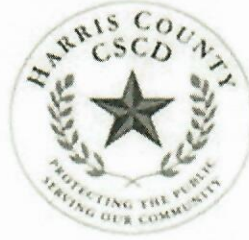


**Community Supervision and Corrections Department
Harris County**

Teresa May, Ph.D.
Director



Neil Wilson,
Assistant Director

Winfred Dean,
Assistant Director

March 3, 2020

Re: Antoine Duplechin-Holden
Community Supervision

To Whom It May Concern

Our department has received a request for explanation regarding Mr. Antoine Duplechin-Holden's community supervision status.

On April 11, 2016, Mr. Duplechin-Holden was granted deferred community supervision out of the 177th District Court under Section 5 of Article 42.12 of the Texas Code of Criminal Procedure.

A deferred probation provides an offender the opportunity to NOT have a felony conviction on his/her record as long as they successfully complete the terms and conditions of their community supervision. When applying for jobs, our clients are instructed to read the questions carefully on job applications. Some questions will ask if they have ever been convicted or arrested.

If the question is whether or not they have been convicted, they should reply, 'No' because they have not been convicted while on a deferred probation.

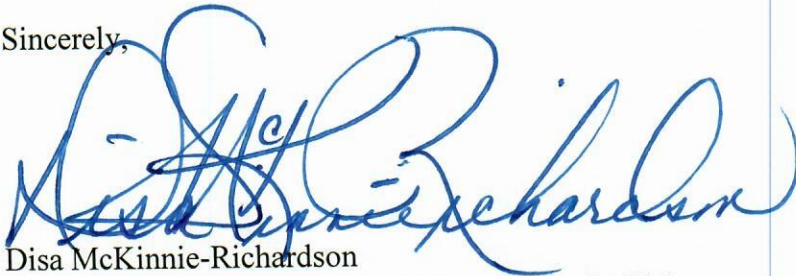
But if the question asks if whether they have been arrested for or charged with a felony, then their reply should be, 'Yes'.

If Mr. Duplechin-Holden had been sentenced under Section 3 of Article 42.12 of the Texas Code of Criminal Procedure then he would have an automatic felony conviction on his record.

I have attached an explanation of what deferred adjudication means. If you should have any further questions, please don't hesitate to contact my office at 713-755-2022 or send me an email at disa.richardson@csc.hctx.net.

I hope this information helps. Again, please don't hesitate to contact me if you have any additional questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "Disa McKinnie-Richardson". The signature is fluid and cursive, with the first name "Disa" being particularly prominent.

Disa McKinnie-Richardson
HCCSCD Court Services Supervisor – Transfer Unit

Written Testimony for the Texas Senate Jurisprudence Committee

October 23, 2014

By David Slayton, Administrative Director
Texas Office of Court Administration

Interim Charge 4:

Study and make recommendations on the availability and application of deferred adjudication, orders for non-disclosure, and expunctions. Study extending the use of expunction of criminal records history and non-disclosures to certain qualified individuals with low-level, non-violent convictions.

Deferred Adjudication (Code of Criminal Procedure 42.12, Sec. 5)

Deferred adjudication is a special form of judge-ordered community supervision (commonly known as “probation”) that permits a defendant to accept responsibility for a crime without an actual conviction being placed on the record. Only a judge can grant deferred adjudication, not a jury, so the prosecutor and defendant must agree to waive a jury trial.

Who is eligible?

Any defendant charged with a misdemeanor crime other than driving/flying/boating while intoxicated. In addition, any defendant charged with a felony, **except**:

- Driving/flying/boating while intoxicated;
- Intoxication assault;
- Intoxication manslaughter;
- A repeat drug offense enhanced with a drug-free zone finding; and
- A repeat sex offense (indecent with a child, sexual assault or aggravated sexual assault).

Orders of Nondisclosure

An order of nondisclosure is a court order prohibiting public entities such as courts and police departments from disclosing certain criminal records. It also legally frees an individual who is granted an order of nondisclosure from disclosing information about their criminal history (subject to the order of nondisclosure) in response to questions on job applications. The criminal record may be disclosed to other criminal justice agencies for criminal justice or regulatory licensing purposes, as well as several non-criminal justice agencies and entities (e.g. Texas Medical Board, Texas Board of Law Examiners, Texas Education Agency).

Who is eligible?

1. Individual must have been placed on deferred adjudication community supervision for the offense in question.
 - If individual was convicted of an offense, the individual is not entitled to file a petition for an order of nondisclosure.