

IN THE DISTRICT COURT OF THE STATE OF WASHINGTON
FOR THE COUNTY OF BENTON

- () STATE OF WASHINGTON
() CITY OF KENNEWICK
() CITY OF RICHLAND
() CITY OF WEST RICHLAND
() CITY OF PROSSER

CASE NO. _____

STATEMENT OF DEFENDANT
ON PLEA OF GUILTY
DUI/PHYSICAL CONTROL

vs

DEFENDANT DATE OF BIRTH ____/____/____ AGE ____

MAILING ADDRESS _____ CITY & STATE _____

1. I HAVE BEEN INFORMED AND UNDERSTAND THAT:

- (a) I have the right to representation by a lawyer. If I cannot afford a lawyer, one will be provided at no expense to me. My lawyer's name is _____.
(b) I am charged with the crime(s) of driving/being in physical control of a motor vehicle while under the influence of alcohol and or drugs. _____

The elements of this crime(s) are (1) Driving/being in physical control of a motor vehicle. (2) while under the influence of or affected by intoxicating liquor and or drugs or have a .08 concentration of alcohol in a persons blood or breath within 2 hours of driving/being in physical control of a motor vehicle. _____

2. I UNDERSTAND THAT BY PLEADING GUILTY I AM GIVING UP THE FOLLOWING IMPORTANT RIGHTS:

- (a) THE RIGHT TO A SPEEDY AND PUBLIC TRIAL BY AN IMPARTIAL JURY IN BENTON COUNTY.
(b) THE RIGHT TO REMAIN SILENT BEFORE AND DURING TRIAL, AND THE RIGHT TO REFUSE TO TESTIFY AGAINST MYSELF.
(c) THE RIGHT AT TRIAL TO HEAR AND QUESTION THE WITNESSES WHO TESTIFY AGAINST ME.
(d) THE RIGHT AT TRIAL TO HAVE WITNESSES APPEAR AND TESTIFY FOR ME, AT NO EXPENSE TO ME.
(e) I AM PRESUMED INNOCENT UNTIL THE CHARGE IS PROVEN BEYOND A REASONABLE DOUBT OR I ENTER A PLEA OF GUILTY.
(f) THE RIGHT TO APPEAL A DETERMINATION OF GUILT AFTER A TRIAL.

3. I UNDERSTAND THAT:

- (a) THE CRIME(S) WITH WHICH I AM CHARGED CARRIES A MAXIMUM SENTENCE OF 365 DAYS IN JAIL AND A \$5000 FINE.
(b) THE CRIME(S) WITH WHICH I AM CHARGED CARRIES A MANDATORY MINIMUM SENTENCE OF _____ DAYS IN JAIL AND A \$ _____ FINE AND _____ DAYS ON ELECTRONIC HOME MONITORING AND A PROHIBITION AGAINST DRIVING A MOTOR VEHICLE WITHOUT AN IGNITION INTERLOCK DEVICE ON THE VEHICLE PER ORDER FOR _____.
(c) THIS PLEA OF GUILTY MAY RESULT IN SUSPENSION OR REVOCATION OF MY DRIVER'S LICENSE BY THE DEPARTMENT OF LICENSING.
(d) THE JUDGE MAY ORDER ME TO PAY RESTITUTION TO ANY VICTIM, EQUAL TO DOUBLE THEIR LOSS.
(e) IF I AM NOT A U.S. CITIZEN, THIS GUILTY PLEA MAY RESULT IN DEPORTATION OR DENIAL OF NATURALIZATION.
(f) IF THIS CRIME IS A SEXUAL OFFENSE, OR A DRUG OFFENSE ASSOCIATED WITH HYPODERMIC NEEDLES, I WILL BE TESTED FOR AIDS.
(g) THE PROSECUTING AUTHORITY WILL MAKE THE FOLLOWING RECOMMENDATION TO THE JUDGE:

CT #1 JAIL: _____ DAYS _____ SUSPENDED FINE: CT 1 _____
CT #2 JAIL: _____ DAYS _____ SUSPENDED FINE: CT 2 _____
CT #3 JAIL: _____ DAYS _____ SUSPENDED FINE: CT 3 _____

- ALCOHOL INFORMATION SCHOOL
ANGER MANAGEMENT
ALCOHOL & DRUG TREATMENT
IGNITION INTERLOCK
RESTITUTION
HOME MONITORING
OTHER _____

COSTS: Attorney _____ PDR Court Cost Recoup _____ CCR Enforcement _____ IFA
Breath/Blood Lab _____ BBL Criminal Traffic _____ TPC Prisoner Rm/Bd _____ PBR
Conviction Filing Fee _____ CFT/N Domestic Violence _____ DVA Probation _____ PRO
Warrant _____ SWF

THE JUDGE IS NOT REQUIRED TO FOLLOW THE PROSECUTOR'S RECOMMENDATION AND MAY SENTENCE UP TO THE MAXIMUM AUTHORIZED BY LAW.

4. DEFENDANT'S STATEMENT: I PLEAD GUILTY to the crime(s) of driving/being in physical control of a motor vehicle while under the influence of alcohol and or drugs.
I AM GUILTY OF THIS CRIME BECAUSE ON THE DATE OF _____, I _____

I HAVE RECEIVED A COPY OF THE COMPLAINT OR CITATION. I MAKE THIS PLEA FREELY AND VOLUNTARILY. NO ONE HAS THREATENED HARM TO ME OR TO ANY OTHER PERSON TO OBTAIN THIS PLEA OR MADE ANY PROMISES EXCEPT AS SET FORTH IN THIS STATEMENT. MY LAWYER EXPLAINED THIS STATEMENT TO ME. I UNDERSTAND IT AND HAVE NO QUESTIONS TO ASK THE JUDGE. I HAVE RECEIVED A COPY OF THIS STATEMENT.

I HAVE DISCUSSED THIS STATEMENT WITH THE DEFENDANT AND BELIEVE THE DEFENDANT UNDERSTANDS IT.

DEFENDANT'S LAWYER

DEFENDANT

PROSECUTING AUTHORITY

I AM A CERTIFIED TRANSLATOR IN THE LANGUAGE OF THE DEFENDANT. I HAVE TRANSLATED THIS STATEMENT FOR THE DEFENDANT, AND THE DEFENDANT HAS ACKNOWLEDGED UNDERSTANDING OF THIS STATEMENT.

THIS STATEMENT HAS BEEN READ BY OR TO THE DEFENDANT. THERE IS A FACTUAL BASIS FOR THE PLEA. I FIND THE DEFENDANT'S PLEA TO BE KNOWING, INTELLIGENTLY AND VOLUNTARILY MADE. THE DEFENDANT UNDERSTANDS THE CHARGES AND THE CONSEQUENCE OF THE PLEA. THE DEFENDANT IS GUILTY AS CHARGED.

INTERPRETER

JUDGE

DATE