

Information Regarding Deferred Sentencing

- You are entitled to seek a deferred sentencing agreement. A deferred sentencing agreement is a plea agreement procedure where the defendant (you) works with the Town Attorney on an agreement to abide by certain stipulations for a specific amount of time. If the terms of the agreement are completed successfully then the guilty plea noted in the court records will be purged and the case will be recorded as dismissed without prejudice.
- If you wish to seek a deferred sentence you should request a continuance of your case and contact Town Attorney Karl Hanlon at 970-945-2261 immediately.
- The length of your deferred sentencing agreement depends on the violation(s) and the direction of the Town Attorney. Deferred sentencing stipulations may be as short as 1 month or as long as 1 year.
- All deferred sentencing agreements require the defendant to pay the Town of Crested Butte a deferred sentencing agreement fee of \$150, a court fee of \$15.00, plus the recommended fine for the offense or in the case of traffic violations the fine noted on the ticket. All fees are payable at the time the agreement is signed by the defendant. If you seek a deferred sentence and a deferred sentencing agreement is not reached you will not be charged the \$150 deferred sentencing agreement fee.
- In addition to fines and fees, the defendant may also have to comply with other conditions of the deferred sentencing agreement such as community service or safe driving classes.
- The arresting Marshal must consent to the deferred sentencing agreement.
- If the defendant has entered into a deferred sentencing agreement and violates one or more of the conditions of the agreement the Town Attorney may file a Revocation of a Deferred Sentence Agreement. The court shall then schedule a court date for a hearing and shall provide written notice to the defendant or his/her attorney at least ten days prior to the hearing. If at the hearing the court determines that there has been a breach of the deferred sentencing agreement, the court shall enter judgment and the conviction will be permanently recorded as guilty.