



**MEDINA COUNTY COURT OF COMMON PLEAS
INTERVENTION IN LIEU OF CONVICTION
(O.R.C. 2951.041)**

Name: _____ Case No. _____

Offense: _____ Degree/O.R.C. Section: _____

Penalty: _____

****An offender is eligible for Intervention in Lieu of Conviction if the Court finds all of the following:***

OFFENSE:

(Check all that apply)

_____ Is not a felony offense of the first, second or third degree;

_____ Is not an offense of violence;

_____ Is not a violation of Division (A)(1) or (2) of Section 2903.06 of the Revised Code (Aggravated Vehicular Homicide); Division (A) (a) of Section 2903.08 (Aggravated Vehicular Assault) Division (A) of Section 4511.19 of the Revised Code (DWI);

_____ Is not an offense for which a sentencing court is required to impose a mandatory prison term, and/or a mandatory term of local incarceration;

_____ Is not a violation of Section 2925.02 (Corruption); 2925.03 (Trafficking); 2925.04 (Manufacturing and Cultivation); 2925.06 (Steroids);

_____ Is not a violation of Section 2925.11 (Possession) of the Revised Code that is a felony of the first, second or third degree;

_____ Is not a violation of Section 2925.11 (Possession) of the Revised Code that is a felony of the fourth degree **OR** the offender is charged with a violation of that section that is a felony of the fourth degree **AND** the prosecutor in the case has recommended that the offender be classified as being eligible for Intervention in Lieu of Conviction under this section;

_____ Intervention in Lieu of Conviction would not demean the seriousness of the offense;

_____ Intervention in Lieu of Conviction would substantially reduce the likelihood of any future activity.

VICTIM:

(Check all that apply)

_____ Was not sixty-five years of age or older, permanently and totally disabled or under thirteen years of age.

_____ Was not a peace officer engaged in the officer's official duties at the time of the alleged offense.

OFFENDER:

(Check all that apply)

- _____ Has not been previously convicted of or plead guilty to a felony;
- _____ Has not been previously through Intervention in Lieu of Conviction under this section or any similar regimen.
- _____ Is charged with a felony for which the Court, upon conviction, would impose community control sanctions;
- _____ Has been assessed by an appropriate agency for the purpose of determining the offender's eligibility for Intervention in Lieu of Conviction and recommends an appropriate intervention plan;
- _____ Has drug or alcohol usage that was a factor leading to the criminal offense with which the offender is charged;
- _____ Is willing to comply with all terms and conditions imposed by the Court.

If all items are checked, the defendant is eligible for Intervention in Lieu of Conviction.

RECOMMENDATION:

- | Yes | No | |
|-------|-------|---|
| _____ | _____ | Is there a Pre-Sentence Investigation attached to this investigation? |
| _____ | _____ | Is the evaluation of the defendant's substance abuse attached? |
| _____ | _____ | Has the defendant tested positive for any un-prescribed mood altering substances since the indictment for this offense? If yes, detail under "other information." |
| _____ | _____ | Is it recommended that Intervention in Lieu of Conviction be granted? |

OTHER INFORMATION: _____

PROBATION OFFICER