

5. *I UNDERSTAND I HAVE THE FOLLOWING IMPORTANT RIGHTS, AND I GIVE THEM ALL UP BY PLEADING GUILTY:*

- a. I have the right to a speedy and public trial in the county where the offense(s) allegedly occurred.
- b. I have the right to remain silent before and during trial, and I need not testify against myself.
- c. I have the right to hear and question witnesses who might testify against me.
- d. I have the right to testify and to have witnesses testify for me. These witnesses may be required to appear at no cost to me.
- e. I am presumed innocent unless the charge is proven beyond a reasonable doubt or I enter a plea of guilty.
- f. I have the right to appeal a finding of guilt after trial.

6. I have been informed that in order to determine an appropriate sentence regarding the charges to which I plead guilty in this matter, the judge will take into consideration my criminal history, which is as follows:

- a.
- b.
- c.
- d.
- e.
- f.

7. The Standard Sentencing Range, which was calculated using my criminal history as referenced in Paragraph 6, above, is as follows:

LOCAL SANCTIONS:

COUNT	SUPERVISION	COMMUNITY RESTITUTION	FINE	DETENTION	RESTITUTION
[] 1	0 to 12 months	0 to 150 hours	\$0 to \$500	0 to 30 Days	[] As required []
[] 2	0 to 12 months	0 to 150 hours	\$0 to \$500	0 to 30 Days	[] As required []
[] 3	0 to 12 months	0 to 150 hours	\$0 to \$500	0 to 30 Days	[] As required []

I understand that, if community supervision is imposed, I will be required to comply with various rules, which could include school attendance, curfew, law abiding behavior, associational restrictions, counseling, treatment, urinalysis, and/or other conditions deemed appropriate by the judge. Failure to comply with the conditions of supervision could result in a violation being found and further confinement imposed for the violation up to 30 days.

In addition to these conditions, the court will order me to perform up to seven hours of community restitution per offense involving a victim who suffered bodily injury or death and that is not a most serious offense as defined by RCW 9.94A.030, or a sex offense under chapter 9.44 RCW. I must perform this community restitution consecutively to any other community restitution imposed for the offense. RCW 7.68.035, .020.

JUVENILE REHABILITATION ADMINISTRATION (JRA) COMMITMENT:

COUNT	WEEKS AT JUVENILE REHABILITATION ADMINISTRATION (JRA) FACILITY	RESTITUTION
[] 1	[] 15 - 36 [] 30 - 40 [] 52 - 65 [] 80 - 100 [] 103 - 129 [] 180 - Age 21	[] As required []
[] 2	[] 15 - 36 [] 30 - 40 [] 52 - 65 [] 80 - 100 [] 103 - 129 [] 180 - Age 21	[] As required []
[] 3	[] 15 - 36 [] 30 - 40 [] 52 - 65 [] 80 - 100 [] 103 - 129 [] 180 - Age 21	[] As required []

I understand that, if I am committed to a Juvenile Rehabilitation Administration (JRA) facility, following my release I may be required to comply with a program of parole for a number of months. I understand that if placed on parole, I will be under the supervision of a parole officer. The conditions of parole will restrict my actions and may require me to participate in activities and programs including, but not limited to, evaluation, treatment, education, employment, community restitution, electronic monitoring, urinalysis, and, if I am adjudicated of certain offenses, a program applicable to juvenile firearm offenders. Failure to comply with the conditions of parole may result in parole revocation and further confinement. If the offense to which I am pleading guilty is a sex offense, failure to comply with the conditions of parole may result in further confinement of up to 24 weeks.

In addition to these conditions, the court will order me to perform up to seven hours of community restitution per offense involving a victim who suffered bodily injury or death and that is not a most serious offense as defined by RCW 9.94A.030, or a sex offense under chapter 9.44 RCW. I must perform this community restitution consecutively to any other community restitution imposed for the offense. RCW 7.68.035, .020.

I understand that if I am pleading guilty to two or more offenses, the disposition terms shall run consecutively (one term after the other) subject to the limitations in RCW 13.40.180.

I understand that if any additional criminal history is discovered, both the standard sentence range and the prosecuting attorney's recommendation may increase. Even so, my plea of guilty to this charge is binding.

8. **RIGHT TO APPEAL SENTENCE:** I understand that the judge must impose a sentence within the standard range, unless the judge finds by clear and convincing evidence that the standard range sentence would amount to a manifest injustice. If the judge goes outside the standard range, either the state or I can appeal that sentence. If the sentence is within the standard range, no one can appeal the sentence.
9. **MAXIMUM PUNISHMENT:** I have been informed, and fully understand, that the maximum punishment I can receive is commitment until I am 21 years old, but that I may be incarcerated for no longer than the adult maximum sentence for this offense.
10. **COUNTS AS CRIMINAL HISTORY:** I understand that my plea of guilty and the judge's acceptance of my plea will become part of my criminal history. I understand that if I am pleading guilty to two or more offenses that arise out of the same course of conduct, only the most serious offense will count as an offense in my criminal history. I understand that my guilty plea will remain part of my criminal history when I am an adult and may affect my ability to remain in the Juvenile Justice System should I re-offend. I understand that the judge will consider my criminal history when sentencing me for any offense that I commit in the future as an adult or juvenile.
11. **GROUND FOR DEPORTATION:** If I am not a citizen of the United States, a plea of guilty to an offense punishable as a crime under state law may be grounds for deportation, exclusion from admission to the United States, or denial of naturalization pursuant to the laws of the United States.
12. **NOTIFICATION RELATING TO SPECIFIC CRIMES: IF ANY OF THE FOLLOWING PARAGRAPHS DO NOT APPLY, THEY SHOULD BE STRICKEN AND INITIALED BY THE DEFENDANT AND THE JUDGE.**
 - [A] **SUSPENSION/REVOCAION OF DRIVING PRIVILEGE:** I have been informed that the Department of Licensing will be notified and my privilege to drive suspended or revoked:

Over 13 & Alcohol, Drugs, Unlawful Possession of a Firearm (UPFA) <18, or Armed with Firearm (not first offense):

(1) If the court finds me guilty of one of the following offenses and I was 13 years or older at the time I committed the offense: alcohol under chapter 66.44 RCW; violation of the Uniform Controlled Substances Act (VUCSA) under chapter 69.50 RCW; legend drug under chapter 69.41 RCW; imitation drugs under chapter 69.52 RCW; UPFA < 18 under RCW 9.41.040(2)(iv); and/or, an offense while armed with a firearm under RCW 13.40.196; AND (2) I have a prior offense for the same offense. See RCW 13.40.265.

UPFA or Armed During Offense In Which Vehicle was Used (with priors):

(1) If the court finds me guilty of one of the following offenses: UPFA 1 or 2 under RCW 9.41.040; and/or an offense while armed with a firearm under RCW 13.40.196 during which the court found a motor vehicle served an integral function during the offense; AND (2) I previously committed one or more of the following offenses: alcohol under chapter 66.44 RCW; VUCSA under chapter 69.50 RCW; legend drug under chapter 69.41 RCW; imitation drugs under chapter 69.52 RCW; UPFA under RCW 9.41.040; and/or an offense while armed with a firearm under RCW 13.40.196. See RCW 9.41.040(5).

Certain Motor Vehicle Offenses--If the court finds me guilty of one of the following offenses: DUI; physical control; DWLS 1&2; vehicular assault/homicide; hit and run attended; reckless driving; any felony which a vehicle used in commission (except "TMVOOP2" (taking a motor vehicle without owner's permission) where the court finds I was a passenger only in committing the offense); false statements under chapter 46 RCW; felony elude; unattended child in running vehicle (second or subsequent conviction); reckless endangerment of road workers; and/or theft of motor vehicle fuel. See RCW 46.20.285, 46.61.5055(9), 46.20.342(2), 46.61.524, 46.52.020(6), 46.61.500(2), 46.61.024(3), 46.61.685(2), 46.61.527(5), 46.61.740(2), and 46.20.270.

- [B] OFFENDER REGISTRATION FOR SEX OFFENSE OR KIDNAPPING OFFENSE: Because this crime involves a sex offense, or a kidnapping offense involving a minor as defined in RCW 9A.44.128, I will be required to register where I reside, study, or work. The specific registration requirements are set forth in the "Offender Registration" Attachment.
- [C] DNA TESTING: Pursuant to RCW 43.43.754, if this crime involves a felony, or an offense which requires sex or kidnapping offender registration, or any of the following offenses: stalking, harassment, communication with a minor for immoral purposes, assault in the fourth degree where domestic violence was pleaded and proved, assault in the fourth degree with sexual motivation, custodial sexual misconduct in the second degree, failure to register as a sex or kidnapping offender, patronizing a prostitute, sexual misconduct with a minor in the second degree, or violation of a sexual assault protection order, I will be required to have a biological sample collected for purposes of DNA identification analysis. This paragraph does not apply if it is established that the Washington State Patrol crime laboratory already has a sample from me for a qualifying offense.
- [D] HIV TESTING: If this crime involves a sexual offense, prostitution, or a drug offense associated with hypodermic needles, I will be required to undergo testing for the human immunodeficiency (HIV/AIDS) virus. RCW 70.24.340.
- [E] \$100 CVC FEE FOR MOST SERIOUS OR SEX OFFENSE: I understand that if I am pleading guilty to a most serious offense as defined by RCW 9.94A.030 and/or a sex offense under chapter 9A.44 RCW, I will be required to pay a mandatory Crime Victim's Compensation Fee of \$100. RCW 7.68.035.

- [F] SCHOOL NOTIFICATION: If I am enrolled in a common school, the court will notify the principal of my plea of guilty if the offense for which I am pleading guilty is a violent offense as defined in RCW 9.94A.030; a sex offense as defined in RCW 9.94A.030; inhaling toxic fumes under chapter 9.47A RCW; a controlled substance violation under chapter 69.50 RCW; a liquor violation under RCW 66.44.270; or any crime under chapters 9.41, 9A.36, 9A.40, 9A.46, and 9A.48 RCW. RCW 13.04.155.
- [G] SCHOOL ATTENDANCE WITH VICTIM PROHIBITED: I understand that if I am pleading guilty to a sex offense, I will not be allowed to attend the school attended by the victim or victim's siblings. RCW 13.40.160.
- [H] FEDERAL BENEFITS: I understand that if I am pleading guilty to a felony drug offense, my eligibility for state and federal food stamps and welfare will be affected.
21 U.S.C. § 862a.
- [I] MANDATORY MINIMUM SENTENCE: The crime of _____ has a mandatory minimum sentence of at least _____ weeks of total confinement. The law does not allow any reduction of this sentence.
- [J] RIGHT TO POSSESS FIREARMS: [JUDGE MUST READ THE FOLLOWING TO OFFENDER] I have been informed that if I am pleading guilty to any offense that is classified as a felony or any of the following crimes when committed by one family or household member against another: assault in the fourth degree, coercion, stalking, reckless endangerment, criminal trespass in the first degree, or violation of the provisions of a protection order or no-contact order restraining the person or excluding the person from a residence; that I may not possess, own, or have under my control any firearm, and under federal law any firearm or ammunition, unless my right to do so has been restored by the court in which I am adjudicated or the superior court in Washington State where I live, and by a federal court if required.
- [K] FIREARMS POSSESSION OR COMMISSION WHILE ARMED:
- [i] Minimum 10 Days for Possession under Age 18: I understand that the offense I am pleading guilty to includes possession of a firearm in violation of RCW 9.41.040(2)(a)(iii), and pursuant to RCW 13.40.193, the judge will impose a mandatory minimum disposition of 10 days of confinement, which must be served in total confinement without possibility of release until a minimum of 10 days has been served.
- [ii] Unlawful Possession with Stolen Firearm: I understand that if the offenses I am pleading guilty to include both a conviction under RCW 9.41.040 for unlawful possession of a firearm in the first or second degree and one or more convictions for the felony crimes of theft of a firearm or possession of a stolen firearm, that the sentences imposed for these crimes shall be served consecutively to each other. A consecutive sentence will also be imposed for each firearm unlawfully possessed.
- [iii] Armed During Commission of Any Offense: I understand that if the offense I am pleading guilty to includes a finding that either I or my accomplice was armed with a firearm during the commission of the offense, that the standard range disposition shall be determined pursuant to RCW 13.40.160, unless the judge finds a manifest injustice, in which case the disposition shall be determined pursuant to RCW 13.40.193(3). Such confinement will run consecutive to any other sentence that may be imposed.
- [iv] Armed During Commission of a Felony: I further understand that the offense I am pleading guilty to includes a finding that either myself or my accomplice was armed with a firearm during the commission of a felony (other than possession of a machine gun, possession of a stolen firearm, drive-by shooting, theft of a firearm, unlawful possession of a firearm in the first or second degree, or use of a machine gun in a felony)

and, therefore, the following mandatory periods of total confinement will be added to my sentence: For a class A felony, six (6) months; for a class B felony, four (4) months; and for a class C felony, two (2) months. Such confinement will run consecutive to any other sentence that may be imposed.

[v] Unlawful Possession of a Firearm in the 1st or 2nd degree. I understand that if I am pleading guilty to Unlawful Possession of a Firearm in the 1st or 2nd degree, I must participate in a "qualifying program" unless there is no such program available or the court makes a written finding based on the juvenile court risk assessment that participation in the program would not be appropriate. A qualifying program means an aggression replacement training program, a functional family therapy program, or another cost-beneficial, evidence, or research based approved program applicable to the juvenile firearm offender population.

[L] FELONY FIREARM OFFENDER REGISTRATION: I am subject to court-ordered felony firearm offender registration pursuant to RCW 9.41.330. The specific registration requirements are in the "Felony Firearm Offender Registration" Attachment.

13. I understand that the prosecuting attorney will make the following recommendation to the judge:

14. I understand that the probation counselor will make the following recommendation to the judge:

15. Although the judge will consider recommendations of the prosecuting attorney and the probation officer, the judge may impose any sentence he or she feels is appropriate, up to the maximum allowed by law.

16. The judge has asked me to state in my own words what I did that makes me guilty of this crime. This is my statement:

[] Instead of making a statement, I agree that the judge may review the police reports and/or a statement of probable cause supplied by the prosecution to establish a factual basis for the plea.

17. I plead guilty to count _____ in the _____ Information. I have received a copy of that Information.

18. I make this plea freely. No one has threatened to harm me or anyone else to get me to plead guilty.
19. No one has made any promises to make me plead guilty, except as written in this statement.
20. I have read or someone has read to me everything printed above, and in Attachment "A," if applicable, and I understand it in full. I have been given a copy of this statement. I have no more questions to ask the judge.

Dated: _____ Respondent _____

I have read and discussed this statement with the respondent and believe that the respondent is competent and fully understands the statement.

 Deputy Prosecuting Attorney WSBA No. Attorney for Respondent WSBA No.

 Type or Print Name Type or Print Name

JUDGE'S CERTIFICATE

The foregoing statement was signed by the respondent in open court in the presence of his or her lawyer and the undersigned judge. The respondent asserted that [check appropriate box]:

- (a) The respondent had previously read the entire statement above and that the respondent understood it in full;
- (b) The respondent's lawyer had previously read to him or her the entire statement above and that the respondent understood it in full; or
- (c) An interpreter had previously read to the respondent the entire statement above and that the defendant understood it in full. The Interpreter's Declaration is attached.

INTERPRETER'S DECLARATION: I am a certified or registered interpreter, or have been found otherwise qualified by the court to interpret, in the _____ language, which the respondent understands. I have interpreted this document for the respondent from English into that language. I certify under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

Signed at (city) _____, (state) _____, on (date) _____.

 Interpreter Print Name

I find the respondent's plea of guilty is knowingly, intelligently, and voluntarily made. Respondent understands the charge and the consequences of the plea. There is a factual basis for the plea. The respondent is guilty as charged.

Dated: _____ Judge/Commissioner _____