



## YORK COUNTY DISTRICT ATTORNEY

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TIM BARKER  
*District Attorney*

CHARLES R. MURPHY  
*First Assistant District Attorney*

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*Chief County Detective*

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### REQUEST FOR MITIGATION

Within thirty (30) days from the date of arraignment, Defendant/Counsel for Defendant is to provide any materials supporting mitigating circumstances at sentencing that Defendant/Counsel for Defendant requests the Commonwealth to consider as part of a plea offer. These materials should be served upon this Office, either electronically or via hard copy, to the assigned Prosecutor, (enter Prosecutor's name here). **Failure to provide mitigation materials within this time frame without cause and communication of the same will result in Defendant/Counsel for Defendant forfeiting the consideration of this information by the Commonwealth as part of any plea offer.**

Factors to be considered as establishing mitigating circumstances for the purpose of sentencing include, but are not limited to:

- Mental health or intellectual and developmental disabilities diagnosis, including trauma factors.
- Enrollment or engagement in mental health or substance use disorder treatment, services, or counseling.
- Physical health diagnosis or needs.
- Obtaining of or maintaining employment.
- Enrollment or engagement with educational programs.
- Character evidence.
- Barriers to rehabilitation at the time of the offense (housing, transportation, etc.)
- Circumstances of Defendant's prior criminal history.

This request is consistent with the Memorandum from the Office of the District Attorney dated August 1, 2025. The Memorandum is available at [www.yorkda.com](http://www.yorkda.com).

Sincerely,

Timothy J. Barker  
District Attorney