison Parish, Louisiana.

LAURIE R. BRISTER, JUDGE
SIXTH JUDICIAL DISTRICT COURT
DIVISION B

I have read or had explained to me the above and foregoing sentence and condition of my probation and I accept same and agree to abide by them.

DEFENDANT

ADDRESS: _____

PHONE: _____

LAST 4 DIGITS OF SSN: _____

PLEASE SERVE:

State of Louisiana
Office of Probation and Parole
Tallulah, LA

Office of the District Attorney
Sixth Judicial District Court