

BENTON COUNTY DISTRICT COURT	
STATE OF WASHINGTON CITY OF _____, _____, Plaintiff, VS _____, Defendant.	NO: _____ STATEMENT OF DEFENDANT CHARGE(S): _____ VIOLATION DATE: _____

As the Defendant charged in this Court with a violation(s) of law, I understand that I have the following rights:

1. I am presumed innocent of the charge(s) until proved guilty beyond a reasonable doubt;
2. I have the right to a speedy trial by an impartial judge or jury within 60 days of arraignment if I am in custody, and within 90 days of arraignment if I am not in custody;
3. I have the right to a jury trial unless waived specifically by me;
4. I have the right to see, hear and question all witnesses who testify against me at trial;
5. I have the right at trial to call witnesses on my own behalf, and to have them appear at no expense to me;
6. I have the right at my trial to testify on my behalf and I have the right to remain silent, and my silence will not be used against me;
7. I have the right to be represented by an attorney of my own choosing, if I cannot afford an attorney, one will be appointed at no expense to me;
8. I have the right to appeal any judgment of "guilty" entered by this Court after a plea of "not guilty" following a trial or hearing thereon, by filing a written Notice of Appeal in the Superior Court within thirty (30) days of judgment, specifying claimed errors made by this Court, serving a copy of the Notice of Appeal on the Prosecutor and posting any appeal bond set by this Court.

I acknowledge the above rights and specifically waive the right to testify, the right to a speedy trial, the right to call witnesses to testify, the right to present evidence in my defense, and the right to a jury trial.

I know that a person charged with a traffic violation, misdemeanor or gross misdemeanor is only eligible for a Title 46 RCW Deferred Prosecution once in a lifetime.

I understand the maximum penalty that could be imposed is _____ days in jail and \$_____ in fines.

I understand that a deferred prosecution is considered a prior offense under RCW 46.61.5055 and will enhance mandatory penalties for subsequent offenses committed with a seven-year period.

I stipulate to the accuracy and admissibility of the police report(s), any other documents, reports or evidence filed in this case, and any lab results related to this case, including lab results not available when my Deferred Prosecution was entered.

I further stipulate that in the event the Court revokes my Deferred Prosecution status, my guilt or innocence shall be determined by the Court considering only these reports, documents, any other evidence filed as of the date of entry of this Deferred Prosecution, and any lab results related to this case regardless of when filed.

I acknowledge that this statement will be entered and used to support a finding of guilty if the court finds cause to revoke the order granting deferred prosecution.

I acknowledge that I have read, or had read to me, the above statements, which I make voluntarily. I understand them and have no further questions of the Court.

DATED THIS _____ day of _____, 20_____.

Presented by:

Defendant/Petitioner

Defendant's Attorney

The Court has enquired and the Defendant has acknowledged that the foregoing statement was read by or to the Defendant.

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

INTERPRETER

DATE

JUDGE