

<p align="center">SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN LUIS OBISPO San Luis Obispo Branch, County Government Center 1050 Monterey Street, Room 220, San Luis Obispo, CA 93408</p>	<p align="center">FOR COURT USE ONLY</p>
<p align="center">THE PEOPLE OF THE STATE OF CALIFORNIA, Plaintiff vs. Defendant</p>	
<p align="center">REQUEST FOR MILITARY DIVERSION: ADVISAL AND WAIVER OF RIGHTS</p>	<p align="center">CASE NUMBER</p>

Defendant: Initial each statement below.

1. ____ I am the defendant in the above-captioned case, which charges the following misdemeanor violation(s) for which I am requesting military Diversion (Penal Code §1001.80): _____
2. ____ I was or currently am a member of the United States Military.
3. ____ I have been advised of, understand, and waive my right to a speedy trial in this case.
4. ____ I understand that I am to cooperate in an assessment to determine whether I should be ordered to participate in a federal or community-based treatment program with a demonstrated history of specializing in the treatment of appropriate related mental health problems, including substance abuse, post-traumatic stress disorder, traumatic brain injury, military sexual trauma, and other related mental health problems that I may be suffering as a result of my military service.
5. ____ I understand that the Military Diversion program, if granted, will be no longer than two years and will include a court-ordered treatment program.
6. ____ I understand that if accepted into the Military Diversion program, failure to comply with the terms of the diversion program may result in reinstatement of criminal proceedings.
7. ____ I understand that if I am arrested or charged with a new criminal offense while participating in the Military Diversion program, criminal proceedings in this case may be reinstated and I may be found no longer eligible for Military Diversion.
8. ____ I understand that if I perform satisfactorily during the period of Military Diversion, the court will dismiss the criminal charges. I understand that, upon successful completion of the Military Diversion program, the arrest upon which the diversion was based shall be deemed to have never occurred, except as stated in statement 8, below.
9. ____ I have been advised and understand that, regardless of my successful completion of Military Diversion, the arrest upon which the diversion was based may be disclosed by the Department of Justice in response to a peace officer application request, and that I am still obligated to disclose the arrest in response to a direct question contained in a questionnaire or application for a position as a peace officer, as defined in Penal Code section 830.
10. ____ **FOR DUI DEFENDANTS:** "You are hereby advised that being under the influence of alcohol or drugs, or both, impairs your ability to safely operate a motor vehicle. Therefore, it is extremely dangerous to human life to drive while under the influence of alcohol or drugs, or both. If you continue to drive while under the influence of alcohol or drugs, or both, and, as a result of that driving, someone is killed, you can be charged with murder." (Watson Advisement)

I declare under penalty of perjury under the laws of the State of California that I have read and understand each of the foregoing 9 statements, and by initialing each statement, I agree to their contents.

Date: _____

Type or Print Name

Signature of Defendant

Type or Print Name

Signature of Attorney