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SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

STATE OF WASHINGTON, )  
)  
Plaintiff, )  
)  
vs. )  
)  
\_\_\_\_\_, )  
Defendant. )  
)  
)  
)

No.

**STATEMENT OF DEFENDANT ON  
PLEA OF GUILTY (Nonfelony)  
(STTDFG)**

1. My true name is \_\_\_\_\_.

2. My date of birth is \_\_\_\_\_.

3. I went through the \_\_\_\_\_ grade.

**4. I HAVE BEEN INFORMED AND FULLY UNDERSTAND THAT:**

(a) I have the right to representation by a lawyer; if I cannot afford to pay for 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 \_\_\_\_\_.

The elements of this (these) crime(s) are set forth in the information/ \_\_\_\_\_ amended information, which is incorporated by reference and which I have reviewed with my lawyer.

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

(a) The right to a speedy and public trial by an impartial jury in the county where the crime is alleged to have been committed;

(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 testify and to hear and question the witnesses who testify against me;

(d) The right at trial to have witnesses testify for me. These witnesses can be made to appear at no expense to me;

(e) The right to be 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.

**6. IN CONSIDERING THE CONSEQUENCES OF MY GUILTY PLEA(S), I UNDERSTAND THAT:**

(a) The crime(s) with which I am charged each carry a maximum sentence(s) of \_\_\_\_\_ (maximum 364) days in jail and a \$ \_\_\_\_\_ fine.

(b) The crime of \_\_\_\_\_ has a mandatory minimum sentence of \_\_\_\_\_. The law does not allow any reduction of this sentence.

[If not applicable, this paragraph should be stricken and initialed by the defendant and the judge \_\_\_\_\_.]

(c) The prosecuting attorney will make the following recommendation to the judge: \_\_\_\_\_  
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The prosecutor will make the recommendation stated in the Plea Agreement and State's Sentence Recommendation, which are incorporated by reference.

(d) The judge does not have to follow anyone's recommendation as to sentence. The judge can give me any sentence up to the maximum authorized by law no matter what the prosecuting attorney or anyone else recommends.

(e) The judge may place me on probation for up to five years if I am sentenced under RCW 46.61.5055 or up to two years for all other offenses, and impose conditions of probation.

(f) The judge will order me to pay a victim's compensation fund assessment. The judge may order that I pay a fine, attorney fees, and other costs, fees and assessments authorized by law. The judge may also order me to make restitution to any victims who lost money or property as a result of crimes I committed. The maximum amount of restitution is double the amount of the loss to all victims or double the amount of my gain.

(g) If I am not a citizen of the United States, a plea of guilty to an offense punishable as a crime under state law is grounds for deportation, exclusion from admission to the United States, or denial of naturalization pursuant to the laws of the United States.

(h) If I am convicted of any new crimes before sentencing, or if any additional criminal history is discovered, the prosecuting attorney's recommendations may increase. Even so, I cannot change my mind and my plea of guilty to this charge is binding on me.

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2 **NOTIFICATION RELATING TO SPECIFIC CRIMES.**

3 **For any of the Following Paragraphs That Do Not Apply, the Paragraph**  
4 **Should be Stricken and Initialed by the Defendant and the Judge.**

5 (i) If this crime was committed on or after August 1, 2009, the judge will place me on  
6 probation if this crime is assault in the fourth degree, or violation of a domestic violence court order  
7 pursuant to RCW 10.99.040, 10.99.050, 26.09.300, 26.10.220, 26.26.138, 26.50.110, 26.52.070, or  
8 74.34.145, if I have a prior conviction for one or more of the following: (a) a violent offense; (b) a  
9 sex offense; (c) a crime against a person as defined in RCW 9.94A.411; (d) assault in the fourth  
10 degree; or (e) violation of a domestic violence court order. [If not applicable, this paragraph should  
11 be stricken and initialed by the defendant and the judge \_\_\_\_ \_\_\_\_.]

12 (j) If this crime involves a sexual offense, prostitution, or a drug offense associated with  
13 hypodermic needles, I will be required to undergo testing for the human immunodeficiency virus  
14 (HIV). [If not applicable, this paragraph should be stricken and initialed by the defendant and the  
15 judge \_\_\_\_ \_\_\_\_.]

16 (k) This plea of guilty will result in revocation of my privilege to drive by the Department of  
17 Licensing. If I have a driver's license, I must now surrender it to the judge. [If not applicable, this  
18 paragraph should be stricken and initialed by the defendant and the judge \_\_\_\_ \_\_\_\_.]

19 (l) This crime was committed by one family or household member against another and is  
20 assault in the fourth degree, coercion, stalking, reckless endangerment, criminal trespass in the first  
21 degree, or violation of provisions of a protective order. I understand that I am not permitted to  
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1 possess, own, or have under my control any firearm unless my right to do so is restored by a court of  
2 record and that I must immediately surrender any concealed pistol license. [If not applicable, this  
3 paragraph should be stricken and initialed by the defendant and the judge \_\_\_\_\_.]

4 (m) This crime involved driving while under the influence of alcohol and/or being in actual  
5 physical control of a vehicle while under the influence of alcohol and/or drugs, and I understand that  
6 I will be subject to

7  The penalties described in the "DUI" Attachment.

8 *OR*

9  these minimum penalties: The mandatory minimum sentence of \_\_\_\_\_ days in  
10 jail OR \_\_\_\_\_ days of electronic home monitoring and \$\_\_\_\_\_ monetary  
11 penalty. I may also be required to drive only motor vehicles equipped with an ignition  
12 interlock device as imposed by the Department of Licensing or the court. My driving  
13 privilege will be suspended or revoked by the Department of Licensing for a period of  
14 \_\_\_\_\_ . The court may waive electronic home monitoring and impose an

15  
16 alternative sentence, which may include additional jail time, work crew or work camp.

17 [If not applicable, this paragraph should be stricken and initialed by the defendant and the  
18 judge \_\_\_\_\_.]

19 (n) This crime involved sexual misconduct with a minor in the second degree,  
20 communication with a minor for immoral purposes, or attempt, solicitation or conspiracy to commit  
21 a sex offense, or a kidnapping offense involving a minor, as defined in RCW 9A.44.130. I will be  
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1 required to register with the county sheriff as described in the "Offender Registration" attachment.

2 [If not applicable, this paragraph should be stricken and initialed by the defendant and the judge  
3 \_\_\_\_\_.]

4 (o) This crime involved Assault 4 with Sexual Motivation, Communication with a Minor  
5 for Immoral Purposes, Custodial Sexual Misconduct 2, Failure to Register, Harassment, Patronizing  
6 a Prostitute, Sexual Misconduct with a Minor 2, Stalking, Violation of a Sexual Assault Protection  
7 Order, or any other offense requiring registration under RCW 9A.44.130. I will be required to have  
8 a biological sample collected for purposes of DNA identification analysis and the judge will order  
9 me to pay a \$100 DNA fee. RCW 43.43.754. [If not applicable, this paragraph should be stricken  
10 and initialed by the defendant and the judge. \_\_\_\_\_.]

11 (p) Because this crime involved a violation of the state drug laws, my eligibility for state  
12 and federal food stamps, welfare, and education benefits will be affected. 20 U.S.C. § 1091(r) and  
13 21 U.S.C. § 862a. [If not applicable, this paragraph should be stricken and initialed by the  
14 defendant and the judge \_\_\_\_\_.]

15 (q) If this crime is a violation of RCW 46.61.502 (Driving Under The Influence) and I have  
16 Washington State volunteer firefighters vehicle license plates, I must surrender those license plates  
17 at the time this plea is entered.

18 7. I plead guilty to the crime(s) of \_\_\_\_\_  
19 \_\_\_\_\_  
20 \_\_\_\_\_

21 as charged in the information/ \_\_\_\_\_ amended information, including all charged  
22 domestic violence designations. I have received a copy of that information.

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8. I make this plea freely and voluntarily.

9. No one has threatened harm of any kind to me or to any other person to cause me to make this plea.

10. No person has made promises of any kind to cause me to enter this plea except as set forth in this statement.

11. The judge has asked me to state briefly in my own words what I did that makes me guilty of this (these) crime(s), including domestic violence relationships, if they apply. This is my statement: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

12. My lawyer has explained to me, and we have fully discussed, all of the above paragraphs. I understand them all. I have been given a copy of this "Statement of Defendant on Plea of Guilty." I have no further questions to ask the judge.

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DEFENDANT

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

\_\_\_\_\_  
PROSECUTING ATTORNEY  
Print Name: \_\_\_\_\_  
WSBA# \_\_\_\_\_

\_\_\_\_\_  
DEFENDANT'S LAWYER  
Print Name: \_\_\_\_\_  
WSBA# \_\_\_\_\_

The foregoing statement was signed by the defendant in open court in the presence of the defendant's lawyer and the undersigned judge. The defendant asserted that [check appropriate box]:

- (a) The defendant had previously read; or
- (b) The defendant's lawyer had previously read to him or her; or
- (c) An interpreter had previously read to the defendant the entire statement above;

and that the defendant understood it in full.

I find the defendant's plea of guilty to be knowingly, intelligently and voluntarily made. The defendant understands the charges and the consequences of the plea. There is a factual basis for the plea. The defendant is guilty as charged.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
JUDGE

I am a certified interpreter or have been found otherwise qualified by the court to interpret in the \_\_\_\_\_ language and I am fluent in that language, which the defendant understands. I have translated this entire document for the defendant 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.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
TRANSLATOR  
Print Name: \_\_\_\_\_

\_\_\_\_\_  
INTERPRETER  
Print Name: \_\_\_\_\_