

5/15/18 FILED 8:54am
CHRIS DEROSE, Clerk
By LeAnn Davis
Deputy

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF MARICOPA

THE STATE OF ARIZONA,

Plaintiff,

vs.

RENEE RACHELLE IVCHENKO,

Defendant.

CR2018-119949-001

DEFENDANT'S CONSENT TO
PARTICIPATE IN DEFERRED
PROSECUTION PROGRAM AND
ACKNOWLEDGEMENT

I, RENEE RACHELLE IVCHENKO, the Defendant in this case, agree to participate in the Felony Pretrial Intervention Program, a deferred prosecution program, and I give my consent to the Maricopa County Attorney's Office to apply to the Court for suspension of prosecution of this matter. I understand that my participation in the program is contingent upon my acceptance. If accepted, I will adhere to the regulations of the program and the directives of my case manager. Successful completion of the program will be determined by Sage Counseling, Inc. and the Maricopa County Attorney's Office. If I successfully complete this program, I acknowledge that the criminal case currently pending against me in the above referenced cause number will be dismissed with prejudice.

By agreeing to participate in this deferred prosecution program, I acknowledge that:

- RI 1. I have been given a description of the program that I am agreeing to enter and I understand that it will consist of counseling and treatment as directed by the program provider, Sage Counseling. I understand that successful completion of this program will require me to follow all of the steps that will be outlined in my treatment plan that will be developed specifically for me following my initial intake session. In addition to restitution, I understand that I will be responsible for paying for the counseling and treatment program. These fees and costs will be fully explained to me when the treatment program is developed as well as any

financial assistance or reduced fees that may be available to me based on my economic status. I understand that if I decide not to pay the costs necessary to complete the program, I may voluntarily end my participation in the program and the criminal prosecution in this matter will be resumed.

RV 2. I must report to Sage Counseling at 1616 East Indian School Road, #150, Phoenix, Arizona for an initial assessment within two weeks of today's date. Today, I will contact Sage at (602) 761-4900 to schedule an appointment date and time. I understand that a failure to contact Sage or to complete my assessment on the date scheduled will be considered unsuccessful completion of the program and the criminal prosecution will be resumed.

RV 3. I understand that this consent will, by necessity, cause a delay in the prosecution of this case, and I waive my right to a speedy trial as guaranteed by the United States Constitution and Rule 8 of the Arizona Rules of Criminal Procedure. Prosecution may be suspended for up to two years.

RV 4. I promise to appear at any and all future court dates. If the prosecutor seeks to resume prosecution against me, I will be notified of my next court date by mail. Because the Court will issue a warrant for my arrest if I fail to appear at future court dates, I agree to notify Sage Counseling, my attorney, the prosecutor and the Court of my current address until this case is completely resolved. My current correct best contact information is as follows:

Address: 4960 S. GILBERT RD. #1226
Street Address including Apt. Number as applicable

<u>CHANDLER</u>	<u>AZ</u>	<u>85249</u>
City	State	Zip

Email Address: AZANDY07@COX.NET

Phone Number(s): 480-625-7709

RV 5. I do not contest my guilt in this matter. I admit that I committed

the charged offenses as further explained in the attached factual basis. I acknowledge that this admission of guilt and factual basis may be used against me if I do not successfully complete the deferred prosecution program and I decide to have a trial in this matter.

- 6 6. I understand that participation in this program requires me to pay full restitution to any and all victims in this matter in a total amount of \$0.00 and that I am required to pay 50% of the total restitution within one month of my intake appointment to remain in the program. I also understand that if I do not successfully complete the program that any restitution paid belongs to the victim(s) and will not be returned to me, but any amounts paid will be credited against any future restitution orders in this case.
- 7 7. I have reviewed the following statements with my attorney and the each of the following statements are true. I understand that if any of these statements are not true, I am not eligible for this deferred prosecution program and the prosecution against me will be resumed:
- a. I have no prior conviction for a serious offense as defined in A.R.S. § 13-706.
 - b. I have no prior conviction for any offenses under A.R.S. Title 13, Chapter 14.
 - c. I have no prior conviction for any dangerous offense as defined in A.R.S. §13-105.
 - d. I have no prior conviction for any dangerous crime against children as defined in A.R.S. § 13-705.
 - e. I have no felony convictions within the last five years, and I have no historical prior felony convictions as defined in A.R.S. § 13-105
 - f. I do not have any other felony charges pending against me in any jurisdiction.
 - g. I have not been convicted three or more times of possession of a controlled substance as defined in A.R.S. § 36-2501.
 - h. I have not been convicted three or more times of possession of drug paraphernalia as defined in A.R.S. § 13-3415.
 - i. I was not on felony probation or any type of release for any felony matter at the time of the offense(s) charged in this case.

- j. I am not a member of any criminal street gang.
- k. I have not completed any deferred prosecution or diversion program for any felony offense within the last five years.

RT 8. I understand that while the prosecution is suspended in this matter I will be released on my own recognizance under the conditions set by the court. I further understand that should I commit a new felony offense while released on my own recognizance that I may be held without bond on the new offense.

RT 9. I will / will not need the services of an interpreter. I understand that there may be additional fees associated with interpreter services and any such fees will be fully explained during my intake session with Sage. Language: NA

RT 10. By signing below, I authorize SAGE Counseling Inc. to share confidential information with the Maricopa County Attorney's Office including but not limited to: information related to my assessment, treatment recommendations, participation and compliance in the SAGE Treatment Program. I further authorize and acknowledge that this confidential information may contain information related to alcohol and/or drug abuse (Federal Law references 42 U.S.C. 290 dd-3 –Federal Regulation reference CFR, Part 2).

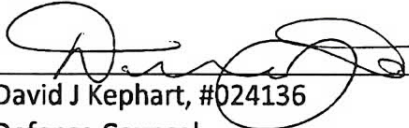
My attorney has reviewed this entire agreement with me and has fully explained each and every paragraph of this agreement including each statement in paragraph 7. I understand that I am under no obligation to agree to this program. I freely and voluntarily agree to participate in this deferred prosecution program.

5/11/18
Date

Renee Rachelle Ivchenko
RENEE RACHELLE IVCHENKO

I have explained this Consent to Participate in Deferred Prosecution Program & Acknowledgement to the Defendant.

5/11/18
Date


David J Kephart, #024136
Defense Counsel

ATTACHMENT A
FACTUAL BASIS

As part of my consent to participate in the Felony Pretrial Intervention Program, I acknowledge that I am guilty of the offenses charged in the complaint. I acknowledge that this admission and the statements in this document may be used against me if I fail to successfully complete the program and my case proceeds to trial. I understand that I have the right to remain silent and I make the following statements voluntarily after consultation with my attorney.

On April 21, 2018 in Scottsdale, Arizona - Maricopa County
Date of Offense Location and Jurisdiction

On April 21, 2018, I, Renee Ivchenko, knowingly touched Brandon Treglown
in the chest area with the intent to provoke him. Brandon Treglown is a
a Scottsdale Police Officer and at the time of this incident he was in full
uniform and I knew he was a police officer acting in his official capacity.

3/15/18 Renee Rachelle Ivchenko
DATE RENE RACHELLE IVCHENKO