

STATE OF INDIANA )  
COUNTY OF MARION )SS:

IN THE MARION SUPERIOR COURT  
CRIMINAL DIVISION ROOM \_\_\_\_\_

STATE OF INDIANA )  
 )  
 vs )  
 )  
 )  
 \_\_\_\_\_ )

CAUSE NUMBER \_\_\_\_\_

**AGREEMENT TO WITHHOLD PROSECUTION**

The State of Indiana and the Defendant agree that prosecution in this matter will be withheld on the condition that the defendant:

1. Admit commission of **Patronizing a Prostitute/MA** and agree that this admission **precludes** expungement of the arrest record and that this admission may be used against the defendant in court.
2. Participate satisfactorily in the program described below.
3. Pay a Statutory Diversion User Fee of \$ \_\_\_\_\_. If Defendant returns to Court without completing the Program, and the Prosecutor chooses to extend the Diversionary Period at Defendant's request an **additional Diversion User Fee shall be assessed. Defendant further acknowledges that all fees are NONREFUNDABLE, including situations where the Defendant is terminated from diversion for noncompliance.**
4. Commit no criminal offense or be arrested during the next two (2) years.
5. Acknowledge that failure to comply with any term of this agreement will cause the State to withdraw from this agreement and proceed with prosecution of this offense.
6. Waive his/her rights pursuant to Criminal Rule 4.
7. The State of Indiana reserves the right to withdraw this agreement at anytime for any reason.

**Conditions of program for completion of diversion (Defendant must initial each line):**

- \_\_\_\_\_ 7. Perform 8 hours of Community Service Work at a place designated by the Marion County Prosecutor's Office.
- \_\_\_\_\_ 8. Attend the Patronizing Impact Panel.
- \_\_\_\_\_ 9. Undergo syphilis testing.
- \_\_\_\_\_ 10. Defendant is to ordered to Stay Away from a 1 mile radius of the area where arrested.

\_\_\_\_\_  
\_\_\_\_\_

AGREED this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_

\_\_\_\_\_  
Deputy Prosecuting Attorney

\_\_\_\_\_  
Defendant

\_\_\_\_\_  
Defense Counsel